

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 23

MONDAY, 2 JUNE 2008

1 The House met, at 12 noon, pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER

The Speaker presented copies of the terms of the following private Members' motions:

Mr Hayes—Blood donation (*see item No. 4, Minutes of Proceedings of the Main Committee*).

Mr Morrison—Botany Bay and the Kurnell Peninsula (*see item No. 5, Minutes of Proceedings of the Main Committee*).

Mr Scott—Plastic and glass bottles (*see item No. 6, Minutes of Proceedings of the Main Committee*).

In accordance with standing order 41(h) the motions were made orders of the day and referred to the Main Committee.

3 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before order of the day No. 6, government business, be postponed until a later hour this day.

4 EXCISE TARIFF AMENDMENT (CONDENSATE) BILL 2008

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 by Mr Keenan who moved, as an amendment—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, the House expresses its concern that the Government’s decisions reflected in this bill have been made without consultation with business or other interested groups and calls on the Government to support reference of this bill and the Excise Legislation Amendment (Condensate) Bill 2008 to the Senate Economics Committee for inquiry so as to permit consultation with those with practical expertise and responsibility in this vital industry”.

Debate continued.

Closure

Mr Albanese (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

The House divided (the Deputy Speaker, Ms A. E. Burke, in the Chair)—

AYES, 71

Mr Adams	Mrs Elliot	Dr Kelly	Mr Raguse
Mr Albanese	Ms A. L. Ellis	Mr Kerr	Ms Rea
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Ripoll
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Rishworth
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Ms Roxon
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	Ms Saffin
Mr Bradbury	Mr Fitzgibbon	Mr McMullan	Mr Sidebottom
Mr Butler	Mr Garrett	Mr Marles	Mr Snowdon
Mr Byrne	Mr Georganas	Mr Melham	Mr Sullivan
Ms Campbell	Ms George	Mr Murphy	Mr Swan
Mr Champion	Mr Gibbons	Ms Neal	Mr Symon
Mr Cheeseman	Mr Gray	Mr Neumann	Mr Tanner
Mr Clare	Ms Grierson	Mr B. P. J. O'Connor	Mr C. R. Thomson
Ms Collins	Mr Griffin	Ms Owens	Mr K. J. Thomson
Mr Combet	Ms Hall*	Ms Parke	Mr Turnour
Ms D'Ath	Mr Hayes*	Mr Perrett	Ms Vamvakinou
Mr Debus	Mrs Irwin	Ms Plibersek	Mr Zappia
Mr Dreyfus	Ms Jackson	Mr Price	

NOES, 59

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Secker
Mr Andrews	Mr Georgiou	Ms Marino	Mr Simpkins
Fran Bailey	Mr Haase	Mrs Markus	Mr Slipper
Mr Baldwin	Mr Hartsuyker	Mrs May	Mr A. D. H. Smith
Mr Billson	Mr A. G. Hawke	Mr Morrison	Mr Somlyay
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Neville	Dr Southcott
Ms J. I. Bishop	Mr Hockey	Mr Pearce	Dr Stone
Mr Broadbent	Mrs Hull*	Mr Pyne	Mr Truss
Mr Ciobo	Mr Hunt	Mr Ramsey	Mr Tuckey
Mr Cobb	Mr Irons	Mr Randall	Mr Turnbull
Mr Costello	Dr Jensen	Mr Robb	Mr M. A. J. Vaile
Mr Coulton	Mr Johnson*	Mr Robert	Mrs D. S. Vale
Mr Downer	Mr Katter	Mr Ruddock	Dr Washer
Mr Dutton	Mr Keenan	Mr Schultz	Mr Wood
Mr Forrest	Ms Ley	Mr Scott	

* Tellers

And so it was resolved in the affirmative.

And the question—That the words proposed to be omitted stand part of the question—was put accordingly, and passed.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Bowen (Assistant Treasurer) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Bowen, the Government amendment was made, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Bowen, by leave, the bill was read a third time.

5 EXCISE LEGISLATION AMENDMENT (CONDENSATE) BILL 2008

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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Bowen (Assistant Treasurer), the bill was read a third time.

6 FIRST HOME SAVER ACCOUNTS BILL 2008

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 Raguse addressing the House—

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 MINISTERIAL ARRANGEMENTS

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Mr Crean (Minister for Trade), Mr M. J. Ferguson (Minister for Resources and Energy and Minister for Tourism) would answer questions on his behalf.

Mr Rudd also informed the House that, during the absence overseas of Mr S. F. Smith (Minister for Foreign Affairs), Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) would answer questions on his behalf.

8 DEATH OF FORMER MEMBER (MR LEONARD THOMAS DEVINE)

The Speaker informed the House of the death, on 29 May 2008, of Mr Leonard Thomas Devine, a Member of this House for the Division of East Sydney from 1963 to 1969.

As a mark of respect to the memory of the deceased, all Members present stood, in silence.

9 CESSATION OF AUSTRALIAN COMBAT OPERATIONS IN IRAQ—MINISTERIAL STATEMENT

Mr Rudd (Prime Minister), by leave, made a ministerial statement relating to the cessation of Australian combat operations in Iraq.

Suspension of standing orders—Time for speech

Mr Albanese (Leader of the House), by leave, moved—That so much of the standing orders be suspended as would prevent Dr Nelson (Leader of the Opposition) speaking for a period not exceeding 22 minutes.

Question—put and passed.

Dr Nelson addressed the House.

10 QUESTIONS

Questions without notice being asked—

Document

Mr Pearce, in accordance with standing order 201, having called for documents quoted from by Mr Bowen (Assistant Treasurer)—

Mr Bowen presented the following document:

Fuelwatch—Response to Informed Sources commentary.

Questions without notice continued.

11 SPECIAL ADJOURNMENT

Mr Albanese (Leader of the House) moved—That the House, at its rising, adjourn until 12 noon on Tuesday, 3 June 2008, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting, and for government business to take precedence from 12 noon until 2 p.m. on that day.

Debate ensued.

Question—put and passed.

12 FINANCIAL STABILITY—MINISTERIAL STATEMENT

Mr Swan (Treasurer), by leave, made a ministerial statement relating to financial stability.

Suspension of standing orders—Time for speech

Mr Swan, by leave, moved—That so much of the standing orders be suspended as would prevent Mr Turnbull speaking for a period not exceeding 26½ minutes.

Question—put and passed.

Mr Turnbull addressed the House.

13 PETITIONS AND MINISTER'S RESPONSE

Petitions lodged for presentation and a Minister's response to a petition were announced.

14 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following bills:

26 May 2008—Message—

No. 32—Cross-Border Insolvency 2008.

No. 33—Financial Sector Legislation Amendment (Review of Prudential Decisions) 2008.

No. 34—Telecommunications Legislation Amendment (National Broadband Network) 2008.

15 BUSINESS OF THE MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That, unless otherwise ordered, at the commencement of the Main Committee meeting tomorrow, the first item of business shall be Members' statements, each for no longer than three minutes, with the item of business continuing for 30 minutes irrespective of suspensions for divisions in the House.

Question—put and passed.

16 FIRST HOME SAVER ACCOUNTS BILL 2008

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. 28, 28 May 2008, 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 Swan (Treasurer), the bill was read a third time.

17 FIRST HOME SAVER ACCOUNTS (CONSEQUENTIAL AMENDMENTS) BILL 2008

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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Murphy (Parliamentary Secretary to the Minister for Trade), the bill was read a third time.

18 INCOME TAX (FIRST HOME SAVER ACCOUNTS MISUSE TAX) BILL 2008

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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Murphy (Parliamentary Secretary to the Minister for Trade), the bill was read a third time.

19 NATIONAL FUELWATCH (EMPOWERING CONSUMERS) BILL 2008

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 Dutton addressing the House—

It being 8.30 p.m., the debate was interrupted in accordance with standing order 34, and the resumption of the debate made an order of the day for the next sitting.

20 AUSTRALIAN ELECTION OBSERVER GROUP—REPORT—STATEMENTS BY MEMBERS

Mr Butler presented the following document:

Australian Election Observer Group—Constituent Assembly Election—Nepal, 10 April 2008—Report, 2008.

Statements in connection with the report were made.

21 ECONOMICS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT

Mr C. R. Thomson (Chair) presented the following documents:

Economics—Standing Committee—Review of the Reserve Bank of Australia Annual Report 2007 (First report)—

Report, May 2008.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr C. R. Thomson moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

22 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Bevis presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of the Defence Annual Report 2005–2006—Report, June 2008.

Ordered to be made a Parliamentary Paper.

A statement in connection with the report was made.

23 INTERACTIVE GAMBLING AMENDMENT BILL 2008

Mr Billson, pursuant to notice, presented a Bill for an Act to amend the *Interactive Gambling Act 2001*.

Mr Billson made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

24 GENETICALLY MODIFIED CROPS

Mr Broadbent, pursuant to notice, moved—That the House:

- (1) urges the Australian Government to act to restrict any further planting of genetically modified crops in Australia, the use of genetically modified products in the manufacture of food in Australia and the sale in Australia of food products containing genetically modified material until a full, independent, scientific investigation is carried out to determine:
 - (a) the level of risk to health of foodstuffs containing genetically modified organisms; and

- (b) the threat of contamination posed by genetically modified crops already planted under relaxed provisions in Queensland, New South Wales and Victoria to crops and the food chain as it relates to livestock production in general on neighbouring properties; and
- (2) calls on the Australian Government, in considering its course of action, to take into consideration the commitments made by the current Prime Minister on this issue in the lead up to the 2007 Federal Election.

Debate ensued.

Documents

Mr Bidgood, by leave, presented the following documents:

Genetically modified crops—

Economic impacts of GM crops in Australia—Australian Bureau of Agricultural and Resource Economics—Research report 08.4, May 2008.

GM crops in emerging economies—Impacts on Australian agriculture—Australian Bureau of Agricultural and Resource Economics—Research report 08.3, March 2008.

GM grains in Australia—Identity preservation—Australian Bureau of Agricultural and Resource Economics—Research report 06.25, December 2006.

Debate continued.

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

25 ADJOURNMENT

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 10 p.m.—The Speaker adjourned the House until 12 noon tomorrow, in accordance with the resolution agreed to this sitting.



DOCUMENTS

The following documents were deemed to have been presented on 2 June 2008:

Appropriation Act (No. 1) 2005-2006—Determination to reduce appropriation upon request—2007-08 No. 8 [F2008L01795].

Appropriation Act (No. 1) 2007-2008—Determination to reduce appropriation upon request—2007-08 No. 6 [F2008L01793].

Appropriation Act (No. 2) 2007-2008—Determination to reduce appropriation upon request—2007-08 No. 7 [F2008L01794].

Civil Aviation Act—

Civil Aviation Regulations—Instruction—2008 No. CASA 249 [F2008L01324].

Civil Aviation Safety Regulations—Airworthiness Directives under Part 39-105—AD/BEECH 55—

No. 48—Cancellation [F2008L01584].

No. 56—Cancellation [F2008L01585].

No. 58—Cancellation [F2008L01586].

No. 59—Amendment (No. 1)—Cancellation [F2008L01587].

No. 63—Amendment (No. 1)—Cancellation [F2008L01588].

No. 64—Cancellation [F2008L01589].

No. 71—Cancellation [F2008L01590].

AD/BEECH 56—

No. 8—Cancellation [F2008L01593].

No. 14—Cancellation [F2008L01644].

No. 24—Cancellation [F2008L01597].

AD/BEECH 60—

No. 6—Cancellation [F2008L01601].

No. 8—Cancellation [F2008L01602].

No. 10—Cancellation [F2008L01603].

No. 11—Cancellation [F2008L01604].

No. 35—Cancellation [F2008L01608].
 No. 37—Cancellation [F2008L01609].
 AD/BEECH 65—No. 1—Cancellation [F2008L01610].
 AD/BEECH 76—
 No. 14—Cancellation [F2008L01731].
 No. 15—Cancellation [F2008L01732].
 AD/BEECH 90—
 No. 6—Cancellation [F2008L01758].
 No. 10—Cancellation [F2008L01759].
 No. 11—Cancellation [F2008L01760].
 No. 12—Cancellation [F2008L01761].
 No. 13—Cancellation [F2008L01762].
 No. 26—Cancellation [F2008L01765].
 AD/CESSNA 180—No. 22—Cancellation [F2008L01796].
 AD/DAUPHIN—No. 96 [F2008L01896].
 AD/EC 135—No. 16 [F2008L01941].
 AD/GBK 117—No. 19 [F2008L01940].
 AD/PA-28—
 No. 47—Cancellation [F2008L01649].
 No. 85—Cancellation [F2008L01892].
 AD/S-PUMA—No. 77 [F2008L01895].
 Financial Management and Accountability Act—Determinations transferring appropriations—2008
 Nos 25, 26, 27 [F2008L01884], [F2008L01965], [F2008L01966].
 Social Security (Administration) Act—Determination—2008 Declared relevant Northern Territory
 areas—Various (No. 19) [F2008L01974].
 Sydney Airport Curfew Act—Dispensation—2008 No. 5.
 Taxation Administration Act—
 Determinations—
 1994—TD No. 69 (Withdrawal).
 2008—
 GSTD No. 1.
 TD No. 14.
 Instruments under—
 section 15-15 of schedule 1—28 May 2008 [F2008L01854].
 section 15-25 of schedule 1—23 May 2008 [F2008L01698].
 Rulings—
 2007—PR No. 44 (Withdrawal).
 2008—
 CR Nos 39, 40.
 PR Nos 51, 52, 53, 54.
 TR No. 3.
 Old series—IT—
 No. 32 (Withdrawal).
 No. 2231 (Withdrawal).
 No. 2328 (Withdrawal).

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Crean, Ms King*, Mrs Moylan, Mr S. F. Smith and Mr Trevor.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 23

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 2 JUNE 2008

1 The Main Committee met at 4.05 p.m.

2 **APPROPRIATION BILL (NO. 1) 2008-2009—BUDGET DEBATE**

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 Perrett addressing the Main Committee—

It being 6.40 p.m., the debate was interrupted in accordance with standing order 192, and the resumption of the debate made an order of the day for the next sitting.

3 **MEMBERS' STATEMENTS**

Members' statements were made.

4 **BLOOD DONATION**

The order of the day having been read for the resumption of the debate on the motion of Mr Hayes—That the House:

- (1) recognises and celebrates the significant contribution which Australia's voluntary donors make to the Australian community as we approach World Blood Donor Day in June 2008;
- (2) recognises that whilst one in three people will at some stage require blood, presently only one in thirty people actually donate blood;
- (3) supports the efforts of the selfless individuals who give their blood to help save the lives and improve the health of people whom they may never meet;
- (4) congratulates the Australian Red Cross Blood Service for drawing attention to the need for more Australians to donate blood and celebrating the many generous and voluntary, unpaid blood donors who give blood each week to help those in need;
- (5) supports the efforts of the Minister for Health and Ageing and the Parliamentary Secretary to the Minister for Health and Ageing to increase the rate of blood donations in Australia; and
- (6) encourages members to actively encourage blood donation in their electorates (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

5 **BOTANY BAY AND THE KURNELL PENINSULA**

The order of the day having been read for the resumption of the debate on the motion of Mr Morrison—That the House:

- (1) recognises that:

- (a) the Kurnell Peninsula of southern Sydney is the traditional land of the Gweagal people of the Dharawal nation;
 - (b) the landing site of Lieutenant James Cook on April 29, 1770 at Kurnell is the modern birthplace of our nation and is recognised on the National Heritage List;
 - (c) the village of Kurnell is a strong local community comprising approximately 700 homes;
 - (d) Botany Bay is a valuable marine environment providing sanctuary for migratory birdlife and habitat for territorial marine creatures; and
 - (e) construction of the desalination pipeline has commenced across Botany Bay from the Kurnell Peninsula, under approval as critical infrastructure by the New South Wales State Government;
- (2) expresses concern that:
- (a) Part 3A of the Environmental Planning and Assessment Act 1979 in New South Wales exempts critical infrastructure projects from all planning instruments and codes that might otherwise apply, precludes third party rights of appeal and limits powers and penalties in relation to enforcement of breaches of conditions;
 - (b) due to the use of Part 3A of the Act, the impacts of the construction of this pipeline on the marine environment and cultural heritage of Botany Bay and the Kurnell Peninsula are unknown; and
 - (c) since construction has commenced, there have been a series of breaches in relation to the failure of silt nets to contain land fill on Silver Beach at Kurnell; sheet piling testing has exceeded nominated noise vibration benchmarks, posing a threat to resident property; and there is concern in the community about the ongoing impacts and failures of this project; and
- (3) calls on the Minister for the Environment, Heritage and the Arts to protect the physical environment and cultural heritage of Botany Bay and the Kurnell Peninsula by requesting the New South Wales State Government to:
- (a) prepare a comprehensive environmental remediation plan to address the impact of developing the desalination plant, including the pipeline across Botany Bay;
 - (b) conduct such environmental studies as are required to determine the impact of the development of the desalination plant and associated pipeline on the environment, and to make such studies available to the public;
 - (c) ensure that the development of environmental remediation plans is a requirement for any future referred approvals for critical infrastructure projects to the Commonwealth by the New South Wales Government that are subject to Part 3A of the Environmental Planning and Assessment Act 1979;
 - (d) prepare a heritage and community remediation plan that addresses the impact and disruption caused to residents and the area by the construction of the desalination plant and associated pipeline; and
 - (e) ensure the New South Wales State Government and its agents monitor and report on the ongoing impacts of the project and commit to informing residents in advance of any issues that may impact on residents or their local environment (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

6 PLASTIC AND GLASS BOTTLES

The order of the day having been read for the resumption of the debate on the motion of Mr Scott—That the House:

- (1) calls on the Federal Government to commit to ban by the year 2012 the inclusion of all plastic and glass bottles in landfill;
- (2) notes the ban would be supported by implementation of a national program providing a cash refund for all plastic and glass bottles;

- (3) calls on the Federal Government to reimburse grocery and convenience stores that provide collection sites for the empty bottles and provide cash refunds for each bottle, with larger bottles attracting a larger cash refund; and
- (4) calls on the Federal Government to cooperate with local government bodies to ensure that smaller towns in rural, regional and remote Australia receive financial support to establish a collection centre and to transport bottles to the nearest recycling centre (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

7 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensued.

Documents

Mr Pyne, by leave, presented the following documents:

Siblings Australia funding—Copies of articles—

Compassion deficit—Roy Eccleston, *The Bulletin*, 29 January 2008.

Plea for lost funding to the disabled—Andrew McGarry, 26 January 2008.

Tracie McPherson, *The Advertiser*, 13 January 2008.

Some help when sisters can't do it all themselves—Jacqueline Maley, *Sydney Morning Herald*, 12 November 2004.

Debate continued.

The time allotted for the debate having expired—

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

8 ADJOURNMENT

On the motion of Mr C. R. Thomson, the Main Committee adjourned at 9.30 p.m..

The Deputy Speaker fixed 4 p.m. tomorrow for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee