# JOURNALS OF THE SENATE

No. 110

MONDAY, 20 AUGUST 2018

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1 **Meeting of Senate**

The Senate met at 10 am. The President (Senator the Honourable Scott Ryan) 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):

**Government documents**

   - *Commonwealth Electoral Act 1918*—Redistribution of electoral divisions—Reports, dated July 2018—
2. Australian Capital Territory.
3. South Australia.
4. Victoria.
5. *Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2018.

**Response to Senate resolution**


The Clerk tabled the following documents pursuant to statute:

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

  - Commissioner of Taxation—Public Rulings—
    - Law Companion Ruling LCR 2018/5.
- *Defence Act 1903*—Defence Determination, Conditions of Service Amendment (Education assistance) Determination 2018 (No. 35) [F2018L01120].
- *Lands Acquisition Act 1989*—Statement describing property acquired by agreements for specified purposes.
- *Public Governance, Performance and Accountability Act 2013*—
  - Commonwealth or corporate Commonwealth entity becomes a member of a company—
    - Innovative Manufacturing CRC Ltd—9 August 2018.
    - RISC-V Foundation—9 August 2018.
Corporate Commonwealth entity acquires shares in a company—
AdAlta Ltd—9 August 2018.
Amfora Inc—9 August 2018.
Arista Cereal Technologies Pty Ltd—9 August 2018.
Avipep Pty Ltd—9 August 2018.
Benitec Biopharma Ltd—9 August 2018.
Biofibra Limited—9 August 2018.
Carbon Energy Ltd—9 August 2018.
CSIRO Financial Services Pty Ltd—9 August 2018.
Datadot Technology Ltd—9 August 2018.
Direct Nickel Pty Ltd—9 August 2018.
ELK OrthoBiologics Pty Ltd—9 August 2018.
Energy Os Pty Ltd—9 August 2018.
Greatcell Solar Ltd—9 August 2018.
Medical Developments International Ltd—9 August 2018.
POLYACTIVA PTY LTD—9 August 2018.
PolyNovo Limited—9 August 2018.
Starpharma Holdings Ltd—9 August 2018.
Uniseed Management Pty Ltd—9 August 2018.

Corporate Commonwealth entity becomes a member of a company—
CRC for Developing Northern Australia Ltd—9 August 2018.
Invasive Animals Ltd—9 August 2018.

Corporate Commonwealth entity ceasing to be a member of a company—
Adventus Technology Inc—9 August 2018.
CO2CRC Technologies Pty Ltd—9 August 2018.
Dunlena Pty Ltd—9 August 2018.
Gene Shears Pty Ltd—9 August 2018.
HySSIL Pty Ltd—9 August 2018.
SKIA TECH PTY LTD—9 August 2018.
XRT Ltd—9 August 2018.

Corporate Commonwealth entity disposes of shares in a company—
GeoSLAM Pty Ltd—9 August 2018.
Murray Darling Freshwater Research Centre Pty Ltd—9 August 2018.

Corporate Commonwealth entity forms a company—
CSIRO FollowOn Services Pty Ltd—9 August 2018.
CSIRO USA LLC—9 August 2018.

Corporate Commonwealth entity forms and acquires shares in a company—
Evergen Pty Ltd—9 August 2018.
MecRX Pty Ltd—9 August 2018.

Corporate Commonwealth entity participated in the formation and acquires shares in a company—
METABLOQ PTY LTD—9 August 2018.
NextOre Pty Ltd—9 August 2018.

Corporate Commonwealth entity participates in the formation and acquires shares in a company—
Chrysos Corporation Limited—9 August 2018.
ReNerve Pty Ltd—9 August 2018.

Corporate Commonwealth entity participates in the forming of a company—
Digital Agriculture Services Pty Ltd—9 August 2018.
Committee—Leave to meet during sitting
A committee was authorised to meet during the sitting of the Senate, as follows:

Intelligence and Security—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 23 August 2018, from 9.30 am.

Vacancy in the representation of New South Wales—Choice of Mehreen Faruqi
The President informed the Senate that he had received, through the Governor-General, from the Governor of New South Wales, a copy of the certificate of the choice by the Parliament of New South Wales of Mehreen Faruqi to fill the vacancy caused by the resignation of Senator Rhiannon.

The President tabled the copy of the certificate as follows:

Government House
Sydney
Thursday, 16 August 2018
His Excellency General the Honourable Sir Peter Cosgrove AK MC (Retd)
Governor-General of the Commonwealth of Australia
Government House
YARRALUMLA ACT 2600

Your Excellency,
I have the honour to inform Your Excellency that, at a Joint Sitting of the two Houses of the Parliament of New South Wales held on 15 August 2018, in accordance with the provisions of Section 15 of the Commonwealth of Australia Constitution Act, Dr Mehreen Faruqi was duly chosen as the person to hold the place in the Senate rendered vacant by the resignation of Senator Lee Rhiannon.

General The Honourable David Hurley AC DSC (Ret’d)
Governor of New South Wales.

Senator sworn: Senator Faruqi, pursuant to the Constitution of the Commonwealth of Australia, made and subscribed the affirmation of allegiance at the table.

Notice—Intention to withdraw
The Leader of the Australian Greens (Senator Di Natale), pursuant to standing order 78, gave notice of his intention, at the giving of notices today, to withdraw business of the Senate notice of motion no. 1 standing in his name for today for the disallowance of the Product Emissions Standards Rules 2017 [F2018L00021].

Offshore Petroleum and Greenhouse Gas Storage Amendment (Reporting of Gas Reserves) Bill 2018
Order of the day read for the adjourned debate on the motion of Senator Georgiou—That this bill be now read a second time.
Debate resumed.
The Leader of Pauline Hanson’s One Nation (Senator Hanson) moved—That the debate be now adjourned.
Question put.
The Senate divided—

**AYES, 31**

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Question negatived.
Debate continued.

At 12.20 pm: Debate was interrupted while Senator Cameron was speaking.

7 **Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017**

Order of the day read for the adjourned debate on the motion of the Minister for International Development and the Pacific (Senator Fierravanti-Wells)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while the Leader of Derryn Hinch’s Justice Party (Senator Hinch) was speaking.

8 **Questions**

Questions without notice were answered.

9 **Motions to take note of answers**

Senator Sterle moved—That the Senate take note of the answer given by the Minister for Defence (Senator Payne) to a question without notice asked by Senator Bilyk today relating to energy policy.

Debate ensued.

Question put and passed.

Senator McKim moved—That the Senate take note of the answer given by the Minister for Communications (Senator Fifield) to a question without notice asked by Senator McKim today relating to children in immigration detention.

Question put and passed.
10 Notices

Senator Keneally: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for the Environment and Energy (Senator Birmingham), by no later than 10 am on 10 September 2018, documents held by the Department of the Environment and Energy that demonstrate that, before the grant of $444 million to the Great Barrier Reef Foundation (the Foundation) was approved:

(a) due diligence was carried out on the Foundation; and

(b) evidence was provided of the capacity of the Foundation to manage a grant of this size and to reduce its administration costs by approximately 50%. (general business notice of motion no. 978)

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

(a) notes that:

(i) Love Your Body Week is from 3 to 9 September 2018 and is Butterfly’s annual awareness campaign, supported by Sportsgirl, to help boost young people’s body confidence,

(ii) Love Your Body Week encourages everyone to change appearance-based conversations at school, home, work and online, and

(iii) during this time, schools and youth organisations across Australia will work to help promote body acceptance and to celebrate diversity;

(b) calls on all levels of government and the community to work together to address social and cultural norms that contribute to body image concerns, especially among young people; and

(c) encourages anyone needing support with eating disorders or body image issues to contact Butterfly’s National Helpline on 1800 ED HOPE (33 4673). (general business notice of motion no. 979)

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

(a) notes that 19 August 2018 was World Humanitarian Day, and this year’s theme is #NotATarget, recognising that humanitarian workers should not be targeted in conflict;

(b) acknowledges the millions of civilians around the world whose lives have been caught up in conflict;

(c) honours the brave health and aid workers who are targeted or obstructed from delivering appropriate aid to people in need; and

(d) pays tribute to the government employees, members of civil society and representatives of international organisations and agencies who risk their lives to provide humanitarian aid and protection. (general business notice of motion no. 980)

The Minister for Education and Training (Senator Birmingham): To move on the next day of sitting—That consideration of the business before the Senate on Tuesday, 21 August 2018 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Faruqi to make her first speech without any question before the chair.

The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams): To move 15 sitting days after today—That the Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018, made under the Customs Act 1901, be disallowed [F2018L00503].
Senator Patrick: To move on 22 August 2018—

(1) That the Senate notes that the following orders for the production of documents have been directed to the Minister for Defence, and as the Minister representing the Minister for Defence Industry, Senator Payne:

(a) on 9 November 2016, for documents relating to the Future Submarine Design and Mobilisation Contract – while a redacted version of the contract was provided on 1 December 2016, on 8 February 2017, the Senate rejected the public interest immunity claim made in relation to contractual intellectual property rights and the documents remain outstanding;

(b) on 4 September 2017, for documentation relating to the Future Frigate tender process – the Senate rejected the minister’s claim of public interest immunity, but the documents were later released under freedom of information legislation;

(c) on 12 February 2018, for documents relating to the Australian Industry Capability Plan, submitted by DCNS to the Department of Defence in its response to the Future Submarine Competitive Evaluation Process – the minister was required to attend the chamber on 10 May 2018 to make a statement, and the documents were later released under freedom of information legislation; and

(d) on 20 June 2018, for documents from the Final Cost Estimate Template that DCNS submitted in response to the Future Submarine Competitive Evaluation Process – the Senate rejected the minister’s claim of public interest immunity on 28 June 2018 and the documents remain outstanding.

(2) The Senate orders that:

(a) the Minister representing the Minister for Defence Industry be required to attend the Senate on 17 September 2018, at 10 am, to explain why the minister has not complied with the order numbered 862 for the production of documents; and

(b) any senator may move a motion to take note of the minister’s statement and any such motion may be debated for no longer than one hour, and have precedence over all government business until determined.

(3) If, at the completion of the debate, any senator is not satisfied as to the explanation, and noting the minister has consistently defied the will of the Senate in respect of its rulings on public interest immunity, the senator may move a motion in the following terms:

That the Senate resolves that, until such time as the Senate resolves that it is satisfied that the order for the production of documents numbered 862 has been complied with, the Minister representing the Minister for Defence Industry shall be prohibited from sitting on the frontbench seats reserved for ministers, and be allocated a seat by the President in another seat. (general business notice of motion no. 981)
Senator Patrick: To move on the next day of sitting—That—

(a) the Senate notes that:
   (i) since 2013, the Department of Human Services (the Department) has
       had a program underway to upgrade its child support system (‘Cuba’) –
       the approved budget was $102.3 million,
   (ii) during the 2015-16 financial year, the total budget was exhausted
       without the project being completed,
   (iii) since the 2015-16 financial year, funding to complete the system has
       come from the Department’s internal investment fund and ICT BAU
       budget,
   (iv) in response to questions taken on notice during the inquiry of the
       Finance and Public Administration References Committee into digital
       delivery of government services, the Department advised that it was
       unable to determine how much had been spent on the project,
   (v) in response to questions asked at Budget estimates, the Department
       could provide no indication of the total spend on the project or provide a
       target completion date, and
   (vi) in response to a freedom of information request – Department Reference
       LEX 37339 – the Department indicated there are 49 documents in
       existence that fit within the description of ‘final versions of all formal
       executive briefings submitted to the Secretary, Department of Human
       Services between 1 July 2017 and 30 June 2018, where the topic of one
       or all of the executive briefings cover the cost, resource allocation
       and/or progress of the Child Support System redesign Programme’; and

(b) there be laid on the table by the Minister representing the Minister for Human
    Services, by no later than 10 am on 10 September 2018, the 49 documents
    identified by the Department in FOI Department Reference LEX 37339.

(General business notice of motion no. 982)

Senator Watt: To move on the next day of sitting—That the following matter be
referred to the Community Affairs References Committee for inquiry and report by
28 November 2018:

Support for Australia’s thalidomide survivors, with particular reference to:

(a) adequacy of compensation and support;
(b) responsibility for providing support;
(c) provision of financial compensation;
(d) the role of the Australian Government in compensation and support; and
(e) any related matters.

Senators Wong and Singh: To move on the next day of sitting—That the Senate—

(a) expresses its deepest sympathy to the people affected by the devastating floods
    in southern India’s Kerala state;
(b) notes that more than 350 people have died and 800,000 have been displaced by
    one of the worst floods in the history of Kerala, and that aid agencies are
    reporting massive destruction and fears that the death toll could climb, as
    hundreds of thousands are denied access to clean water, sanitation and food and
    shelter;
(c) acknowledges the generous efforts by the Indian community in Australia, and
the wider diaspora, to assist with the relief effort, and offers support and
sympathy to the Australian Indian community as they respond to this
unprecedented natural disaster;

(d) acknowledges the significant response effort underway by the Indian
authorities; and

(e) calls on the Australian Government to provide any assistance the Indian
Government may require to help the people of Kerala in their immediate hour
of need, and in the longer term, to recover from this disaster and rebuild their
homes and their lives. (general business notice of motion no. 983)

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

(a) notes the announcement of the Australian Bravery Decorations by the
Governor-General, among which:
   (i) 1 person has received the Star of Courage for acts of conspicuous
courage in circumstances of great peril,
   (ii) 18 people have received the Bravery Medal for acts of bravery in
hazardous circumstances,
   (iii) 40 people have received the Commendation for Brave Conduct for acts
of bravery considered worthy of recognition, and
   (iv) 8 members of the Queensland Police Force, and 4 members of the New
South Wales Police Force, have received Group Bravery Cita-
tions for a collective act of bravery, by a group of persons in extraordinary
circumstances, that is considered worthy of recognition; and

(b) congratulates all recipients and every unnamed Australian who has assisted
others in times of emergency. (general business notice of motion no. 984)

Senator Singh: To move on 23 August 2018—That the Senate—

(a) notes:
   (i) that 25 August 2018 marks one year since close to 700,000 Rohingya,
mostly women and children, were forced to begin fleeing their homes in
Rakhine State, Myanmar,
   (ii) that the Government of Bangladesh leads the humanitarian response and
has kept its borders open to Rohingya refugees while the Bangladeshi
people continue to show tremendous generosity and hospitality in the
face of this massive influx,
   (iii) that since September 2017, Australia has contributed $70 million to the
Rohingya crisis response and continues to have an important role calling
for an outcome which allows Rohingya people to fully
exercise their
human rights,
   (iv) Australia’s support for the implementation of recommendations from
the report of the Kofi Annan-led Advisory Commission on Rakhine
State, and
   (v) the Australian community’s generosity in providing financial support to
the crisis; and

(b) urges the international community to:
   (i) support Bangladesh to provide an appropriate, principled humanitarian
response to the needs of displaced and affected communities,
   (ii) ensure humanitarian aid is delivered where it is needed in accordance
with fundamental human rights, and
(iii) work with all parties in the pursuit of inclusive peace and reconciliation, and to implement the recommendations of the Kofi Annan-led Advisory Commission on Rakhine State. (general business notice of motion no. 985)

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

(a) notes:

(i) the work of the organisation Global Citizen, which is a movement of engaged citizens who work towards ending extreme poverty and empowering girls and women,

(ii) that on 16 August 2018, Global Citizen launched the #SheisEqual campaign in Brisbane, which calls on citizens around the world to stand up for female empowerment and gender equality and ensure opportunities for girls and women everywhere, and

(iii) Australia’s commitment to the Sustainable Development Goals, in particular SDG5, which concerns the pursuit of gender equality, and the focus of gender equality in Australia’s International Development Program;

(b) acknowledges:

(i) that, in order for Australia to prosper, women need to be empowered to take up opportunities,

(ii) the importance of empowering women and girls across the world to ensure that they are able to receive health and education and not discriminated against, and

(iii) the significant work of Global Citizen in creating a network of passionate individuals who work to end extreme poverty throughout the world; and

(c) calls on the Federal Government to:

(i) acknowledge the importance of supporting health, education and opportunities for women, both in Australia and around the world, and

(ii) support the goals of the Global Citizen #SheisEqual movement, including:

(A) women’s economic empowerment,
(B) ending gender discrimination in the law,
(C) girls’ education, including in emergencies, and
(D) ending hunger and malnutrition for women and girls. (general business notice of motion no. 986)

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

(a) acknowledges the passing of Kofi Annan on 18 August 2018, and expresses its condolences to his family;

(b) notes that 19 August 2018 marked World Humanitarian Day, which is a day that honours all humanitarian and United Nations and associated personnel, who have worked in the promotion of the humanitarian cause and those who have lost their lives in the cause of duty;

(c) recognises the significant contribution made by Kofi Annan in recognising and defending the human rights of people across the world during his tenure as Secretary-General of the United Nations;
(d) further notes that:

(i) Kofi Annan served as Chair of the Advisory Commission on Rakhine State – the Commission was a neutral and impartial body which sought to improve the welfare of all people in Rakhine State,

(ii) in his role as Chair, Kofi Annan strongly condemned the attacks in Rakhine State and urged security forces to exercise restraint, and

(iii) the final report of the Advisory Commission called on the Myanmar Government to:

(A) ensure that the return/relocation of displaced people be carried out in accordance with international standards, is voluntary and safe, and takes place in a dignified manner, and

(B) ensure dignified living conditions in camps, including improved shelter, water and sanitation, education and access to livelihood opportunities;

(e) notes that nearly 700,000 Rohingya have fled violence and persecution in the northern Rakhine province of Myanmar since August 2017; and

(f) calls on the Federal Government to assist the Myanmar Government to implement the recommendations of the final report of the Advisory Commission. (general business notice of motion no. 987)

Senators Hume and Pratt: To move on the next day of sitting—That the Senate—

(a) notes that 21 August 2018 marks the 75th anniversary of the election of the first woman to the House of Representatives, Dame Enid Lyons, in the Tasmanian electorate of Darwin, and Dame Dorothy Tangney, also elected that same year as a senator for Western Australia and the first Australian woman to the Australian Senate;

(b) acknowledges the statements made by Dame Enid Lyons in her first speech, that her election was ‘an occasion which, for every woman in the Commonwealth, marks in some degree a turning point in history’; and the statement of Dame Dorothy Tangney who stated ‘I ... realise my great honour in being the first woman to be elected to the Senate. But it is not as a woman that I have been elected to this chamber. It is as a citizen of the Commonwealth; and I take my place here with the full privileges and rights of all honourable senators, and, what is still more important, with the full responsibilities which such a high office entails’;

(c) notes that Dame Enid Lyons went on to become the first woman to serve in the cabinet and, since that time, women have served in leadership roles, including committee chairs, chief government whips, Speaker of the House of Representatives, President of the Senate, ministers and Prime Minister of Australia;

(d) notes Dame Dorothy Tangney’s advocacy for the welfare of women and children, education, health and the living standards of working people; and

(e) recognises that, by their determination, Dame Enid Lyons and Dame Dorothy Tangney paved the way for women to seek election, to hold leadership positions in the Parliament, and to become the head of an Australian Government. (general business notice of motion no. 988)
Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) on 27 June 2018, the Senate agreed to an order for the production of documents (number 908), ordering that there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources (Senator Canavan), by no later than 8 pm on 28 June 2018, documents provided as an incoming brief to the Commonwealth Environmental Water Holder, Ms Jody Swirepik, and

(ii) on 10 July 2018, Senator Canavan advised the President of the Senate that the Department of Agriculture and Water Resources did not provide an incoming brief to the Commonwealth Environmental Water Holder, Ms Jody Swirepik;

(b) further notes that, in response to questions from Senator Patrick on 25 May 2018 during additional estimates hearings of the Rural and Regional Affairs and Transport Legislation Committee on cross-portfolio Murray-Darling Basin Plan matters, Ms Swirepik confirmed she had received an induction briefing prepared by the Commonwealth Environmental Water Office; and

(c) orders that there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by not later than 11.30 am on 23 August 2018, all documents provided to the Commonwealth Environmental Water Holder, Ms Jody Swirepik, as an induction briefing, including its cover brief and all attachments. (general business notice of motion no. 989)

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

(a) acknowledges the release of the report by the Australian Institute of Health and Welfare and the Healing Foundation, *Aboriginal and Torres Strait Islander Stolen Generations and descendants: Numbers, demographic characteristics and selected outcomes*;

(b) recognises:

(i) that the report found that Australia’s Stolen Generations face long-term disadvantage for a range of measures, including poorer health and social outcomes, and

(ii) survivors of the Stolen Generations are three times more likely to have been imprisoned in the past five years;

(c) acknowledges that the negative effects of forced removal are not limited to those directly removed; descendants also consistently experience poorer health and social outcomes; and

(d) urges the Federal Government to urgently address the effects of unresolved intergenerational trauma, and implement a national reparations scheme for survivors of the Stolen Generations and their families. (general business notice of motion no. 990)

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

(a) acknowledges that deregulating energy retailing has enriched the big energy companies and has completely failed to benefit consumers;

(b) notes that energy retailing is an inelastic market and that consumers do not actively exercise choice – the super profits reported last week by Origin, AGL and Energy Australia reflect this poorly functioning market;
(c) supports fully re-regulating electricity prices as first proposed by The Greens in August 2017; and

(d) calls on the Federal Government to ensure that the legislation introduced into Parliament regulating energy retailers is designed to benefit households that exercise no choice, in recognition that making no choice about electricity tariffs is an acceptable option for households to take. (general business notice of motion no. 991)

The Leader of Derryn Hinch’s Justice Party (Senator Hinch): To move on the next day of sitting—That the Senate—

(a) notes that:

(i) dugongs and sea turtles play an extremely important role in the ecological balance of Australia’s marine life, particularly throughout the Great Barrier Reef,

(ii) the populations of both dugongs and sea turtles have declined significantly over the past 15 years,

(iii) population decline is due to cumulative pressures, such as ocean acidification, pollution, commercial fishing and other human impacts that include Indigenous hunting, and

(iv) dugongs and sea turtles are both long-lived, slow-breeding and migratory species, meaning recovery from population decline can take many years;

(b) recognises:

(i) the right of Indigenous Australians to hunt these species under section 211 of the Native Title Act 1993,

(ii) the cultural significance traditional hunting practices have for Indigenous communities,

(iii) that, while hunting rights are not restricted to non-commercial purposes (Akiba v Commonwealth [2013]), native title was envisaged for satisfying personal and communal needs, not to allow for the black-market trade of meat from these critically threatened species, and

(iv) that ‘regulation of the Native Title right is not inconsistent with the continued existence of that right’ (Akiba v Commonwealth [2013]);

(c) acknowledges:

(i) Indigenous clans, such as the Wulgurukaba people from the Townsville region, who have adopted sustainable take practices that include self-imposed quotas and cultural measures against poaching, and

(ii) collaborative efforts between Indigenous clans, such as the Ipima Ikaya Aboriginal Corporation, who recently implemented a moratorium on the hunting of dugongs on the Cape York Peninsula while they a develop a sustainable management plan;

(d) encourages other Indigenous clans to cease hunting of dugongs and sea turtles until sustainable management plans can be implemented; and

(e) calls on the Federal Government to:

(i) increase funding for Indigenous ranger programs on the Great Barrier Reef,

(ii) assist in facilitating an Indigenous, Elder-led approach to making traditional hunting practices more sustainable, and
(iii) in the absence of self-regulation by Indigenous communities, regulate hunting practices throughout the Great Barrier Reef Marine Park to promote sustainability. (general business notice of motion no. 992)

Senator Chisholm: To move on the next day of sitting—That the Senate calls on the Federal Government to implement an energy policy that both:

(a) lowers energy prices for both households and businesses; and

(b) incorporates Australia’s emission reduction targets to meet Australia’s Paris commitments. (general business notice of motion no. 993)

Senators Leyonhjelm, Bernardi and Anning: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the Australian Broadcasting Corporation has aired a damning investigation into the apparent failure of the Australian Greens (The Greens) to properly handle allegations of sexual misconduct within its ranks,

(ii) multiple women interviewed by 7.30 claimed that The Greens did not adequately address reports of assault and harassment committed by party staff and volunteers,

(iii) Mr Rory Markham, a lawyer who is advising a number of women who stated that The Greens mishandled their complaints about sexual misconduct, stated that the party had shown an attitude of ‘absolute dismissiveness’ and that the priority seemed to be to ‘maintain party brand at all costs’, and

(iv) in the era of the #metoo movement, the aim is to highlight sexual harassment and misuse of power; and

(b) calls on Senator Di Natale to detail the extent of sexual harassment and assault committed by The Greens party staff and volunteers, and his failure to adequately respond to them. (general business notice of motion no. 994)

Notices of motion withdrawn:

Senator Bushby, at the request of Senator Bernardi, withdrew general business notice of motion no. 977 standing in Senator Bernardi’s name for today, relating to the luxury car tax.

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of intention given earlier today (see entry no. 5), withdrew business of the Senate notice of motion no. 1 standing in his name for today for the disallowance of the Product Emissions Standards Rules 2017 [F2018L00021].

11 Leave of absence

Senator Urquhart, by leave, moved—That leave of absence be granted to Senator Pratt for today, for personal reasons. Question put and passed.

Senator Bushby, by leave, moved—That leave of absence be granted to Senator Paterson for today, for personal reasons. Question put and passed.
12 **Postponement**
Business was postponed as follows:

General business notice of motion no. 976 standing in the name of Senator Patrick for today, proposing a reference to the Parliamentary Joint Committee on Intelligence and Security, postponed till 21 August 2018.

13 **Committees—Extensions of time to report**
The following committees were granted extensions of time to report:

- Environment and Communications References Committee—Regulatory framework governing water use, extended to 19 September 2018.
- Foreign Affairs, Defence and Trade References Committee—Use of anti-malarial drugs in the Australian Defence Force, extended to 29 November 2018.
- Procedure—Standing Committee—Proposed amendments to standing order 50, extended to 7 September 2018.

14 **Electric Vehicles—Select Committee—Extension of time to report**
Senator Siewert, at the request of the Chair of the Select Committee on Electric Vehicles (Senator Storer) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 975—That the time for the presentation of the report of the Select Committee on Electric Vehicles be extended to 4 December 2018.

Question put and passed.

15 **Adani Carmichael mine project**
Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 931—That the Senate—

(a) notes that:

(i) in September 2017, the Douglas Shire Council in Far North Queensland formally opposed the Adani Carmichael mine project and any new coal mine operations in the Galilee Basin, and

(ii) on 8 August 2018, the Douglas Shire Council voted unanimously to submit a motion to the Local Government Association of Queensland (LGAQ) annual conference for the LGAQ to ‘make vigorous representations to the Queensland State Government urging it to immediately cease any considerations to supporting, financially or by any other means, and either directly or indirectly, the proposed Carmichael Coal Mining Project by Adani in the Galilee Basin’; and

(b) calls on:

(i) the LGAQ Conference to support the Douglas Shire Council motion, and

(ii) the Queensland Government and the Federal Government to revoke all licences from the Adani Carmichael mine project and commit to no new coal mines in the Galilee Basin.

*Statement by leave*: The Assistant Minister to the Prime Minister (Senator McGrath), by leave, made a statement relating to the motion.

Question put.
The Senate divided—

AYES, 8

Senators—
Bartlett
Di Natale
Faruqi
Hanson-Young
McKim
Rice
Siewert*
Whish-Wilson

NOES, 37

Senators—
Anning
Bernardi
Bilyk
Brockman
Burston
Bushby
Cameron
Canavan
Chisholm
Colbeck
Collins
Duniam
Gallacher
Gichuhi
Hanson
Hinch
Hume
Keneally
Leigh
Lines
McAlister
McCarthy
McGrath
McKenzie
Molan
Moore

* Tellers

Question negatived.

16 Abortion laws

Motion determined as not formal: Senator O’Sullivan requested that general business notice of motion no. 972 standing in his name for today, relating to abortion laws, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator O’Sullivan, pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate. Debate ensued.

Question put.

The Senate divided—

AYES, 24

Senators—
Abetz
Anning
Bernardi
Brockman
Burston
Bushby*
Canavan
Duniam
Fawcett
Fifield
Georgiou
Gichuhi
Hanson
Leyonhjelm
Macdonald
McGrath
Molan
"O'Sullivan
Reynolds
Ruston
Seselja
Smith, Dean
Stoker
Williams

NOES, 32

Senators—
Bartlett
Bilyk
Brown
Cameron
Chisholm
Collins
Di Natale
Dodson
Faruqi
Gallacher
Hanson-Young
Hinch
Keneally
Ketter
Leigh
McAllister
McCarthy
McKenzie
O’Neill
Patrick
Rice
Siewert
Sterle
Storer
Urquhart*
Watt
Whish-Wilson
Wong

* Tellers

Question negatived.
17 Discussion of matter of public importance—Turnbull Government
The Deputy President (Senator Lines) informed the Senate that the following matter of public importance submitted by Senator Collins under standing order 75 had been selected for discussion today:

Division and dysfunction within the Turnbull Government causing policy paralysis that is hurting Australians.

The proposal was supported by four senators and the matter was discussed.

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

19 Investment—Ministerial statement—Document
The Minister for Communications (Senator Fifield) tabled the following document:

Investment statement 2018: Five good years for Australia—Ministerial statement by the Minister for Trade, Tourism and Investment (Mr Ciobo), dated 20 August 2018.

20 Great Barrier Reef Foundation—Former director—Answer to question—Document
The Minister for Communications (Senator Fifield) tabled the following document:

Great Barrier Reef Foundation—Former director—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 20 August 2018, responding to a question without notice asked by Senator Keneally on 16 August 2018.

21 Customs Tariff Amendment (Incorporation of Proposals) Bill 2018
Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018
Therapeutic Goods Amendment (2018 Measures No. 1) Bill 2018

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


Message no. 448, dated 20 August 2018—A Bill for an Act to amend the law relating to migration, customs and passenger movement charge, and for related purposes.


The Minister for Communications (Senator Fifield) 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 Fifield moved—that these bills be now read a second time.

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

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

Question put and passed.
22 **Enhancing Online Safety (Non-consensual Sharing of Intimate Images) Bill 2018**

A message from the House of Representatives was reported agreeing to the following bill with an amendment:


On the motion of the Minister for Communications (Senator Fifield) consideration of the message in committee of the whole was made an order of the day for the next day of sitting.

23 **Social Security (Administration) Act—Determinations—Proposed disallowance**

Senator Siewert, pursuant to notice, moved business of the Senate notice of motion no. 2—That the following legislative instruments, made under the *Social Security (Administration) Act 1999*, be disallowed:

(a) the Social Security (Administration) (Trial of Cashless Welfare Arrangements) Determination 2018 [F2018L00245]; and


Debate ensued.

Question put.

The Senate divided—

**AYES, 8**

Senators—

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**NOES, 41**

Senators—

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* Tellers

Question negatived.

Senator Cameron, pursuant to notice, moved business of the Senate notice of motion no. 3—That sections 7 to 9 of the Social Security (Administration) (Trial of Cashless Welfare Arrangements) Determination 2018, made under the *Social Security (Administration) Act 1999*, be disallowed [F2018L00245].

Debate ensued.

Question put.
The Senate divided—

AYES, 28

Senators—

Bartlett, Farrell, McAllister*, Siewert
Bilyk, Faruqi, McCarthy, Singh
Brown, Gallacher, McKim, Smith, David
Cameron, Hanson-Young, Moore, Sterle
Chisholm, Keneally, O’Neill, Urquhart
Collins, Ketter, Polley, Watt
Di Natale, Lines, Rice, Whish-Wilson

NOES, 34

Senators—

Abetz, Fawcett, Macdonald, Reynolds
Anning, Fierravanti-Wells, Martin, Ruston
Bernardi, Georgiou, McGrath, Ryan
Brockman, Gichuhi, McKenzie, Seselja
Burston, Griff, Molan, Smith, Dean*
Bushby, Hanson, O’Sullivan, Stoker
Cash, Hinch, Patrick, Storer
Colbeck, Hume, Payne, Williams
Duniam, Leyonhjelm

*Tellers

Question negatived.

24 Notice

Senator Collins gave a notice of motion as follows: To move on the next day of sitting—That the Migration (Validation of Port Appointment) Bill 2018 be referred to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 10 September 2018.

25 Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017

Order of the day read for the adjourned debate on the motion of the Minister for International Development and the Pacific (Senator Fierravanti-Wells) — That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Watt was speaking.

26 Community Development Programme—Order for production of documents—

Documents

The Assistant Minister to the Prime Minister (Senator McGrath) tabled the following documents:

Community Development Programme—Order of 15 August 2018—Letter to the President of the Senate from the Minister for Indigenous Affairs (Senator Scullion), dated 20 August 2018, responding to the order, and attachment.

27 Adjournment

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

Debate ensued.

The Senate adjourned at 10.20 pm till Tuesday, 21 August 2018 at midday.
28 Attendance

Richard Pye
Clerk of the Senate

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