

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

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**1 MEETING OF SENATE**

The Senate met at 9.30 am. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

**2 PETITION**

The following petition, lodged with the Clerk by Senator Harris, was received:

From 1 773 petitioners, requesting that the Senate take action to revoke Chapter 18 of United Nations Agenda 21 on protection of freshwater resources.

**3 NOTICES**

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

- (a) condemns:
  - (i) the former Minister for the Environment and Heritage (Senator Hill) for having misused the *Environment Protection and Biodiversity Conservation Act 1999* to approve the construction of a nuclear irradiation facility in Narangba, Queensland, a project that has led to contentious protests by the local community, and
  - (ii) the use of taxpayers' money and government resources to continue to pursue the development of this ill thought out and dangerous facility; and
- (b) endorses the right of the community to engage in peaceful protest. (*general business notice of motion no. 347*)

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

- (a) notes that:
  - (i) three nurses have recently been retrenched from the Flinders University health and counselling services,
  - (ii) this will result in the closure of the drop-in service that Flinders University health and counselling services currently provide, as well as the loss of other services associated with the health and counselling services, and
  - (iii) health services are essential to university students, and must be adequately funded; and
- (b) urges the Government to target its higher education funding more specifically to ensure that funding to student services is increased. (*general business notice of motion no. 348*)

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

- (a) condemns the judicial killing of Buddhist monk Lobsang Dhondup in Tibet in January 2003; and
- (b) calls on the Minister for Foreign Affairs to seek an explanation for his death from the People's Republic of China. (*general business notice of motion no. 349*)

Senator Brown: To move on 5 March 2003—That the Senate, recognising that the blue whale, the largest creature ever to move on the face of our planet, faces extinction (its numbers are less than 10 000) and heeding scientific advice that seismic testing at sea may damage the ability of blue whales to feed and breed in Australian waters, calls on the Government to immediately prohibit seismic testing and other sonic activities in areas affecting blue whales or other whale species. (*general business notice of motion no. 350*)

**4 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

- No. 6 Migration Legislation Amendment (Migration Advice Industry) Bill 2002.
- No. 7 Broadcasting Legislation Amendment Bill (No. 3) 2002 [2003].
- No. 8 National Gallery Amendment Bill 2002 [2003].
- No. 9 Commonwealth Volunteers Protection Bill 2002.
- No. 10 Australian Capital Territory Legislation Amendment Bill 2002.
- No. 11 Transport Safety Investigation Bill 2002 and a related bill.

Question put and passed.

**5 ROUTINE OF BUSINESS—VARIATION**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That the routine of business from not later than 4.30 pm today be as follows:

- (a) general business notice of motion no. 341 standing in the name of Senator Carr, relating to the proposed low-level radioactive waste repository in South Australia;
- (b) from 6 pm, valedictory statements relating to Senator Reid may be made for not more than 65 minutes;
- (c) at the conclusion of valedictory statements, consideration of government documents; and
- (d) at the conclusion of government documents, consideration of committee reports, government responses to committee reports and reports of the Auditor-General.

Question put and passed.

**6 NOTICE OF MOTION WITHDRAWN**

Senator Crossin, at the request of Senator Forshaw, withdrew general business notice of motion no. 330 standing in the name of Senator Forshaw for today, relating to Australian Film Institute awards.

**7 POSTPONEMENTS**

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Nettle for today, relating to the reference of matters to the Community Affairs References Committee, postponed till 4 March 2003.

General business notice of motion no. 327 standing in the name of Senator Stott Despoja for today, relating to the commercial release of genetically-engineered crops, postponed till 4 March 2003.

General business notice of motion no. 342 standing in the name of Senator Cherry for today, relating to the Government's response to a report of the Rural and Regional Affairs and Transport References Committee, postponed till 3 March 2003.

**8 FOREIGN AFFAIRS—ZIMBABWE—HUMAN RIGHTS**

Senator Ferguson, also on behalf of Senators Murray, Sandy Macdonald and O'Brien, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 346—That the Senate—

- (a) notes the continuing abuse of human rights, violence, political unrest and deteriorating economic situation in Zimbabwe;
- (b) notes the intention of the Australian Cricket Board (ACB) and the International Cricket Council (ICC) to proceed with its scheduled World Cup match in Bulawayo, Zimbabwe, on 24 February 2003, despite the heightened political and security situation and warnings of protests and other political activity; and
- (c) urges the ACB and ICC not to play scheduled World Cup matches in Zimbabwe.

Question put and passed.

**9 ECONOMICS LEGISLATION COMMITTEE—PROPOSED REFERENCE**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the provisions of the following bills be referred to the Economics Legislation Committee for inquiry and report by 20 March 2003:

- (a) Medical Indemnity (Prudential Supervision and Product Standards) Bill 2002; and
- (b) Medical Indemnity (Prudential Supervision and Product Standards) (Consequential Amendments) Bill 2002.

Question put.

The Senate divided—

AYES, 5

Senators—

Brown (Teller)	Harris	Lees	Nettle
Harradine			

NOES, 51

Senators—

Allison	Collins	Ludwig	Ridgeway
Barnett	Cook	Lundy	Santoro
Bartlett	Crossin	Macdonald, Ian	Scullion
Bishop	Denman	Macdonald, Sandy	Stephens
Brandis	Ferguson	McGauran	Stott Despoja
Buckland	Ferris (Teller)	McLucas	Tchen
Calvert	Forshaw	Moore	Tierney
Campbell, George	Greig	Murphy	Troeth
Campbell, Ian	Heffernan	Murray	Vanstone
Carr	Hill	O'Brien	Watson
Chapman	Hogg	Payne	Webber
Cherry	Kirk	Ray	Wong
Colbeck	Knowles	Reid	

Question negatived.

**10 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES  
COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 339—That the time for the presentation of the report of the Employment, Workplace Relations and Education References Committee on the refusal of the Government to respond to the order of the Senate of 21 August 2002 for the production of documents relating to financial information concerning higher education institutions be extended to 15 May 2003.

Question put and passed.

**11 IMMIGRATION—DETENTION CENTRES**

Senator Brown amended his notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 344—That the Senate—

- (a) notes, with concern, the report on the SBS *Dateline* program of the withdrawal of the International Organisation for Migration from a detention centre on Nauru, and the allegations that this left detainees with no running water and only enough food for one meal a day, and needing to boil milk that had passed its use by date;
- (b) notes that the Minister for Immigration and Multicultural and Indigenous Affairs (Mr Ruddock) effectively conceded that there is no control at the centre when, on 31 January 2003, he described the facility as ‘being self-managed for the moment’; and
- (c) calls on the Minister to:
  - (i) immediately facilitate a visit and inspection by the appropriate parliamentary committee of the facilities on Nauru and Manus Island, and
  - (ii) end the so-called Pacific Solution.

Question put and passed.

**12 COMMUNICATIONS—AUSTRALIAN BROADCASTING CORPORATION—DIRECTOR**

Senator Cherry, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 343—That the Senate—

- (a) notes that the term of Michael Kroger as an Australian Broadcasting Corporation (ABC) director expired on 5 February 2003; and
- (b) calls on the Government to ensure that the next person appointed as an ABC director has expertise in broadcasting or communications in line with the spirit of section 12 of the *Australian Broadcasting Corporation Act 1983*, rather than political connections.

Question put and passed.

**13 DEFENCE—IRAQ—NUCLEAR WEAPONS**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 345—That the Senate—

- (a) calls on the Prime Minister (Mr Howard) to personally convey to the President of the United States of America (Mr Bush) and the Prime Minister of the

United Kingdom (Mr Blair) Australia's total and unreserved opposition to the threat or use of nuclear weapons in Iraq; and

- (b) asks the Prime Minister to make public the leaders' responses to this message from Australia.

Question put and passed.

**14 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Crossin, at the request of the Chair of the Legal and Constitutional References Committee (Senator Bolkus) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 340—That the time for the presentation of the report of the Legal and Constitutional References Committee on progress towards national reconciliation be extended to 17 June 2003.

Question put and passed.

**15 PRIVILEGES—STANDING COMMITTEE—112TH REPORT**

The Chair of the Standing Committee of Privileges (Senator Ray) tabled the following report and documents:

Privileges—Standing Committee—112th report—Possible unauthorised disclosure of report of Environment, Communications, Information Technology and the Arts Legislation Committee, dated February 2003, *Hansard* record of proceedings and volume of submissions and documents.

Report ordered to be printed on the motion of Senator Ray.

Senator Ray moved—That the Senate endorse the findings at paragraph 1.48 of the 112th report of the Committee of Privileges.

Debate ensued.

Question put and passed.

**16 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—REPORT—SMALL BUSINESS EMPLOYMENT**

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell) tabled the following report and documents:

Employment, Workplace Relations and Education References Committee—Small business employment—Report, dated February 2003, *Hansard* record of proceedings, documents presented to the committee and submissions [96].

Report ordered to be printed on the motion of Senator George Campbell.

Senator George Campbell moved—That the Senate take note of the report.

Debate ensued.

Question put and passed.

**17 MARITIME LEGISLATION AMENDMENT BILL 2002**

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 241, dated 5 February 2003—A Bill for an Act to amend maritime legislation, and for related purposes.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Ian Campbell moved—That this bill be now read a second time.

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

**18 ADVANCE TO THE FINANCE MINISTER 2001-02—DOCUMENT**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) tabled the following document:

Finance—Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2002.

Senator Ian Campbell, by leave, moved—That—

- (a) the Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2002 be referred to legislation committees for examination and report in conjunction with documents previously referred to legislation committees as part of the additional estimates process; and
- (b) consideration of the Advance to the Finance Minister as a final charge for the year ended 30 June 2002 in committee of the whole be made an order of the day for the day on which legislation committees report on their examination of the additional estimates.

Question put and passed.

**19 WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL) BILL 2002 [No. 2]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

*At 12.45 pm:* Debate was interrupted while Senator Forshaw was speaking.

**20 MIGRATION LEGISLATION AMENDMENT (MIGRATION ADVICE INDUSTRY) BILL 2002**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the bill was read a third time.

**21 BROADCASTING LEGISLATION AMENDMENT BILL (No. 3) 2002 [2003]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.



Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the bill was read a third time.

**22 NATIONAL GALLERY AMENDMENT BILL 2002 [2003]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the bill was read a third time.

**23 COMMONWEALTH VOLUNTEERS PROTECTION BILL 2002**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the bill was read a third time.

**24 AUSTRALIAN CAPITAL TERRITORY LEGISLATION AMENDMENT BILL 2002**

Order of the day read for the adjourned debate on the motion of the Minister for the Arts and Sport (Senator Kemp)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the bill was read a third time.

**25 NOTICE**

Senator Brown, by leave, gave a notice of motion as follows: To move on the next day of sitting—That the Senate—

- (a) recalls the following resolution, agreed to by the Senate on 19 November 2002:

That the Senate—

- (a) notes that former Colombian Senator Ingrid Betancourt and Ms Clara Rojas have been held captive by Revolutionary Armed Forces of Colombia (FARC) guerillas in Colombia since February 2002; and

- (b) requests the Australian Government to write to President Uribe asking that he take urgent and active steps to secure the release of Ms Betancourt, Ms Rojas and other captives of the FARC;

- (b) notes that the Government has failed to respond to this request; and

- (c) calls on the Government to now seek action from President Uribe to secure the immediate release of Ingrid Betancourt and her fellow captives. (*general business notice of motion no. 351*)

*Suspension of sitting:* On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the sitting of the Senate was suspended till 2 pm.

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*At 2 pm—*

**26 QUESTIONS**

Questions without notice were answered.

**27 DISTINGUISHED VISITORS—STATEMENT BY PRESIDENT**

The President made a statement relating to senators approaching distinguished visitors in the chamber and a matter raised by Senator Ian Macdonald after question time on 5 February 2003.

**28 FOREIGN AFFAIRS—IRAQ—MILITARY ACTION—ANSWERS TO QUESTIONS**

Senator Evans moved—That the Senate take note of the answers given by the Minister for Defence (Senator Hill) to questions without notice asked today relating to military action against Iraq.

Debate ensued.

Question put and passed.

**29 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—ELECTROMAGNETIC RADIATION**

The Minister for Defence (Senator Hill) tabled the following document:

Environment, Communications, Information Technology and the Arts References Committee—Report—Electromagnetic radiation, dated May 2001—Government response.

**30 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—SALE OF CHRISTMAS ISLAND CASINO AND RESORT**

The Minister for Defence (Senator Hill) tabled the following document:

National Capital and External Territories—Joint Standing Committee—Report—Risky business: Inquiry into the tender process followed in the sale of the Christmas Island casino and resort, dated September 2001—Government response, dated February 2003.

**31 ENVIRONMENT—NATIONAL RADIOACTIVE WASTE REPOSITORY—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE**

The Minister for Defence (Senator Hill), by leave, made a statement relating to the order of the Senate of 5 February 2003 for the production of documents concerning a National Radioactive Waste Repository in South Australia (*see entry no. 14, 5 February 2003*).

**32 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—SALE OF CHRISTMAS ISLAND CASINO AND RESORT—CONSIDERATION**

Senator Crossin, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 30*).

Debate ensued.

Question put and passed.

**33 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—ELECTROMAGNETIC RADIATION—CONSIDERATION**

Senator Allison, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 29*).

Question put and passed.

**34 DEPARTMENT OF THE SENATE—SENATORS' TRAVELLING ALLOWANCE—DOCUMENT**

The Acting Deputy President (Senator Brandis) tabled the following document:

Department of the Senate—Travelling allowance—Payments to senators and members, 1 January 2001 to 31 December 2002, dated February 2003.

**35 DEPARTMENT OF THE SENATE—SENIOR OFFICERS' TRAVELLING ALLOWANCE—DOCUMENT**

The Acting Deputy President (Senator Brandis) tabled the following document:

Department of the Senate—Travelling allowance—Payments to senior officers, 1 July 2001 to 31 December 2002, dated February 2003.

**36 LAW AND JUSTICE—SUPERVISION OF CHILDREN—SWIMMING AUSTRALIA—DOCUMENT**

The Acting Deputy President (Senator Brandis) tabled the following document:

Law and justice—Supervision of children—Swimming Australia—Letter to the President of the Senate from the Acting Parliamentary Secretary to the Prime Minister (Mr Slipper) responding to the resolution of the Senate of 11 December 2002, dated 3 February 2003.

**37 PARLIAMENT ACT—PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSAL—DOCUMENTS**

The Minister for Justice and Customs (Senator Ellison) tabled the following documents:

Parliament Act—Proposal, together with supporting documentation, relating to the design, siting and construction of public artwork celebrating the centenary of women's suffrage in Australia.

*Notice of motion:* Senator Ellison, by leave, gave a notice of motion as follows: To move on the next day of sitting—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the erection of public artwork to celebrate the centenary of women's suffrage in Australia.

**38 AUSTRALIAN PARLIAMENTARY DELEGATION TO THE UNITED STATES OF AMERICA AND THE EUROPEAN INSTITUTIONS—DOCUMENT**

Senator Cook, by leave, tabled the following document:

United States of America and the European Institutions—Report of the Australian parliamentary delegation, 1 to 13 September 2002, dated February 2003.

*Statement by leave:* Senator Cook, by leave, made a statement relating to the matter.

**39 COMMITTEES—CHANGES IN MEMBERSHIP**

The Acting Deputy President (Senator Brandis) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Special Minister of State (Senator Abetz), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Economics References Committees—**

Appointed—Participating member: Senator Conroy

**Environment, Communications, Information Technology and the Arts References Committee—**

Appointed—Substitute member: Senator Moore to replace Senator Wong for the committee's inquiry into the role of libraries as providers of public information in the online environment.

Question put and passed.

**40 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS**

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

6 December 2002—Message No. 41—*Workplace Relations Amendment (Genuine Bargaining) Act 2002* (Act No. 123, 2002)

10 December 2002—Message—

No. 42—

*Charter of the United Nations Amendment Act 2002* (Act No. 124, 2002)

*Australian Crime Commission Establishment Act 2002* (Act No. 125, 2002)

No. 43—*Broadcasting Legislation Amendment Act (No. 1) 2002* (Act No. 126, 2002)

11 December 2002—Message No. 44—

*Workplace Relations Legislation Amendment Act 2002* (Act No. 127, 2002)

*Trade Practices Amendment Act (No. 1) 2002* (Act No. 128, 2002)

*International Tax Agreements Amendment Act (No. 2) 2002* (Act No. 129, 2002)

18 December 2002—Message No. 45—

*Health Insurance Amendment (Professional Services Review and Other Matters) Act 2002* (Act No. 130, 2002)

*Bankruptcy Legislation Amendment Act 2002* (Act No. 131, 2002)

19 December 2002—Message—

No. 46—

*Medical Indemnity Act 2002* (Act No. 132, 2002)

*Medical Indemnity (Consequential Amendments) Act 2002* (Act No. 133, 2002)

*Medical Indemnity (Enhanced UMP Indemnity) Contribution Act 2002* (Act No. 134, 2002)

*Medical Indemnity (IBNR Indemnity) Contribution Act 2002* (Act No. 135, 2002)

No. 47—

*Taxation Laws Amendment (Venture Capital) Act 2002* (Act No. 136, 2002)

*Venture Capital Act 2002* (Act No. 137, 2002)

*Taxation Laws Amendment (Earlier Access to Farm Management Deposits) Act 2002* (Act No. 138, 2002)

*Taxation Laws Amendment (Structured Settlements and Structured Orders) Act 2002* (Act No. 139, 2002)

No. 48—

*Telecommunications Competition Act 2002* (Act No. 140, 2002)

*Crimes Legislation Amendment (People Smuggling, Firearms Trafficking and Other Measures) Act 2002* (Act No. 141, 2002)

*National Environment Protection Council Amendment Act 2002* (Act No. 142, 2002)

*Aviation Legislation Amendment Act 2002* (Act No. 143, 2002)

No. 49—

*Prohibition of Human Cloning Act 2002* (Act No. 144, 2002)

*Research Involving Human Embryos Act 2002* (Act No. 145, 2002)

*Trade Practices Amendment (Liability for Recreational Services) Act 2002* (Act No. 146, 2002)

*Family and Community Services Legislation Amendment (Special Benefit Activity Test) Act 2002 (Act No. 147, 2002)*  
 No. 50—*Plant Breeder's Rights Amendment Act 2002 (Act No. 148, 2002).*

*General business was called on.*

**41 ENVIRONMENT—LOW-LEVEL RADIOACTIVE WASTE REPOSITORY**

Senator Carr, pursuant to notice, moved general business notice of motion no. 341—That the Senate condemns the Government for:

- (a) its failure to respect the rights of the people of South Australia in its consultation process over the location of the planned low-level radioactive waste repository;
- (b) its decision to replace effective and meaningful consultation and discussion with a \$300 000 propaganda campaign, designed to sway the opinions of South Australians towards locating the repository in that state, in the absence of genuine efforts to provide accurate and exhaustive information on the suitability of the selected site, close to Woomera; and
- (c) its lack of a thorough examination of the environmental impact of this plan, in particular the possible dangers caused by the site's proximity to the Woomera rocket range, and the serious concerns of both the Department of Defence and private contractors on this issue.

Debate ensued.

*At 6 pm:* Debate was interrupted while Senator Buckland was speaking.

**42 VALEDICTORY STATEMENTS**

Pursuant to order, senators made statements relating to the retirement of Senator Reid.

**43 COMMITTEES—CHANGES IN MEMBERSHIP**

The President informed the Senate that he had received letters requesting changes in the membership of various committees.

The Minister for Defence (Senator Hill), by leave, moved—That senators be discharged from and appointed to committees for the consideration of the 2002-03 additional estimates as follows:

**Community Affairs Legislation Committee—**

Appointed—Substitute member: Senator Tchen to replace Senator Heffernan on 12 February and 13 February 2003

**Foreign Affairs, Defence and Trade Legislation Committee—**

Appointed—Substitute members:

Senator McGauran to replace Senator Sandy Macdonald on 14 February 2003

Senator Ferris to replace Senator Ferguson from 5 pm on 13 February, and on 14 February 2003

**Rural and Regional Affairs and Transport Legislation Committee—**

Appointed—Substitute member: Senator McGauran to replace Senator Colbeck on 14 February 2003.

Question put and passed.

**44 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS  
REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Ferris, by leave and at the request of the Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison), moved—That the time for the presentation of the report of the committee on the Australian telecommunications network be extended to 24 June 2003.

Question put and passed.

**45 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to government documents were considered:

Land and Water Resources Research and Development Corporation (Land and Water Australia) and Land and Water Australia Selection Committee—Reports for 2001-02. Motion of Senator O'Brien to take note of document agreed to.

Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Reports for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Human Rights and Equal Opportunity Commission—Report—Visits to immigration detention facilities by the Human Rights Commissioner 2001, August 2002. Motion of Senator Bartlett to take note of document agreed to.

Sugar Research and Development Corporation and Sugar Research and Development Corporation Selection Committee—Reports for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Australian Electoral Commission—Report for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Australian Radiation Protection and Nuclear Safety Agency—Report for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Australian Strategic Policy Institute Limited—Report for the period 22 August 2001 to 30 June 2002. Motion of Senator Marshall to take note of document agreed to.

Australian Greenhouse Office—Report for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Centrelink—Report for 2001-02. Motion of Senator Marshall to take note of document agreed to.

Human Rights and Equal Opportunity Commission—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Cotton Research and Development Corporation and Cotton Research and Development Corporation Selection Committee—Reports for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Department of Family and Community Services—Report for 2001-02—Volume 1. Motion of Senator Bartlett to take note of document agreed to.

Department of Family and Community Services—Report for 2001-02—Volume 2. Motion of Senator Bartlett to take note of document agreed to.

Social Security Appeals Tribunal—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Australian Security Intelligence Organisation—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Department of the Environment and Heritage—Report for 2001-02, including the report of the Supervising Scientist and reports on the operation of the *Environment Protection and Biodiversity Conservation Act 1999*, the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*, the *Protection of Movable Cultural Heritage Act 1986* and the *Ozone Protection Act 1989*. Motion of Senator Bartlett to take note of document agreed to.

Equal Opportunity for Women in the Workplace Agency—Report for 1 June 2001 to 31 May 2002. Motion of Senator Bartlett to take note of document agreed to.

Employment Advocate—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Veterans' Review Board—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Australian Heritage Commission—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Sydney Harbour Federation Trust—Report for the period 20 September 2001 to 30 June 2002. Motion of Senator Bartlett to take note of document agreed to.

Refugee Review Tribunal—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Department of Immigration and Multicultural and Indigenous Affairs—Report for 2001-02, including reports pursuant to the *Immigration (Education) Act 1971* and the *Australian Citizenship Act 1948*. Motion of Senator Bartlett to take note of document agreed to.

Aboriginal and Torres Strait Islander Commission—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Ombudsman—Report for 2001-02, including a report of the Defence Force Ombudsman and a report pursuant to the *Complaints (Australian Federal Police) Act 1981*. Motion of Senator Bartlett to take note of document agreed to.

*Housing Assistance Act 1996*—Report for 1999-2000 on the operation of the 1996 Commonwealth-State Housing Agreement. Motion of Senator Bartlett to take note of document agreed to.

Human Rights and Equal Opportunity Commission—Report—No. 21—Inquiry into a complaint by six asylum seekers concerning their transfer from immigration detention centres to state prisons and their detention in those prisons. Motion of Senator Nettle to take note of document agreed to.

Wet Tropics Management Authority—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Gene Technology Regulator—Quarterly report for the period 1 January to 30 March 2002. Motion of Senator Bartlett to take note of document agreed to.



Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2002. Motion of Senator Bartlett to take note of document agreed to.

Treaty—*Multilateral*—Text of the proposed treaty action together with the national interest analysis and the current status list—Amendments, done at Bonn, Germany on 24 September 2002, to Appendices I and II of the Convention on the Conservation of Migratory Species of Wild Animals, done at Bonn on 23 June 1979. Motion of Senator Bartlett to take note of document agreed to.

Treaty—*Multilateral*—Text of the proposed treaty action together with the national interest analysis and the regulation impact statement—Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, done at Vienna on 5 September 1997. Motion of Senator Bartlett to take note of document agreed to.

Treaty—*Multilateral*—Text of the proposed treaty action together with the national interest analysis—International Treaty on Plant Genetic Resources for Food and Agriculture (Rome, 3 November 2001). Motion of Senator Bartlett to take note of document agreed to.

Treaty—*Multilateral*—Text of the proposed treaty action together with the national interest analysis—Amendment, done at Cambridge, United Kingdom on 14 October 2002, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946. Motion of Senator Bartlett to take note of document agreed to.

Bankstown Airport Limited—Report for 2001-02. Motion of Senator Bartlett to take note of document agreed to.

Bankstown Airport Limited—Statement of corporate intent 2002. Motion of Senator Bartlett to take note of document agreed to.

General business orders of the day nos 40-87 relating to government documents were called on but no motion was moved.

*General business concluded.*

#### 46 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to committee reports and government responses were considered:

Rural and Regional Affairs and Transport Legislation Committee—Report—The Australian meat industry consultative structure and quota allocation—Second report: Existing government advisory structures in the Australian meat. Motion of Senator Ferris to take note of report agreed to.

Superannuation—Select Committee—Report—Superannuation and standards of living in retirement: The adequacy of the tax arrangements for superannuation and related policy. Motion of Senator Ferris to take note of report agreed to.

Corporations and Financial Services—Joint Statutory Committee—Report—Review of the *Managed Investments Act 1998*. Motion of the chair of the committee (Senator Chapman) to take note of report agreed to.

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—Report—Examination of annual reports for 2000-01 in fulfilment of the committee's duties pursuant to s.206(c) of the *Native Title Act 1993*. Motion of the chair of the committee (Senator Johnston) to take note of report agreed to.

Finance and Public Administration References Committee—Report—Departmental and agency contracts: Report on the first year of operation of the Senate order for the production of lists of departmental and agency contracts. Motion of the chair of the committee (Senator Forshaw) to take note of report agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Scrutiny of the World Trade Organization. Motion of Senator Nettle to take note of statement agreed to.

Environment, Communications, Information Technology and the Arts References Committee—Report—The value of water: Inquiry into Australia's urban water management. Motion of the chair of the committee (Senator Allison) to take note of report agreed to.

**47 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION**

Orders of the day relating to reports of the Auditor-General were called on but no motion was moved.

**48 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.45 pm till Monday, 3 March 2003 at 12.30 pm.

**49 ATTENDANCE**

Present, all senators except Senators Johnston\* and Marshall\* (\* on leave).

**HARRY EVANS**  
Clerk of the Senate