

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 13

WEDNESDAY, 9 FEBRUARY 2005

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

2 **NATIONAL SECURITY INFORMATION (CRIMINAL PROCEEDINGS) AMENDMENT (APPLICATION) BILL 2005**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *National Security Information (Criminal Proceedings) Act 2004*, and for related purposes.

Bill read a first time.

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

*Document*

Mr Ruddock presented an explanatory memorandum to the bill.

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

3 **WORKPLACE RELATIONS AMENDMENT (EXTENDED PROHIBITION OF COMPULSORY UNION FEES) BILL 2005**

Mr Andrews (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend laws relating to workplace relations, and for related purposes.

Bill read a first time.

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

*Document*

Mr Andrews presented an explanatory memorandum to the bill.

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

4 **PRIVATE HEALTH INSURANCE INCENTIVES AMENDMENT BILL 2004**

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 Gillard, viz.*—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give the bill a second reading, this Parliament condemns the Government for failing to:

- (1) ensure that private health insurance provides real choice in health care;
- (2) ensure that private health insurance delivers real value for money;
- (3) adequately address the health care needs of all older Australians; and
- (4) provide modelling and data about the impact of the provisions of this bill on the cost of private health insurance for all Australians, thus necessitating the referral of this bill to a Senate committee”—

Debate resumed.

Amendment negatived.

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

*Message from the Governor-General*

Message No. 16, 17 November 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Abbott (Minister for Health and Ageing), the bill was read a third time.

**5 FAMILY ASSISTANCE LEGISLATION AMENDMENT (ADJUSTMENT OF CERTAIN FTB CHILD RATES) BILL 2004**

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.

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

*Message from the Governor-General*

Message No. 26, 19 November 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), the bill was read a third time.

**6 AUSLINK (NATIONAL LAND TRANSPORT) BILL 2004**

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 Mr K. J. Thomson, 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 calls upon the Government to:

- (1) maintain funding responsibility for construction and maintenance of infrastructure on what was formerly defined as the National Highway Network;
- (2) establish a National Infrastructure Advisory Council; and
- (3) extend the criteria for Roads to Recovery projects to include public transport, cycling, walking infrastructure and regional airport runways”—

Debate resumed.

*Document*

Ms Hoare, by leave, presented the following document:

Lake Macquarie Integrated Transport Centre, Lake Macquarie City Council Strategy Group, July 2002.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

**7 QUESTIONS**

Questions without notice being asked—

*Document*

Mr Lloyd (Minister for Local Government, Territories and Roads) presented the following document:

Labor to fund the dredging of Tumbi Creek—David Mehan, Labor candidate for Dobell.

Questions without notice continuing—

*Suspension of standing orders moved*

Mr Beazley (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent the Leader of the Opposition moving forthwith—That this House censure the Minister for Local Government, Territories and Roads for:

- (1) blatantly breaching his duty to act honestly in his capacity as a Minister;

- (2) seeking to defraud the Commonwealth by granting \$1.5 million of taxpayers' money for dredging open the mouth of Tumbi Creek despite knowing such dredging was no longer required;
- (3) conspiring with others to defraud the Commonwealth and specifically directing local Wyong officials who knew the truth to stay silent; and
- (4) covering up the fact that the mouth of the creek was open and such dredging was no longer required by directing his Department to regard the commitment by the Howard Government to the grant as non-negotiable and pay the money.

Debate ensued.

Question—put.

The House divided (the Speaker, Mr Hawker, in the Chair)—

AYES, 57

Mr Adams	Mr Emerson	Mr Jenkins	Mr Ripoll
Mr Albanese	Mr L. Ferguson	Mr Kerr	Ms Roxon
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Mr Rudd
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Swan
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	
Ms A. L. Ellis	Ms Hoare	Mr Price	
Ms K. M. Ellis	Mrs Irwin	Mr Quick	

NOES, 83

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

\* Tellers

And so it was negatived.

Questions without notice concluded.

## 8 DOCUMENTS

The following documents were presented:

Air Passenger Ticket Levy (Collection) Act—Report to the Commonwealth made under section 24 for the period 1 April 2003 to 31 March 2004.

Department of Communications, Information Technology and the Arts—Co-regulatory scheme for online content—Reports—July to December 2003, January to June 2004.

National Environment Protection Measures (Implementation) Act—Independent review of the Act.

Roads to recovery programme—Report for 2003-04.

Transport and Regional Services—Standing Committee—Report—Moving on intelligent transport systems—Government Response.

United Nations—Optional Protocol to the International Covenant on Civil and Political Rights—Human Rights Committee—Communications—

No. 1307/2004—Outline.

No. 1317/2004—Outline.

No. 1318/2004—Outline.

No. 1319/2004—Outline.

No. 954/2000—Decision.

## 9 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Abbott (Leader of the House) moved—That the House take note of the following documents:

Air Passenger Ticket Levy (Collection) Act—Report to the Commonwealth made under section 24 for the period 1 April 2003 to 31 March 2004.

Roads to recovery programme—Report for 2003-04.

Transport and Regional Services—Standing Committee—Report—Moving on intelligent transport systems—Government response.

Debate adjourned (Ms Gillard), and the resumption of each debate made an order of the day for the next sitting.

## 10 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—REGIONAL PARTNERSHIPS PROGRAM

The House was informed that Mr K. J. Thomson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Howard Government’s maladministration of the Regional Partnerships Program”.

The proposed discussion having received the necessary support—

Mr K. J. Thomson addressed the House.

Discussion ensued.

Discussion concluded.

## 11 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 14 February 2005.

## 12 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED REFURBISHMENT OF AUSTRALIA HOUSE IN LONDON, UNITED KINGDOM

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Proposed refurbishment of Australia House in London, United Kingdom.

Question—put and passed.

**13 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—ORDNANCE BREAKDOWN FACILITY, PROOF AND EXPERIMENTAL ESTABLISHMENT SITE, PORT WAKEFIELD, SOUTH AUSTRALIA**

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Ordnance breakdown facility, proof and experimental establishment site, Port Wakefield, South Australia.

Question—put and passed.

**14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—DEVELOPMENT OF ON-BASE HOUSING FOR DEFENCE AT PUCKAPUNYAL, VICTORIA**

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development of on-base housing for Defence at Puckapunyal, Victoria.

Question—put and passed.

**15 MESSAGE FROM THE SENATE—DISABILITY DISCRIMINATION AMENDMENT (EDUCATION STANDARDS) BILL 2004**

Message No. 54, 9 February 2005, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Disability Discrimination Act 1992*, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**16 AUSLINK (NATIONAL LAND TRANSPORT) BILL 2004**

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 Mr K. J. Thomson (see item No. 6, page 154)*—

Debate resumed.

Amendment negatived.

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 Mr Lloyd (Minister for Local Government, Territories and Roads), the bill was read a third time.

**17 AUSLINK (NATIONAL LAND TRANSPORT—CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2004**

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—

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

*Message from the Governor-General*

Message No. 27, 7 December 2004, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Lloyd (Minister for Local Government, Territories and Roads), the bill was read a third time.

**18 AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY BILL 2004**

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.

**19 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

*Debate extended*

It being approximately 8 p.m., the debate was interrupted.

Mr Lloyd (Minister for Local Government, Territories and Roads) required the debate to be extended.

*Documents*

Mr Lloyd presented the following documents:

Tumbi Creek—

Ordinary Meeting November 24, 2004—578 Notice of Motion—Presentation by Director of Engineering Services, David Cathers.

Statement by Mr Lloyd (Minister for Local Government, Territories and Roads).

The debate continuing until 8.05 p.m., the Speaker adjourned the House until tomorrow at 9 a.m.

**DOCUMENTS**

The following documents were deemed to have been presented on 9 February 2005:

*Appropriation Act (No. 2) 2004-2005*—Advance to the Finance Minister—8 February 2005 [F2005L00257].

Broadcasting Services Act—Variation—2005—

Licence area plan for Bega Radio—No. 1 [F2005L00165].

Licence area plan for Warragul Radio—No. 1 [F2005L00166].

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005—4 (2) February [F2005L00181], [F2005L00182].

Taxation Administration Act—Rulings—2005 Nos PR 5, PR 6, PR 7, PR 8, PR 9.

Telecommunications (Numbering Charges) Act—Determinations—2005—

Telecommunications (Date of Imposition of Charge) [F2005L00173].

Telecommunications (Exemption from annual charge) [F2005L00172].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Billson, Mr Bowen\*, Mr Katter, Ms Plibersek\* and Mr Ticehurst.

\* On leave



**I. C. HARRIS**

Clerk of the House of Representatives

2004-2005

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

No. 13

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 9 FEBRUARY 2005

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1 The Main Committee met at 9.40 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH**

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

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*Suspension of sitting*

At 1 p.m., the Deputy Speaker left the Chair.

*Resumption of sitting*

At 4.01 p.m., the Deputy Speaker resumed the Chair.

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Debate continued.

Mr Lindsay 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.

4 **ADJOURNMENT**

On the motion of Mr Broadbent, the Main Committee adjourned at 7.31 p.m.

The Deputy Speaker fixed tomorrow at 9.40 a.m. for the next meeting of the Main Committee.

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