

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 41

Tuesday 3 December 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 gallery of Year 10 students from Palmerston Senior College.

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

**4. QUESTIONS**

- 10.02 Ms Lawrie to Chief Minister
- 10.06 Ms Finocchiaro to Chief Minister
- 10.08 Ms Walker to Chief Minister
- 10.12 Mr Kurrupuwu to Chief Minister
- 10.15 Ms Walker to Chief Minister
- 10.20 Ms Finocchiaro to Chief Minister
- 10.23 Mr Wood to Minister for Lands, Planning and the Environment
- 10.27 Mr McCarthy to Chief Minister
- 10.29 Ms Lee to Treasurer
- 10.32 Ms Manison to Chief Minister (referred to Treasurer)
- 10.36 Ms Anderson to Minister for Public Employment
- 10.40 Mr Vatskalis to Chief Minister
- 10.43 Ms Lee to Minister for Primary Industry and Fisheries
- 10.46 Mr Wood to Minister for Arts and Museums

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**Suspension of Standing Orders**

Ms Walker (Member for Nhulunbuy) moved - That so much of Standing Orders be suspended as would prevent this House from censuring the Chief Minister.

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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**5. CENSURE OF CHIEF MINISTER - MOTION**

Ms Walker (Member for Nhulunbuy) moved - That this house censure the Chief Minister for abject bungling of the Nhulunbuy crisis which has devastating consequences for thousands of Territorians.

Debate ensued.

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of Year 10 students from Palmerston Senior College.

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

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Debate resumed.

**Papers Tabled:** Ms Walker (Member for Nhulunbuy) by leave, laid upon the Table –

1. Media Release, Terry Mills MLA, Member for Blain, Done Deal to Secure the future of Gove, dated 13 February 2013 (Paper 640), and
2. Media Release, Terry Mills MLA, Member for Blain, Territory Government Supplies Gas to Gove, dated 11 February 2013 (Paper 641).

Debate resumed.

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of Year 7/8/9 students from Sanderson Middle School.

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

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Debate resumed.

Debate suspended.

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**Suspension of sittings:** The sitting of the Assembly was suspended between 12 noon and 2.00pm.

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**6. CONDOLENCE MOTION – MR BRIAN MANNING - MOTION AGREED TO**

The Speaker informed the Assembly of the death of Mr Brian Manning.

The Speaker advised Members of the presence in the Speaker's Gallery of family, friends and distinguished visitors.

Ms Lawrie (Leader of the Opposition) by leave, moved - That this Assembly express its condolences at the passing of Mr Brian Manning, Territory trade unionist and anti-discrimination campaigner. We offer our deepest sympathy to his family and friends.

Debate ensued.

Question – put and passed.

As a mark of respect Members stood in their places in silence for one minute.

**7. NOTICES**

The following notices were given:

1. Mr Wood (Member for Nelson) to move - That before any Local government Shires are restructured, and notwithstanding the rejection by the Government of a Boundary Commission which is the preferred and most sensible option, there should be an independent inquiry similar to the Deloitte Inquiry to see what the viability of the new council would be and the viability of the remnant council would be. The results of that review should be made public. Any input from Treasury should be made public. If it shown that the new council is not viable without more NT Operational funding to prop the council up then the de-amalgamation should not go ahead.

Secondly there should be public meetings or information sessions held at the main towns and outstations within the proposed new council organised by an independent facilitator to explain what is being proposed and the arguments for and against the proposals.

Thirdly there should be either a plebiscite or referendum within the proposed new council run by the NT Electoral Commission or LGANT to see if the residents agree to the proposal to break away from their existing council.

Fourthly, if there is agreement to go ahead with the proposed new council, there should be no changes by the Government to the existing council's elected members. Any changes will be made by the people on the Election Day where residents of both councils will elect their representatives. The model provided in the document De-amalgamation Transfer Methodology could provide a useful model.

2. Mr Elferink (Minister for Children and Families) to present a bill entitled – Care and Protection of Children Amendment (Charter of Rights) Bill 2013 (Serial 62).
3. Mr Chandler (Minister for Lands, Planning and the Environment) to present a bill entitled – Planning Amendment (Concurrent Applications) Bill 2013 (Serial 59).

**8. CENSURE OF CHIEF MINISTER - MOTION NOT AGREED TO**

Resumption of debate on the question - That this house censure the Chief Minister for abject bungling of the Nhulunbuy crisis which has devastating consequences for thousands of Territorians.

Debate resumed.

Question – put

The Assembly divided:

**Ayes - 8**

Ms Fyles  
Mr Gunner  
Ms Lawrie  
Mr McCarthy  
Ms Manison  
Mr Vatskalis  
Mr Vowles  
Ms Walker

**Noes - 15**

Ms Anderson  
Mr Chandler  
Mr Conlan  
Mr Elferink  
Ms Finocchiaro  
Mr Giles  
Mr Higgins  
Mr Kurrupuwu  
Mrs Lambley  
Ms Lee  
Mr Mills  
Mrs Price  
Mr Styles  
Mr Tollner  
Mr Westra van Holthe

Motion negated.

**9. ENERGY PIPELINES AMENDMENT BILL 2013 (SERIAL 45)**

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.

On the motion of Mr Westra van Holthe (Minister for Mines and Energy) by leave, the Bill was read a third time and was passed to be a proposed law.

**10. COMMUNITY HOUSING PROVIDERS (NATIONAL UNIFORM LEGISLATION) BILL 2013 (SERIAL 48)**

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.

On the motion of Mr Conlan (Minister for Housing) by leave, the Bill was read a third time and was passed to be a proposed law.

**11. LEAVE TO MOVE MOTION – REVERSAL OF DECISION TO PERMIT THE LOCAL GOVERNMENT AMENDMENT (RESTRUCTURING) BILL 2013 (SERIAL 60) TO PASS THROUGH ALL STAGES ON URGENCY – LEAVE NOT GRANTED**

Mr Wood (Member for Nelson) sought leave of the Assembly to move a motion reversing the decision of 27 November 2013 to permit the passage of the *Local Government Amendment (Restructuring) Bill 2013* Serial 60 through all stages in this sittings of the Assembly otherwise denied by Standing Order 134.

Leave not granted.

**12. SUSPENSION OF STANDING ORDERS – MOTION NOT AGREED TO**

Mr Wood (Member for Nelson) moved - That so much of Standing Orders be suspended which would prevent me from moving that this Assembly substitutes the decision made by the Assembly on 27 November 2013 to permit the passage of the Local Government Amendment (Restructuring) Bill 2013 (Serial 60) through all stages in this sittings with a decision that the Assembly applies Standing Order 178 so that the question on the second reading of the Bill is not determined until after at least one month since the Bill was read a first time.

Question – put

The Assembly divided:

**Ayes - 9**

Ms Fyles  
Mr Gunner  
Ms Lawrie  
Mr McCarthy  
Ms Manison  
Mr Vatskalis  
Mr Vowles  
Ms Walker  
Mr Wood

**Noes - 15**

Ms Anderson  
Mr Chandler  
Mr Conlan  
Mr Elferink  
Ms Finocchiaro  
Mr Giles  
Mr Higgins  
Mr Kurrupuwu  
Mrs Lambley  
Ms Lee  
Mr Mills  
Mrs Price  
Mr Styles  
Mr Tollner  
Mr Westra van Holthe

Motion negatived.

**13. MINISTERIAL STATEMENT – A ROADMAP FOR THE FUTURE - MOTION TO NOTE AGREED TO**

Mr Styles (Minister for Transport) made a statement regarding the Government's vision for the Territory to become a trading route and logistics hub into Asia.

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

Debate ensued.

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

Debate resumed.

Question – put and passed.

**14. PAPERS**

The following papers were Tabled –

1. Mr Chandler (Minister for Lands, Planning and the Environment) made a Statement and laid on the Table - Annual Report 2012/2013, Northern Territory Planning Commission (Paper 642).
2. Ms Lee (Member for Arnhem) made a Statement and laid on the Table - Legal and Constitutional Affairs Committee performing the functions of the Subordinate Legislation & Publications Committee, Report of Ministerial Correspondence on Subordinate Legislation and Publications, May 2103 – November 2013, No. 2 of 2013 – December 2013 (Paper 643).

Ms Lee moved – That the paper be printed and the Assembly take note of the Paper.

Question – put and passed.

**15. ADJOURNMENT**

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

Debate ensued.

And the Assembly adjourned at 7.55pm until Wednesday 4 December 2013 at 10am.

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**PAPERS**

There were no papers deemed to have been Tabled on 3 December 2013.

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**ATTENDANCE**

All Members attended the sittings.

MICHAEL TATHAM  
Clerk of the Legislative Assembly