

# MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 35

Tuesday 15 October 2013

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**1. MEETING**

The Assembly met at 10am. The Speaker, the Honourable Kezia Purick took the Chair.

**2. PRAYERS**

**3. VISITORS**

The Speaker advised Honourable Members of the presence in the Speaker's Gallery of Mrs Rhonda Higgins, Mrs Christine Cox and Mr Bill Cox.

The Speaker advised Honourable Members of the presence in the gallery of students from Years 7 to 11 from the Barkly College.

On behalf of all Members the Speaker extended a warm welcome to the visitors.

**4. SPEAKER'S STATEMENT**

The Speaker made a statement appointing Ms Lee, Mr Wood and Mr Kurrupuwu to act as Deputy Chair of Committees pursuant to Standing Order 12.

**5. QUESTIONS**

10.02 Mr McCarthy to Minister for Police, Fire and Emergency Services

10.05 Mr Higgins to Chief Minister

10.08 Ms Lawrie to Chief Minister

10.12 Ms Lee to Minister for Transport

10.17 Ms Lawrie to Chief Minister (referred to Treasurer)

**Paper Tabled:** Ms Lawrie (Leader of Opposition) laid upon the Table - *Electricity Reform Act*, Notice of Making Electricity Pricing Order, pursuant to section 44(8) for the period 1 May 2013 to 31 December 2013, dated 23 April 2013; Electricity Pricing Order, pursuant to section 44(1)(a), notified in *Gazette* No. S71, 3 December 2012, dated 23 April 2013; and Electricity Pricing Order, pursuant to section 44(1)(a), notified in *Gazette* No. S77, 19 December 2012, dated 23 April 2013 (Paper 533).

10.20 Ms Anderson to Minister for Children and Families

10.24 Mr Gunner to Minister for Education

**Paper Tabled:** Mr Chandler (Minister for Education) laid upon the Table - Graph, Department of Education Staffing, Government Schools Enrolment Growth, Budget \$'000 (Paper 534).

10.28 Ms Finocchiaro to Minister for Housing

10.32 Mr Wood to Minister for Sport, Recreation and Racing

10.35 Ms Walker to Minister for Education

10.39 Mr Kurrupuwu to Minister for Essential Services

10.42 Ms Fyles to Minister for Land Resource Management

10.48 Ms Finocchiaro to Minister for Health

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### Suspension of Standing Orders

Ms Fyles (Member for Nightcliff) moved — That so much of Standing Orders be suspended as would prevent this house from censuring the Minister for Parks and Wildlife for misleading this House on Government funding for Frogwatch.

Mr Elferink (Leader of Government Business) informed the Assembly that the Government would accept the censure motion, pursuant to Standing Order 95.

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**6. CENSURE OF MINISTER FOR PARKS AND WILDLIFE - AMENDED MOTION AGREED TO**

Ms Fyles moved — That the Assembly censure the Minister for Parks and Wildlife for misleading this House on Government funding for Frogwatch.

Debate ensued.

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of Year 7 students from Taminmin College.

On behalf of all Members the Chair of Committees extended a warm welcome to the visitor.

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Debate resumed.

**Paper Tabled:** Mr Tollner (Deputy Chief Minister) laid upon the Table - Deed of Termination, Contract Number D11-0080, Between Northern Territory of Australia and Frogwatch Nth Incorporated (Paper 535).

Debate resumed.

Mr Tollner (Deputy Chief Minister) moved – That the motion be amended by omitting all words after 'the', and inserting after 'the' the words 'Opposition for incompetent conduct in making allegations of professional misconduct against Ministers'.

Debate ensued.

**Paper Tabled:** Mr Elferink (Leader of Government Business) laid upon the Table - Censure Motion: copy of Daily Hansard Debates, dated 25 October 2001 (Paper 536).

Debate resumed.

Question – That the amendment be agreed to – put and passed.

Motion as amended, agreed to.

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**Suspension of sittings:** The sitting of the Assembly was suspended between 1.00pm and 2.00pm.

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**7. NOTICES**

The following notices were given:

1. Ms Lawrie (Leader of the Opposition) to move – That this Assembly condemns the CLP for the deepening and ongoing chaos in the Territory Government – hurting families, and businesses and our lifestyle.

(1) Inflicting PowerWater price hikes spiking the cost of living;

(2) Ongoing turmoil in the NT Public Service with 5 Ministerial reshuffles and 2 Chiefs in 12 months;

- (3) Broken election promises across the Territory – from the city to the bush, including rising violent crime;
  - (4) Cutting resources to our schools with less teachers and support staff;
  - (5) Disputes with Public Servants – over pay and conditions and pay cuts; and
  - (6) Dodgy deals and jobs for mates.
2. Mr Giles (Minister for Police, Fire and Emergency Services) to present a bill entitled Alcohol Protection Orders Bill 2013 (Serial 58).
  3. Mr Westra van Holthe (Minister for Mines and Energy) to present a bill entitled Petroleum Amendment Bill 2013 (Serial 56).
  4. Mr Vowles (Member for Johnston) to move – That this Assembly condemns this Government for its failure to:
    - (1) Implement the 2012 CLP election commitment to undertake flood mitigation at Rapid Creek;
    - (2) Complete and release by 31 December 2012 the Flood Study promised by CLP Chief Minister Terry Mills;
    - (3) Consult with local residents and land care groups about future plans or works for Rapid Creek;
    - (4) Undertake any mitigation works to ensure the safety of local residents affected by localised flooding; and
    - (5) For scrapping the Rapid Creek Catchment Advisory Group.
  5. Mr Elferink (Minister for Children and Families) to present a bill entitled Care and Protection of Children Amendment (Legal Representation and Other Matters) Bill 2013 (Serial 51).
  6. Mr Elferink (Minister for Children and Families) to present a bill entitled Children's Commissioner Bill 2013 (Serial 52).
  7. Mr Elferink (Attorney-General) to present a bill entitled Misuse of Drugs Amendment Bill 2013 (Serial 55).

**8. PETITIONS**

Ms Purick (Member for Goyder), presented Petition No. 22 from 958 petitioners, conforming with Standing Orders praying that the private sale of fireworks across the Northern Territory cease. (Paper 537).

Petition read.

The Clerk, pursuant to Standing Order 100A, laid upon the Table Responses to Petition Numbers 20 and 21 (Paper 538).

**9. CRIMINAL CODE AMENDMENT (EXPERT PSYCHIATRIC OR MEDICAL EVIDENCE) BILL 2013 (SERIAL 49)**

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code*.

Bill read a first time.

Mr Elferink moved – That the Bill be now read a second time.

Debate ensued.

**Paper Tabled:** Mr Elferink laid upon the Table the Explanatory Statement (Paper 539).

On the motion of Ms Walker (Member for Nhulunbuy) debate was adjourned.

**10. MISUSE OF DRUGS AMENDMENT (METHAMPHETAMINE) BILL 2013 (SERIAL 42) – BILL AGREED TO**

Resumption of debate on the question - That the Bill be now read a second time.

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

On the motion of Mr Elferink (Attorney-General), the Bill was read a third time and was passed to be a proposed law.

**11. MINISTERIAL STATEMENT - MULTICULTURAL AFFAIRS, SENIORS AND YOUNG TERRITORIANS – MOTION TO NOTE**

Mr Styles (Minister for Multicultural Affairs; Senior Territorians; and Young Territorians) made a statement updating the Assembly on the Government's achievements and aspirations in the areas of multicultural affairs, seniors and youths.

Mr Styles moved – That the Assembly take note of the Statement.

Debate ensued.

**Extension of Time:** On the motion of Mr Gunner (Member for Fannie Bay), Ms Lawrie (Member for Karama) was granted an extension of time.

Debate continued.

**Extension of Time:** On the motion of Ms Finocchiaro (Member for Drysdale), Ms Lambley (Member for Araluen) was granted an extension of time.

Debate continued.

**Extension of Time:** On the motion of Mr Styles (Member for Sanderson), Ms Finocchiaro was granted an extension of time.

Debate continued.

Debate adjourned.

**12. REORDER OF BUSINESS – MOTION AGREED TO**

Mr Elferink (Leader of Government Business) moved - Pursuant to Standing Order 89, that Government Business Order of the day No 6 be called on now, and Government Business Order of the day No 10 and 21 be subsequently considered.

Question - put and passed.

**13. MINISTERIAL STATEMENT - TWELVE MONTHS IN GOVERNMENT AND FRAMING THE FUTURE – MOTION TO NOTE AGREED TO**

Resumption of debate on the question - That the Assembly take note of the Statement.

Question - put and passed.

**14. MINISTERIAL STATEMENT - PILLARS OF JUSTICE – MOTION TO NOTE AGREED TO**

Resumption of debate on the question - That the Assembly take note of the Statement.

Question - put and passed.

**15. MINISTERIAL STATEMENT – SPORT, RECREATION AND RACING – MOTION TO NOTE AGREED TO**

Resumption of debate on the question - That the Assembly take note of the Statement.

Debate resumed.

**Extension of Time:** On the motion of Mr Gunner (Member for Fannie Bay), Ms Lee (Member for Arnhem) was granted an extension of time.

Debate continued.

**Extension of Time:** On the motion of Mr Styles (Member for Sanderson), Mr Conlan (Minister for Sport, Recreation and Racing) was granted an extension of time.

Debate continued.

Question - put and passed.

**16. PAPERS**

The Speaker laid upon the Table the following Travel Report:

Remuneration Tribunal Determination, Travel Report, Member for Nhulunbuy, Ms Lynne Walker, to visit Central Arnhem Road, and meet with CEO of Victoria Daly Shire and CEO of Roper Gulf Shire on 14<sup>th</sup> – 21 July 2013, pursuant to the paragraph 4:12, dated 10 October 2013 (Paper 550).

**17. ADJOURNMENT**

Mr Elferink (Leader of Government Business) moved — That the Assembly do now adjourn.

Debate ensued.

And the Assembly adjourned at 8.48 pm until Wednesday 16 October 2013 at 10am.

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**PAPERS**

The following papers were deemed to have been Tabled on 15 October 2013:

**Annual Report 2012/2013:**

Department of Arts and Museums, 2012/2013 (Paper 540)

Department of Children and Families, 2012/2013 (Paper 542)

Department of Land Resource Management, 2012/2013 (Paper 543)

Department of Sport and Recreation, 2012/2013 (Paper 546)

Department of the Attorney-General and Justice, 2012/2013 (Paper 541)

Northern Territory Anti-Discrimination Commission, 2012/2013 (Paper 547)

Ombudsman NT Thirty Fifth Annual Report, 2012/2013 (Paper 545)  
Parks and Wildlife Commission of the Northern Territory, 2012/2013 (Paper 544)

***Child Protection (Offender Reporting and Registration) Act:***

Annual Reporting Requirements pursuant to section 93, dated 3 October 2013  
(Paper 548)

***Terrorism (Emergency Powers) Act:***

Annual Reporting Requirements pursuant to section 21ZS, Authorisation to enact  
Special Powers and Provisions, dated 3 October 2013 (Paper 549)

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**ATTENDANCE**

All Members attended the sittings.

MICHAEL TATHAM  
Clerk of the Legislative Assembly