

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 122

THURSDAY, 7 SEPTEMBER 2006

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—ORDER OF BUSINESS FOR THIS SITTING**

Mr Billson (Minister for Veterans' Affairs), by leave, moved—That, for this sitting, so much of the standing and sessional orders be suspended as would prevent questions without notice being called on at 2.30 p.m.

Debate ensued.

Question—put and passed.

3 **LAW AND JUSTICE LEGISLATION AMENDMENT (MARKING OF PLASTIC EXPLOSIVES) BILL 2006**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to give effect to the Convention on the Marketing of Plastic Explosives for the Purpose of Detection, and for other purposes.

*Document*

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock moved—That the bill be now read a second time.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

4 **CUSTOMS TARIFF AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006**

Mr Ruddock (Attorney-General) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

*Document*

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock moved—That the bill be now read a second time.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

5 **CUSTOMS AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

*Document*

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock moved—That the bill be now read a second time.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

**6 AUSTRALIAN INSTITUTE OF POLICE MANAGEMENT REDEVELOPMENT, NORTH HEAD, MANLY, NSW—APPROVAL OF WORK**

Mr Nairn (Special Minister of State), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Australian Institute of Police Management redevelopment, North Head, Manly, NSW.

Question—put and passed.

**7 TACTICAL UNMANNED AERIAL VEHICLE FACILITIES PROJECT, ENOGGERA, QLD—APPROVAL OF WORK**

Mr Nairn (Special Minister of State), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Tactical Unmanned Aerial Vehicle Facilities Project, Enoggera, Qld.

Question—put and passed.

**8 AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION AMENDMENT BILL 2006**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—*And on the amendment moved thereto by Ms Macklin (Deputy Leader of the Opposition), viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House condemns the Government for:

- (1) its extreme and arrogant imposition of a nuclear waste dump on the Northern Territory;
- (2) breaking a specific promise made before the last election to not locate a waste dump in the Northern Territory;
- (3) its heavy-handed disregard for the legal and other rights of Northern Territorians and other communities, by overriding any existing or future State or Territory law or regulation that prohibits or interferes with the selection of Commonwealth land as a site, the establishment of a waste dump, and the transportation of waste across Australia;
- (4) destroying any recourse to procedural fairness provisions for anyone wishing to challenge the Minister’s decision to impose a waste dump on the Northern Territory;
- (5) establishing a hand-picked committee of inquiry into the economics of nuclear power in Australia, while disregarding the economic case for all alternative sources of energy; and
- (6) keeping secret all plans for the siting of nuclear power stations and related nuclear waste dumps”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

The House divided (the Deputy Speaker, Mrs B. K. Bishop, in the Chair)—

## AYES, 80

Mr Anderson	Mr Farmer	Ms Ley	Mr Schultz
Mr Andrews	Mr Fawcett	Mr Lindsay	Mr Scott
Fran Bailey	Mr M. D. Ferguson	Mr Lloyd	Mr Secker
Mr Baird	Mr Forrest	Mr McArthur*	Mr Slipper
Mr Baker	Ms Gambaro	Mr Macfarlane	Mr A. D. H. Smith
Mr Baldwin	Mr Georgiou	Mr McGauran	Mr Somlyay
Mr Barresi	Mr Haase	Mrs Markus	Dr Southcott
Mr Bartlett	Mr Hardgrave	Mrs May	Dr Stone
Mr Billson	Mr Hartsuyker	Mrs Mirabella	Mr C. P. Thompson
Ms J. Bishop	Mr Henry	Mrs Moylan	Mr Ticehurst
Mr Broadbent	Mr Hockey	Mr Nairn	Mr Tollner
Mr Brough	Mrs Hull*	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Hunt	Mr Neville	Mr Turnbull
Mr Causley	Dr Jensen	Mr Pearce	Mr M. A. J. Vaile
Mr Ciobo	Mr Johnson	Mr Prosser	Mrs D. S. Vale
Mr Cobb	Mr Jull	Mr Pyne	Mr Vasta
Mr Downer	Mr Keenan	Mr Randall	Mr Wakelin
Mrs Draper	Mrs D. M. Kelly	Mr Richardson	Dr Washer
Mr Dutton	Jackie Kelly	Mr Robb	Mr Windsor
Mrs Elson	Mr Laming	Mr Ruddock	Mr Wood

## NOES, 55

Mr Adams	Ms A. L. Ellis	Mr Hayes	Mr G. M. O'Connor
Mr Albanese	Ms K. M. Ellis	Ms Hoare	Ms Owens
Mr Andren	Mr Emerson	Mrs Irwin	Ms Plibersek
Mr Beazley	Mr L. D. T. Ferguson	Mr Jenkins	Mr Price
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Mr Quick
Ms Bird	Mr Fitzgibbon	Ms King	Mr Ripoll
Mr Bowen	Mr Garrett	Dr Lawrence	Ms Roxon
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Snowdon
Mr Byrne	Mr Gibbons	Ms Macklin	Mr Tanner
Ms Corcoran	Ms Gillard	Mr McMullan	Mr K. J. Thomson
Mr Danby*	Ms Grierson	Mr Melham	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr Murphy	Mr Wilkie
Mrs Elliot	Mr Hatton	Mr B. P. O'Connor	

\* Tellers

And so it was resolved in the affirmative.

Question—That the bill be now read a second time—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Ms J. Bishop (Minister for Education, Science and Training), the bill was read a third time.

#### 9 DEATH OF THE HONOURABLE DONALD LESLIE CHIPP AO—CONDOLENCE MOTION—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the order of the day relating to the Prime Minister's motion of condolence in connection with the death of the Honourable Donald Leslie Chipp AO, had been debated in the Main Committee and returned to the House, and presented a certified copy of the motion.

All Members present having risen, in silence—

Question—passed.

**10 MARITIME TRANSPORT AND OFFSHORE FACILITIES SECURITY AMENDMENT (MARITIME SECURITY GUARDS AND OTHER MEASURES) BILL 2005**

The order of the day having been read for the second reading—

*Document*

Mrs D. M. Kelly presented an explanatory memorandum to the bill.

Mrs D. M. Kelly (Parliamentary Secretary—Trade) moved—That the bill be now read a second time.

Mr Bevis moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House condemns the Government for its failure to provide necessary maritime security and protect Australians, including:

- (1) its careless and widespread use of single and continuing voyage permits for foreign vessels with foreign crew who do not undergo appropriate security checks;
- (2) permitting foreign flag of convenience ships to carry dangerous goods on coastal shipping routes; and
- (3) failing to:
  - (a) ensure ships provide details of crew and cargo 48 hours before arrival;
  - (b) x-ray or inspect 90 per cent of containers;
  - (c) establish and properly fund an Australian coastguard; and
  - (d) establish a Department of Homeland Security to better coordinate security in Australia”.

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*Matter of privilege—Complaint of breach*

Mr Lindsay raised a matter of privilege alleging improper interference with the free performance of his duties as a Member as a result of the actions of the Member for Townsville in the Queensland Parliament. Mr Lindsay said he would provide details to the Speaker for his consideration in determining whether precedence would be given to a motion to refer the matter to the Committee of Privileges.

The Deputy Speaker stated that the Speaker would consider the matter.

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Debate continued.

It being 2.30 p.m., the debate was interrupted in accordance with the resolution agreed to earlier this day, and the resumption of the debate made an order of the day for a later hour this day.

**11 QUESTIONS**

Questions without notice being asked—

*Document*

Mr S. F. Smith, by leave, presented the following document:

Workplace relations—Copy of sub-contractor work agreement between BM Sydney Building Materials P/L and Mr Shane Timothy Denning dated 7 June 2006, including a statement from Shane Denning, 7 September 2006.

Questions without notice continuing—

*Photographs*

Mr Bevis, by leave, presented the following photographs:

Ballina airport facilities—Airport security (2).

Questions without notice continuing—

*Member directed to leave*

At 3.19 p.m. the Member for Lalor (Ms Gillard) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 3.22 p.m. the Member for Melbourne Ports (Mr Danby) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 3.23 p.m. the Member for Sydney (Ms Plibersek) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 3.26 p.m. the Member for Swan (Mr Wilkie) was directed, under standing order 94, to leave the Chamber for one hour for continual interjection, and he accordingly left the Chamber.

Questions without notice continued.

**12 AUDITOR-GENERAL'S REPORTS**

The Speaker presented the following documents:

Australian National Audit Office—Report for 2005-2006.

Auditor-General—Audit report No. 3 of 2006-2007—Management of Army minor capital equipment procurement projects—Department of Defence; Defence Materiel Organisation.

Ordered to be made Parliamentary Papers.

**13 DOCUMENTS**

The following documents were presented:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report—Private review of agency security arrangements—Government response.

Electoral Matters—Joint Standing Committee—Report—The 2004 federal election: inquiry into the conduct of the 2004 federal election and matters related thereto—Government response, August 2006.

*Housing Assistance Act 1996*—Report for 2004-05.

**14 DOCUMENT**

The Speaker presented the following document:

Publications—Joint Committee—Report—Distribution of the Parliamentary Papers Series, May 2006—Presiding Officers' response, September 2006.

**15 LEAVE OF ABSENCE TO MEMBER**

Mr Beazley (Leader of the Opposition) moved—That leave of absence for the remainder of the current period of sittings be given to Mr Kerr on the ground of public business overseas.

Question—put and passed.

**16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INTEREST RATES**

The House was informed that Mr Bowen had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “the failure of the Government to accept responsibility for the impact of the seven back to back interest rate hikes since May 2002 on the household budgets of families with mortgages”.

The proposed discussion having received the necessary support—

Mr Bowen addressed the House.

Discussion ensued.

*Member directed to leave*

At 3.49 p.m. the Member for Fowler (Mrs Irwin) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Discussion continuing—

*Member directed to leave*

At 3.50 p.m. the Member for Macarthur (Mr Farmer) was directed, under standing order 94, to leave the Chamber for one hour for continual interjection, and he accordingly left the Chamber.

Discussion continued.

Discussion concluded.

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## 17 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 12.30 p.m. next Monday.

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## DOCUMENTS

The following documents were deemed to have been presented on 7 September 2006:

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment No. 54—Parliamentary zone (Section 55 Parkes) [F2006L03001].

Australian Communications and Media Authority Act—Determination—2006 Radiocommunications (Charges) Amendment (No. 1) [F2006L02969].

Civil Aviation Act—

Civil Aviation Regulations—

Exemptions—2006 Nos CASA EX40, CASA EX42, CASA EX43 [F2006L02948], [F2006L02965], [F2006L02931].

Instrument—2006 No. CASA 295 [F2006L02928].

Civil Aviation Safety Regulations—Airworthiness Directives—

Part 39-105—2006—

14 (6) August [F2006L02982], [F2006L02983], [F2006L02984], [F2006L02986], [F2006L02987], [F2006L02992].

16 August [F2006L02993].

31 August [F2006L02961].

Part 39-106—2006 14 August [F2006L02981].

Part 39-107—2006 31 August [F2006L02962].

Corporations Act—Order and variation under paragraph 283GA(1)(a), subsection 341(1) and paragraphs 601QA(1)(a), 741(1)(a), 911A(2)(1), 926A(2)(a), 951B(1)(a) and (c), 992B(1)(a) and 1020F(1)(a) and (c)—Australian Securities and Investments Commission—Class Order CO 06/704 [F2006L02944].

Customs Act—Orders—

Tariff Concession—2006—

16 August [F2006L02933].

25 (8) August [F2006L02949], [F2006L02950], [F2006L02951], [F2006L02952], [F2006L02953], [F2006L02954], [F2006L02955], [F2006L02956].

Tariff Concession Revocation—2006—

16 (8) August [F2006L02934], [F2006L02935], [F2006L02938], [F2006L02940], [F2006L02941], [F2006L02942], [F2006L02943], [F2006L02945].

22 (2) August [F2006L02936], [F2006L02937].

29 August [F2006L02946].

Customs Tariff Act—Notice—2006 Customs Tariff (Safeguard goods) (No. 1) [F2006L02860].

Environment Protection and Biodiversity Conservation Act—Instrument under subsection 303DC(1)—14 June 2006 [F2006L02881].

29 August 2006 [F2006L02854].

Financial Management and Accountability Act—

Directions under section 32—2006-2007 Nos 5, 6 [F2006L02929], [F2006L02930].

Net Appropriation Agreements under section 31—2006 18 August [F2006L02959].

*Income Tax Assessment Act 1997* and Acts Interpretation Act—Instrument—2006 Refundable Film Tax Offset Rules 2002 Amendment No. 1 [F2006L02966].

Radiocommunications (Transmitter Licence Tax) Act—Determination—2006 Radiocommunications (Transmitter licence tax) Amendment (No. 2) [F2006L02970].

Radiocommunications Act—

Determinations—2006—

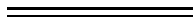
Radiocommunications (Aircraft and aeronautical mobile stations) Class Licence [F2006L02974].

Radiocommunications (Emergency locating devices) Class Licence [F2006L02972].

Radiocommunications Licence Conditions (Aeronautical licence) Amendment (No. 1) [F2006L02971].

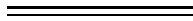
Variation—2006 Radiocommunications Miscellaneous Devices Class Licence (No. 1) [F2006L02973].

Seafarers Rehabilitation and Compensation Act—Direction—2006 Seafarers Rehabilitation and Compensation (No. 1) [F2006L02975].



#### **ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Costello, Mr Crean, Mr Entsch, Mrs Gash, Mr Griffin and Mr Katter.



**I. C. HARRIS**

Clerk of the House of Representatives

2004-05-06

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 122

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 7 SEPTEMBER 2006

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements being made—

*Documents*

Ms Hall, by leave, presented the following documents:

MRI licence for Gosford Hospital—

Copies of letters from—

Morris Iemma, NSW Minister for Health, to Mr Abbott, Minister for Health and Ageing, 26 July 2004.

Robyn Kruk, Director-General of NSW Health, to Ms Jane Halton, Secretary, Department of Health and Ageing, 17 May 2004.

Robyn Kruk, Director-General of NSW Health, to Mr Chris Sheedy, Assistant Secretary, Diagnostics and Technology Branch, Department of Health and Ageing, 30 July 2004 (2).

Out of order petition.

Members' statements continued.

**3 DEATH OF THE HONOURABLE DONALD LESLIE CHIPP AO—CONDOLENCE MOTION MOVED BY THE PRIME MINISTER**

The order of the day having been read for the resumption of the debate on the motion of Mr Howard (Prime Minister)—That this House record its deep regret at the death on 28 August, 2006 of the Honourable Donald Leslie Chipp AO, former Federal Minister in the House of Representatives, the founder and former Leader of the Australian Democrats and Senator for Victoria and place on record its appreciation of his long and meritorious public service and tender its profound sympathy to his family in their bereavement—

Debate resumed.

As a mark of respect to the memory of the Honourable Donald Leslie Chipp AO, all Members present stood, in silence.

Mr Georgiou moved that further proceedings be conducted in the House.

Question—put and passed.

**4 CIVIL AVIATION LEGISLATION AMENDMENT (MUTUAL RECOGNITION WITH NEW ZEALAND) BILL 2005**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

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*Suspension of meeting*

At 11.29 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 11.43 a.m., the proceedings were resumed.

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Debate continued.

Question—put and passed—bill read a second time.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**5 DEFENCE FORCE (HOME LOANS ASSISTANCE) AMENDMENT BILL 2006**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Mr Hatton was granted leave to continue his speech when the debate is resumed.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting.

**6 ADJOURNMENT**

Mr Neville moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 11 September 2006.

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**B. C. WRIGHT**  
Clerk of the Main Committee