

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 64

TUESDAY, 1 NOVEMBER 2005

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 QUESTIONS

Questions without notice were asked.

3 SUSPENSION OF SITTING

At 2.47 p.m. the Speaker left the Chair.

4 RESUMPTION OF SITTING

The Speaker resumed the Chair at 3.30 p.m.

5 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2004–2005—Performance audits—

No. 13—Administration of Goods and Services Tax compliance in the large business market segment: Australian Taxation Office.

No. 14—Administration of the Commonwealth State Territory Disability Agreement: Department of Family and Community Services.

Reports ordered to be made Parliamentary Papers.

6 RESOLUTION FROM THE LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

The Speaker presented the following document:

Commonwealth Government's industrial relations legislative agenda—Letter from the Speaker of the Legislative Assembly of the Northern Territory forwarding a resolution of the Assembly and record of debate, 5 September 2005.

7 DOCUMENTS

The following documents were presented:

Aboriginal Hostels Limited—Report for 2004-05.

Aboriginals Benefit Account—Report for 2004-05.

Administrative Review Council—Report for 2004-05.

Aged Care Standards and Accreditation Agency Limited—Report for 2004-05.

Airservices Australia—Report for 2004-05.

Alcohol Education and Rehabilitation Foundation Ltd—Report for 2004-05.

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report—Review of administration and expenditure for ASIO, ASIS and DSD—Government response.

Australian Broadcasting Authority—Report for 2004-05.

Australian Broadcasting Corporation—Report for 2004-05.

Australian Centre for International Agricultural Research—Report for 2004-05.

Australian Communications Authority—Report for 2004-05.
Australian Hearing—Report for 2004-05.
Australian Industrial Relations Commission and the Australian Industrial Registry—Report for 2004-05.
Australian Institute of Family Studies—Report for 2004-05.
Australian Institute of Marine Science—Report for 2004-05.
Australian Landcare Council—Report for 2004-05 (including erratum).
Australian Maritime Safety Authority—Report for 2004-05.
Australian National Maritime Museum—Report for 2004-05.
Australian National Training Authority—
Report for 2004-05.
Australian vocational education and training system—2004.
Australian Nuclear Science and Technology Organisation—Report for 2004-05.
Australian Office of Financial Management—Report for 2004-05.
Australian Prudential Regulation Authority—Report for 2004-05.
Australian Radiation Protection and Nuclear Safety Agency—Report for 2004-05.
Australian Reinsurance Pool Corporation—Report for 2004-05.
Australian Research Council—Report for 2004-05.
Australian Safeguards and Non-Proliferation Office—Report for 2004-05.
Australian Securities and Investments Commission—Report for 2004-05.
Australian Security Intelligence Organisation—Report for 2004-05.
Australian Sports Drug Agency—Report for 2004-05.
Australian Trade Commission (Austrade)—Report for 2004-05.
Australian Wine and Brandy Corporation—Report for 2004-05.
Bankruptcy Act—Inspector-General in Bankruptcy—Report for 2004-05.
Centrelink—Report for 2004-05.
Comcare—Report for 2004-05.
Commissioner for Complaints—Report for 2004-05 (including erratum).
Commissioner for Superannuation—Report for 2004-05.
Commissioner of Taxation—Report for 2004-05.
Commonwealth Ombudsman—Report for 2004-05.
Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2004-05.
Corporations and Markets Advisory Committee—Report for 2004-05.
CSS Board—Commonwealth Superannuation Scheme—Report for 2004-05.
Defence Force Remuneration Tribunal—Report for 2004-05.
Defence Force Retirement and Death Benefits Authority—Report for 2004-05.
Defence Housing Authority—Report for 2004-05.
Department of Agriculture, Fisheries and Forestry—
Report for 2004-05.
Innovating rural Australia: Research and development corporation outcomes—2004.
Department of Communications, Information Technology and the Arts—Report for 2004-05.
Department of Education, Science and Training—Report for 2004-05.
Department of Employment and Workplace Relations—Report for 2004-05.
Department of the Environment and Heritage—
Legislation Annual Reports for 2004-05.
Report for 2004-05.
Department of Family and Community Services—Report for 2004-05.

Department of Finance and Administration—Report for 2004-05.
Department of Foreign Affairs and Trade—Report for 2004-05—
Volume 1—Foreign Affairs and Trade.
Volume 2—Australian Agency for International Development (AusAID).
Department of Health and Ageing—Report for 2004-05.
Department of Immigration and Multicultural and Indigenous Affairs—Report for 2004-05.
Department of the Treasury—Report for 2004-05.
Department of Transport and Regional Services—Report for 2004-05.
Director of National Parks—Report for 2004-05.
Film Finance Corporation Australia Limited—Report for 2004-05.
Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2004-05 and Financial Reporting Council—Report on auditor independence for 2004-05.
Food Standards Australia New Zealand—Report for 2004-05.
Grape and Wine Research and Development Corporation—Report for 2004-05.
Great Barrier Reef Marine Park Authority—Report for 2004-05.
Health Services Australia—Report for 2004-05.
Insolvency and Trustee Service Australia—Report for 2004-05.
Inspector-General of Intelligence and Security—Report for 2004-05.
Inspector-General of Taxation—Report for 2004-05.
Migration Review Tribunal—Report for 2004-05.
Military Superannuation and Benefits Board of Trustees—Report for 2004-05.
National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2004-05.
National Australia Day Council—Report for 2004-05.
National Capital and External Territories—Joint Standing Committee—Report—*Quis custodiet ipsos custodes?: Inquiry into governance on Norfolk Island—Government response.*
National Gallery of Australia—Report for 2004-05.
National Residue Survey—Report for 2004-05.
National Transport Commission—Report for 2004-05.
Native Title Act—Native title representative bodies—
Central Queensland Land Council Aboriginal Corporation—Report for 2004-05.
Goldfields Land and Sea Council—Report for 2004-05.
Gurung Land Council Aboriginal Corporation—Report for 2004-05.
Kimberley Land Council—Report for 2004-05.
South West Aboriginal Land and Sea Council—Report for 2004-05.
Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation—Report for 2004-05.
Office of Parliamentary Counsel—Report for 2004-05.
Productivity Commission—
Report for 2004-05.
Report No. 36—Private cost effectiveness of improving energy efficiency, 31 August 2005.
PSS Board—Public Sector Superannuation Scheme—Report for 2004-05.
Public Lending Right Committee—Report for 2004-05.
Refugee Review Tribunal—Report for 2004-05.
Remuneration Tribunal—Report for 2004-05.
Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2004-05.
Rural Industries Research and Development Corporation—Report for 2004-05.
Safety, Rehabilitation and Compensation Commission—Report for 2004-05.
Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2004-05.

Services Trust Funds—Report for 2004-05.

Social Security Appeals Tribunal—Report for 2004-05.

Superannuation Complaints Tribunal—Report for 2004-05.

Supervising Scientist—Report for 2004-05.

Takeovers Panel—Report for 2004-05.

Telstra Corporation Limited—Report for 2004-05.

The Carrick Institute for Learning and Teaching in Higher Education Limited—Report for 2004-05.

Tourism Australia—Report for 2004-05.

Veterans' Review Board—Report for 2004-05.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FUNDING FOR AGRICULTURAL AND RENEWABLE ENERGY RESEARCH

The House was informed that Mr G. M. O'Connor had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The importance of maintaining adequate funding levels for agricultural research and renewable energy research within the CSIRO".

The proposed discussion having received the necessary support—

Mr G. M. O'Connor addressed the House.

Discussion ensued.

Discussion concluded.

9 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, 7 November 2005.

10 BILLS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Acts Interpretation Amendment (Legislative Instruments) 2005;

Consular Privileges and Immunities Amendment 2005; and

Therapeutic Goods Amendment 2005.

Question—put and passed.

11 COMMONWEALTH RADIOACTIVE WASTE MANAGEMENT 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—*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, arrogant and unnecessary approach to the nuclear waste dump;
- (2) misleading Australians about the necessity of the bill despite believing that the Government already has the power under existing laws to site and establish a waste dump;
- (3) breaking its promise not to locate a waste dump in the Northern Territory;
- (4) overriding many federal legal protections including the *Environment Protection and Biodiversity Conservation Act 1999*, the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, the *Native Title Act 1993*, and the *Lands Acquisition Act 1989*;
- (5) destroying existing or possible rights of indigenous people to the proposed waste dump sites in the Northern Territory;
- (6) trampling over 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 the highways and by-ways of Australia;

- (7) refusing to hear the concerns of Northern Territorians and imposing nuclear waste on local communities without consultation or building trust and inclusiveness;
- (8) misleading Australians by falsely claiming that unless the waste dump site is selected urgently, medical isotope production will cease;
- (9) destroying any recourse to procedural fairness provisions for anyone wishing to challenge the Minister's decision to put a waste dump in the Northern Territory; and
- (10) disregarding the International Atomic Energy Commission's recommendations on good social practices like consultation and transparency in relation to nuclear waste"—

Debate resumed.

Document

Mr M. J. Ferguson, by leave, presented the following document:

Northern Land Council Full Council's resolution—Copy of facsimile transmission from Barry Clarke, Northern Land Council, 24 October 2005.

Debate continued.

Documents

Mr Tollner, by leave, presented the following documents:

Radioactive waste facility—

Statehood set back over radioactive waste facility—Copy of media release by Northern Land Council, 20 October 2005.

Galarrwuy Yunupingu happy to consider radioactive waste facility on Gumatjland—Copy of media release by Gumatj Association Incorporated, 26 October 2005.

Debate continued.

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

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

AYES, 83

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

NOES, 52

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

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 83

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

NOES, 53

Mr Adams	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Mr Albanese	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bevis	Mr Garrett	Dr Lawrence	Mr Rudd
Ms Bird	Ms George	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Gibbons	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Ms Gillard	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Grierson	Mr McMullan	Mr Swan
Ms Corcoran	Mr Griffin	Mr Murphy	Mr Tanner
Mr Crean	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Danby*	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	
Mr Emerson	Mrs Irwin	Mr Price	
Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick	

* Tellers

And so it was resolved in the affirmative—bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Tollner, by leave, moved amendments (1) to (12) together.

Debate continued.

Mr Snowdon addressing the House—

12 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENT

The following document was deemed to have been presented on 1 November 2005:

Acts Interpretation Act—Statement relating to delay in furnishing report within specified period—
Bureau of Meteorology—Report for 2004-05.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Farmer, Mr Jull*, Mr Sawford and Dr Southcott*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives