## JOURNALS OF THE SENATE

No. 31

TUESDAY, 17 JUNE 2014

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1 MEETING OF SENATE
The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 GOVERNMENT DOCUMENTS
The following documents were tabled:
- Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2014.
- Migration Act 1958—
  - Reports for the period 1 November 2013 to 28 February 2014—
    - Section 91Y—Protection visa processing taking more than 90 days.
    - Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days.
  - Section 486O—Assessment of detention arrangements—Personal identifiers 1001164, 1000300, 1001221, 1001372, 1001340, 1001328, 1001329, 1001270, 1001141, 1001104, 1001134, 1001142, 1001274, 1001080, 1001244, 1001116, 1001346, 1001345, 1001152, 1001351, 1001284, 1001120, 1001144, 1001293, 1001065, 1001149, 1001300, 1001289, 1001370, 1000927, 1001126, 1001199, 1001082, 1001353, 1001049, 1001166, 1000851, 1001165, 1001168, 1001032, 1001167, 1000945, 1001091—
    - Commonwealth Ombudsman’s reports, dated 28 May 2014, and corrigendum.
    - Government response to Ombudsman’s reports, dated 18 May 2014, and corrigendum.
- Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 January to 31 March 2014.
Treaties—

Bilateral—Text, together with national interest analyses and annexures—
Amendment to the Annex to the Protocol on Trade in Services to the Australia New Zealand Closer Economic Relations Trade Agreement.
List of multilateral treaties under negotiation, consideration or review by the Australian Government as at April 2014.

3 PRIVILEGES—STANDING COMMITTEE—STATEMENT BY PRESIDENT—PROPOSED REFERENCE

The President made a statement relating to a matter of privilege raised by the Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi) and Senator Faulkner concerning the use of closed circuit television footage to monitor a Department of Parliamentary Services employee under investigation for an alleged code of conduct breach and the person’s interaction with a senator’s office.

The President informed the Senate that, pursuant to the procedures provided by standing order 81 and resolutions of the Senate of 25 February 1988, he had determined that a motion relating to the matter may have precedence of all other business on the day for which the notice is given.

Documents: The President tabled the following documents:
Privileges—Standing Committee—Proposed reference—Letters to the President from—
Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi), dated 27 May 2014 and attachment.
Senator Faulkner, dated 28 May 2014.

Notice of motion: Senator Bernardi, also on behalf of Senator Faulkner, gave a notice of motion as follows: To move on the next day of sitting—that the following matters be referred to the Committee of Privileges for inquiry and report:
In relation to the use of closed circuit television footage by officers of the Department of Parliamentary Services (DPS) for internal investigations involving DPS staff:
(a) whether there was any improper interference, or attempted improper interference, with the free performance by Senator Faulkner or any other senator of their duties as a senator;
(b) whether disciplinary action was taken against any person in connection with the provision of information to Senator Faulkner or any other senator; and
(c) if so, whether any contempts were committed in respect of those matters.
Order of the day read for the consideration of the bills in committee of the whole.

In the committee

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

The Tax Laws Amendment (Temporary Budget Repair Levy) Bill 2014 to be reported without amendments and the remaining bills to be reported without requests for amendments.

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

On the motion of the Minister for Finance (Senator Cormann) the report from the committee was adopted and the bills read a third time.
5 SOCIAL SECURITY LEGISLATION AMENDMENT (GREEN ARMY PROGRAMME) BILL 2014
Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for the Environment (Senator Birmingham)—That this bill be now read a second time.
Debate resumed.
At 2 pm: Debate was interrupted while Senator Siewert was speaking.

6 QUESTIONS
Questions without notice were answered.

7 MOTIONS TO TAKE NOTE OF ANSWERS
Senator Furner moved—That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today relating to the 2014-15 Budget.
Debate ensued.
Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Assistant Minister for Social Services (Senator Fifield) to a question without notice asked by Senator Siewert today relating to income support arrangements.
Question put and passed.

8 NOTICES
The Deputy Chair of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (Senator Furner): 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 a public meeting during the sitting of the Senate on Thursday, 19 June 2014, from 5 pm, to take evidence for the committee’s inquiry into the jurisdiction of the Australian Commission for Law Enforcement Integrity. (general business notice of motion no. 273)

The Chair of the Rural and Regional Affairs and Transport References Committee (Senator Sterle): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the future of the beekeeping and pollination service industries in Australia be extended to 25 June 2014. (general business notice of motion no. 274)

The Chair of the Legal and Constitutional Affairs References Committee (Senator Wright): To move on the next day of sitting—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 on Thursday, 19 June 2014, from 3.45 pm. (general business notice of motion no. 275)

Senator Waters: To move on the next day of sitting—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by the third sitting day in 2015:

The Abbott Government’s attacks on Australia’s environment, and their effects on our natural heritage and future prosperity, including:

(a) attacks on carbon pricing, the Clean Energy Finance Corporation, the Australian Renewable Energy Agency and the renewable energy target, the Climate Change Authority and the Climate Commission;
(b) attacks on federal environmental protection through handing approval powers over to state governments, which have poor track records and recent environment staff cuts;
(c) attacks on funding for community environment organisations and the Environmental Defenders Offices, abolition of the Biodiversity Fund, and cuts to programs including Landcare and Caring for our Country;
(d) undermining Australia’s compliance with the World Heritage Convention, the Convention on Biological Diversity, and the Ramsar Convention, in particular by attacking the Great Barrier Reef and the Tasmanian Wilderness World Heritage Areas; and
(e) any other related matters.

The Leader of the Australian Greens (Senator Milne) and Senator Xenophon: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) the use of the term ‘Occupied Palestinian Territories’ is an internationally accepted term in use by the United Nations (UN),
   (ii) the International Court of Justice and the UN General Assembly have deemed East Jerusalem part of the West Bank and an occupied territory,
   (iii) Australia has historically supported UN Security Council and General Assembly resolutions regarding the Israel-Palestine conflict and the status of Jerusalem,
   (iv) the voting patterns of Australia in relation to the Israel-Palestine conflict have shifted dramatically under the Abbott Government, and
   (v) these shifts in the position of the Australian Government have caused diplomatic tensions with a number of countries, including the threat of potential sanctions; and

(b) calls on the Minister for Foreign Affairs (Ms Bishop) to publicly acknowledge that:
   (i) the Israeli settlements in the Occupied Palestinian Territories are illegal and in breach of the Fourth Geneva Convention, and
   (ii) East Jerusalem is an occupied territory. (general business notice of motion no. 276)

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

(a) recognises the commitment of the world’s two largest emitters, the People’s Republic of China and the United States of America, to limit and drive down their greenhouse pollution over the coming years;
(b) supports their cooperative approach to use international fora such as the G20 and the United Nations to ensure a global agreement is secured in the Paris Conference of the Parties in 2015;
(c) acknowledges these governments’ preferred approach to drive down pollution is through market-based, cap and trade systems; and
(d) insists the Government stop making misleading statements that its ‘direct action’ plan is capable of significantly driving down Australia’s emissions or is in any way comparable to the Obama Administration’s Clean Power Plan. (general business notice of motion no. 277)
The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That the Senate—

(a) acknowledges that Australian motorists can achieve significant hip-pocket savings at the petrol pump if mandatory fuel efficiency standards are gradually introduced for new vehicles;

(b) notes that new Australian cars consume more petrol than new vehicles sold in China, India, Europe and Japan;

(c) recognises that light passenger and commercial vehicles account for 10 per cent of Australia’s total carbon pollution, but this can be easily reduced; and

(d) supports the introduction of mandatory fuel efficiency standards. (general business notice of motion no. 278)

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

(a) notes:

(i) that National TAFE day will be held on 18 June 2014,

(ii) the proposed cuts to technical and further education (TAFE) budgets across Australia will have disastrous impacts on staff and students and Australia’s economic future and social well-being,

(iii) the changes to TAFE are adversely impacting regional, rural and disadvantaged communities and people with varying abilities, and

(iv) the Senate inquiry into TAFE unearthed widespread concerns across industries and interests about the quality of education and training provided through the private vocational and education market; and

(b) calls on the federal and state governments to:

(i) reverse the harsh budget cuts to TAFE and to abandon changes proposed to vocational education and training that undermine TAFE as a public provider,

(ii) end the current competitive tendering model of government funding for vocational education and training,

(iii) support and expand the capacity of the public TAFE system to allow it to continue its historic role providing high quality technical and further education to Australians of all ages and backgrounds,

(iv) properly recognise the importance of TAFE in providing vocational and technical education in areas of high and low demand, in rural and remote areas and in supporting access and participation for disadvantaged learners, and

(v) work collaboratively to develop a national workforce strategy for the TAFE sector. (general business notice of motion no. 279)

The Assistant Minister for Immigration and Border Protection (Senator Cash): To move on the next day of sitting—That the Senate—

(a) notes that on 15 December 2010, a vessel now known as SIEV 221 foundered on rocks at Rocky Point near Flying Fish Cove, Christmas Island, resulting in a significant search and rescue event and tragic loss of life; and

(b) acknowledges the:

(i) bravery of the crews of the Customs and Border Protection vessel, ACV Triton, and the Royal Australian Navy vessel, HMAS Pirie, and the people of Christmas Island who rescued 41 survivors in treacherous conditions at considerable risk to their own personal safety,
(ii) work done by officers of the Australian Customs and Border Protection Service and the Australian Navy who serve as part of Border Protection Command in protecting our borders is recognised and appreciated, and

(iii) findings of the Joint Select Committee on the Christmas Island Tragedy in relation to the efforts of Customs, Navy and Australian Federal Police (AFP) on the day and that ‘The committee believes the response by Customs, Navy and AFP on the day was a tremendous rescue effort made in atrocious circumstances’. (general business notice of motion no. 280)

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

(a) recognises that over 500,000 Iraqis have been displaced in the past week due to the ongoing deadly conflict in their country;

(b) recognises that this is a humanitarian crisis that will have flow on effects in our region; and

(c) calls on the Government to issue a moratorium on the return of any asylum seekers to Iraq and offer a reprieve to those detained in immigration detention on Manus Island, Nauru and Christmas Island to allow them to apply for protection in Australia. (general business notice of motion no. 281)

Senator Xenophon: To move on the next day of sitting—That the Export Legislation Amendment Bill 2014 and related bills be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 10 July 2014.

Senator Hanson-Young: To move on 16 July 2014—That the Migration Amendment (2014 Measures No. 1) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 32 and made under the Migration Act 1958, be disallowed.

Senators Siewert and Moore: To move on the next day of sitting—That the Senate—

(a) recognises the role that carers play in our community, particularly family carers, and acknowledges the over $40 billion of unpaid care that carers provide;

(b) celebrates the diversity of carers in our community, who may be caring for a spouse, a sibling, a parent or a child, and particularly recognises the contribution of our young carers; and

(c) calls on the Government to maintain its support of carers and ensure that its welfare reform process does not adversely affect carers or reduce their access to income support. (general business notice of motion no. 282)

9 LAW AND JUSTICE—PAST SEXUAL CRIMES—DOCUMENT

Senator Moore, by leave, tabled the following document:

Law and justice—Past sexual crimes—Petitioning document from 97 signatories calling for accountability and justice for medical past sexual crimes, abduction of newborn babies and medical experimentation.

Statement by leave: Senator Moore, by leave, made a statement relating to the matter.
10 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2014

The Chair of the Selection of Bills Committee (Senator Kroger) tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 6 OF 2014

1. The committee met in private session on Monday, 16 June 2014 at 9.22 pm.

2. The committee resolved to recommend—That—
   (a) the provisions of the Australian Citizenship Amendment (Intercountry Adoption) Bill 2014 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 26 August 2014;
   (b) the Private Health Insurance Amendment (GP Services) Bill 2014 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 4 September 2014; and
   (c) the provisions of the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 26 August 2014.

3. The committee resolved to recommend—That the following bills not be referred to committees:
   - Asset Recycling Fund Bill 2014
   - Asset Recycling Fund (Consequential Amendments) Bill 2014
   - Australian Workforce and Productivity Agency Repeal Bill 2014
   - Customs Tariff Amendment (Product Stewardship for Oil) Bill 2014
   - Excise Tariff Amendment (Product Stewardship for Oil) Bill 2014
   - Family Assistance Legislation Amendment (Child Care Measures) Bill 2014
   - Offshore Petroleum and Greenhouse Gas Storage Amendment (Regulatory Powers and Other Measures) Bill 2014
   - Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Bill 2014
   - Public Governance, Performance and Accountability Amendment Bill 2014
   - Tax and Superannuation Laws Amendment (2014 Measures No. 2) Bill 2014
   - Tax and Superannuation Laws Amendment (2014 Measures No. 3) Bill 2014
   - Tax Laws Amendment (Implementation of the FATCA Agreement) Bill 2014
   - Textile, Clothing and Footwear Investment and Innovation Programs Amendment Bill 2014
   - Trade Support Loans Bill 2014
   - Trade Support Loans (Consequential Amendments) Bill 2014.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   - Business Services Wage Assessment Tool Payment Scheme Bill 2014
   - Business Services Wage Assessment Tool Payment Scheme (Consequential Amendments) Bill 2014
Corporations Amendment (Simple Corporate Bonds and Other Measures) Bill 2014
Save Our Sharks Bill 2014.
Helen Kroger
Chair
17 June 2014.
Senator Kroger moved—That the report be adopted.
Question put and passed.

11 LEAVE OF ABSENCE
Senator McEwen, by leave, moved—That leave of absence be granted to Senator Sterle for today, for personal reasons.
Question put and passed.

12 POSTPONEMENTS
The following items of business were postponed:
Business of the Senate notice of motion no. 1 standing in the name of Senator Rhiannon for today, proposing a reference to the Education and Employment References Committee, postponed till 18 June 2014.
Business of the Senate notice of motion no. 2 standing in the name of the Chair of the Community Affairs References Committee (Senator Siewert) for today, proposing a reference to the Community Affairs References Committee, postponed till 18 June 2014.
General business notice of motion no. 271 standing in the name of Senator Di Natale for today, proposing the establishment of a select committee on the Abbott Government’s budget cuts, postponed till 18 June 2014.

13 COMMUNITY AFFAIRS REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT
The Chair of the Community Affairs References Committee (Senator Siewert) amended general business notice of motion no. 252 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of reports of the Community Affairs References Committee be extended, as follows:
(a) speech pathology services—to 1 September 2014; and
(b) Australia’s healthcare system—to 8 August 2014.
Question put and passed.

14 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING
Senator Kroger, at the request of the Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Fawcett) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 253—That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Monday, 14 July 2014, from 11.30 am.
Question put and passed.
15 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Kroger, at the request of the Chair of the Community Affairs Legislation Committee (Senator Boyce) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 254—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 June 2014, from 4.30 pm to 7.30 pm, to further examine the 2014-15 Budget estimates.

Question put and passed.

16 **FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Kroger, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 255—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sittings of the Senate, as follows:

(a) Wednesday, 18 June 2014;
(b) Monday, 14 July 2014; and
(c) Wednesday, 16 July 2014.

Question put and passed.

17 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Kroger, at the request of the Chair of the Community Affairs Legislation Committee (Senator Boyce) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 257—That the time for the presentation of the report of the Community Affairs Legislation Committee on the 2014-15 Budget estimates be extended to 26 June 2014.

Question put and passed.

18 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT**

Senator Kroger, at the request of the Chair of the Education and Employment References Committee (Senator Lines), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 258—That the time for the presentation of reports of the Education and Employment References Committee be extended, as follows:

(a) delivery of quality and affordable early childhood education and care services—to 15 July 2014; and
(b) immediate future of the childcare sector in Australia—to 15 July 2014.

Question put and passed.
19 Economics References Committee—Extension of Time to Report
Senator Kroger, at the request of the Chair of the Economics References Committee (Senator Bishop) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 259—That the time for the presentation of the report of the Economics References Committee on affordable housing be extended to 27 November 2014.
Question put and passed.

20 Migration—Joint Standing Committee—Leave to Meet During Sittings
Senator Kroger, at the request of Senator Dastyari and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 260—That the Joint Standing Committee on Migration be authorised to hold public meetings during the sittings of the Senate, from 9.30 am to 11 am, to take evidence for the committee’s inquiry into the Business Innovation and Investment Programme, as follows:
   (a) Wednesday, 18 June 2014;
   (b) Wednesday, 25 June 2014; and
   (c) Wednesday, 16 July 2014.
Question put and passed.

21 National Capital and External Territories—Joint Standing Committee—Leave to Meet During Sittings
Senator Kroger, at the request of Senator Brown and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 261—That the Joint Standing Committee on the National Capital and External Territories be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, as follows:
   (a) Thursday, 19 June 2014; and
   (b) Thursday, 26 June 2014.
Question put and passed.

22 Environment and Communications References Committee—Leave to Meet During Sitting
Senator Kroger, at the request of the Chair of the Environment and Communications References Committee (Senator Thorp) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 262—That the Environment and Communications References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 18 June 2014, from 1 pm to 2 pm, to take evidence for the committee’s inquiry into environmental offsets.
Question put and passed.
23 **Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples—Joint Select Committee—leave to Meet during Sitting**

Senator Kroger, at the request of the Deputy Chair of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples (Senator Peris) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 263—that the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 25 June 2014, from 10.30 am. Question put and passed.

24 **Economics Legislation Committee—Extensions of Time to Report**

Senator Kroger, at the request of the Chair of the Economics Legislation Committee (Senator Bushby), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 256—that the time for the presentation of reports of the Economics Legislation Committee be extended, as follows:

(a) Competition and Consumer Amendment (Misuse of Market Power) Bill 2014—to 28 August 2014; and

(b) Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013—to 28 August 2014.

Question put and passed.

25 **Education—Review of the Australian Curriculum—Proposed Order for Production of Documents**

Senator Siewert, at the request of Senator Wright and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 264—that there be laid on the table by the Minister representing the Minister for Education, by Tuesday, 24 June 2014, the preliminary report of the Review of the Australian Curriculum presented to the Minister for Education in accordance with the review’s terms of reference.

*Statements by leave:* The Parliamentary Secretary to the Minister for Education (Senator Ryan) and Senator Wright, by leave, made statements relating to the motion. Senator Wright, by leave, withdrew the motion.

26 **Foreign Affairs—Sudan—Freedom of Religion**

Senator Bernardi, also on behalf of Senators Fawcett, O'Sullivan, Xenophon, Madigan and Seselja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 266—that the Senate—

(a) supports freedom of religion as a universal human right;

(b) does not support the imprisonment or persecution of individuals on the basis of their religious belief;

(c) calls on the Sudanese authorities to release Mariam Yahya Ibrahim who was sentenced to 100 lashes and death because she was convicted of converting to Christianity and marrying a Christian man;

(d) recognises:

(i) that this action is a breach of Sudan’s international obligations, and
(ii) also that this case is currently subject to an appeal to Sudan’s Court of Appeal and looks forward to due process being applied; and
(e) stands in solidarity with Mariam Yahya Ibrahim, her family and all people who seek to practise their religion free from persecution.

Question put and passed.

27 TRANSPORT—VICTORIA—EAST WEST LINK

Senator Conroy, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 265—That the Senate—

(a) notes:

(i) evidence given during estimates that the budget provides for payment to the Victorian Government of $0.5 billion by 30 June 2014 for Stage 1 of the East West Link and $1.0 billion for Stage 2,

(ii) that this project is still classified by Infrastructure Australia as not ‘ready to proceed’,

(iii) that Infrastructure Australia has not received a full business case for assessment of Stage 1 and only received a request for funding of Stage 2 a few days before the budget and it was only accompanied by a ‘conceptual business plan’, and

(iv) that the responsible Minister, the Assistant Minister for Infrastructure and Regional Development said of project payments in June 2014: ‘So we are driving the state governments very hard to give us timetables to ensure that we’re meeting the expected time of delivery of these projects. That we’re hitting milestones, that we’re only making payments to states when they actually deliver the milestones, that they’re not getting money in their bank account prior to milestones being delivered, because we want taxpayers to have accountability for what they’re getting, but we also want projects on the ground and not being held up, unfortunately, or deliberately, for that matter’ [Civil Contractors Federation speech, 6 June 2014]; and

(b) calls for no payment to be made to Victoria for the East West Link project until these conditions are fulfilled and Infrastructure Australia assesses the project as ‘ready to proceed’.

Question put.

The Senate divided—

AYES, 37

Senators—

Bilyk
Bishop
Brown
Carr
Collins
Conroy
Dastyari
Di Natale
Farrell
Faulkner
Furner
Gallacher
Hanson-Young
Hogg
Lines
Ludlam
Ludwig
Lundy
Marshall
McEwen (Teller)
McLucas
Milne
Moore
O’Neill
Peris
Pratt
Rhiannon
Siewert
Singh
Stephens
Thorp
Tillem
Urquhart
Waters
Whish-Wilson
Wright
Xenophon

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NOES, 30

Senators—

Back
Bernardi
Birmingham
Boswell
Boyce
Brandis
Bushby
Cash
Colbeck
Edwards
Eggleston
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Kroger (Teller)
Macdonald
Mason
McKenzie
Nash
O’Sullivan
Parry
Payne
Kroger (Teller)
Macdonald
Mason
McKenzie
Nash
O’Sullivan
Parry
Payne

Question agreed to.

28 ROUTINE OF BUSINESS—VARIATION

The Leader of the Australian Greens (Senator Milne), at the request of Senator Siewert and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 268—That on and from Tuesday, 17 June 2014, the Clean Energy Finance Corporation (Abolition) Bill 2013 [No. 2] have precedence over all other government business until determined.

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, 37

Senators—

Bilyk
Bishop
Brown
Carr
Collins
Conroy
Dastyari
Di Natale
Farrell
Faulkner
Furner
Gallacher
Hanson-Young
Hogg
Lines
Ludlam
Lundy
Marshall
McEwen (Teller)
McLucas
Milne
Moore
O’Neill
Peris
Pratt
Rhiannon
Siewert
Singh
Thorp
Tillem
Urquhart
Waters
Whish-Wilson
Wright
Xenophon

NOES, 30

Senators—

Back
Bernardi
Birmingham
Boswell
Boyce
Brandis
Bushby
Cash
Colbeck
Edwards
Eggleston
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Kroger (Teller)
Macdonald
Mason
McKenzie
Nash
O’Sullivan
Parry
Payne

Question agreed to.
29 DEATH OF MR LEO SEEMANPILLAI
Senator Hanson-Young, also on behalf of Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 267—That the Senate—
(a) extends its condolences to the family and friends of Mr Leo Seemanpillai, a Tamil refugee who died tragically in Geelong on 1 June 2014 as a result of self-immolating;
(b) calls on the Minister for Immigration and Border Protection (Mr Morrison) to urgently intervene in the case to ensure that Mr Seemanpillai’s family receives visas enabling them to attend his funeral in Australia; and
(c) expresses its gratitude for Mr Seemanpillai’s decision to become an organ donor and to give several other Australians a new chance at life.

Statements by leave: The Assistant Minister for Social Services (Senator Fifield) and Senator Di Natale, by leave, made statements relating to the motion.
Question put and passed.

30 URGENCY MOTION—DEFENCE—AUSTRALIAN DEFENCE MANUFACTURING INDUSTRY
The Deputy President (Senator Parry) informed the Senate that the President had received a letter from Senator Moore advising that today she intended to move—That, in the opinion of the Senate, the following is a matter urgency:
(a) the Abbott Government’s failure to honour its election promises to support Australia’s defence manufacturing industry by excluding Australian ship building companies from tendering for two new naval supply ships and refusing to commit to building twelve future submarines in Australia; and
(b) the need for the Government to keep its election promises and take action to avoid sending thousands of Australian ship building jobs overseas and putting at risk Australia’s strategically vital ship building industry.

The proposal was supported by four senators.
Senator Conroy, at the request of Senator Moore, moved the motion.
Debate ensued.
Question put and passed.

At 5 pm—

31 VALEDICTORY STATEMENTS
Pursuant to order, senators made statements relating to the retirement of Senators Boswell and Bishop.

After 6.50 pm—

32 GOVERNMENT DOCUMENTS—CONSIDERATION
The government documents tabled earlier today (see entry no. 2) were called on but no motion was moved.
33 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 11.39 pm till Wednesday, 18 June 2014 at 9.30 am.

34 **ATTENDANCE**

Present, all senators except Senators Cameron* and Sterle* (*on leave).

**ROSEMARY LAING**

Clerk of the Senate