

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 85

Wednesday 25 March 2015

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 students from two Year 7 classes from Rosebery Middle School.

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

4. SPEAKER'S STATEMENT

The Speaker made a statement regarding a Motor Neurone Disease awareness campaign.

5. ESTABLISHMENT OF A SELECT COMMITTEE ON THE PREVALENCE, IMPACTS AND GOVERNMENT RESPONSES TO ICE IN THE NORTHERN TERRITORY – AMENDED MOTION AGREED TO

Mr Giles (Chief Minister) pursuant to notice, moved – That a Select Committee on the prevalence, impacts and government responses to illicit use of the drug colloquially known as “Ice” - in the Northern Territory, is appointed.

The Committee will investigate and report on:

- a. The reliability of government data on Ice use and measures to enhance the collection of data to ensure that the scale of the problem and its impacts on the health, justice, drug and alcohol, and law enforcement efforts of the Northern Territory Government are understood and measured as accurately as possible;
- b. A comprehensive survey of the various government responses to the abuse of Ice in the Northern Territory and assess their effectiveness or otherwise;
- c. The social and community impacts of Ice in urban, community and remote settings;
- d. Government and community responses to Ice use in other states and some assessment of the effectiveness of these responses in terms of prevention, education, family and individual support and withdrawal and treatment modalities;
- e. The sources of Ice including cross border trafficking, local manufacture and derivation from legal pharmaceuticals and other legal precursors; and
- f. Best practice work place health and safety measures for those in the health system who come into contact with users of Ice.

In consideration of these matters, the Committee should:

- a. Consult widely with Territorians and those organisations and professionals with experience in Ice use;
- b. Consider best practice models for effective early education, prevention, containment, treatment and withdrawal strategies; and
- c. Seek the advice and experience of other jurisdictions regarding the options, costs and effectiveness of government and community approaches.

The Committee's membership shall comprise the Member for Blain, the Member for Arafura, the Member for Nhulunbuy and the Member for Nelson. The Chair will be the Member for Blain.

The Committee may elect a Deputy Chair of the Committee, who may act as the Chair when the Chair is absent from a meeting or there is no Chair of the Committee.

A quorum of the Committee shall be two members of the Committee.

The committee is to report by 17 September 2015.

The provisions of this resolution, insofar as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

Ms Lawrie (Leader of the Opposition) moved – That the words 'Member for Nhulunbuy' be omitted, and in their place be inserted 'Member for Casuarina'.

Paper Tabled: Ms Lawrie, by leave, laid upon the Table – Ice Action Plan, State Government Victoria (Paper 1275).

Debate ensued.

Extension of Time: On the motion of Mr McCarthy (Member for Barkly), Mr Elferink (Member for Port Darwin) was granted an extension of time.

Debate continued.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of students from Year 6 from Palmerston Christian School.

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

Debate continued.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of students from two Year 5/6 classes from Malak Primary School.

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

Debate continued.

Amendment agreed to.

Question – That the motion as amended be agreed to - put and passed.

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

6. **NOTICES**

The following notices were given:

1. Mr Elferink (Attorney-General and Minister for Justice) will present on the next sitting day a bill entitled – Local Court Bill 2015 (Serial 120).
2. Mr Elferink (Attorney-General and Minister for Justice) will present on the next sitting day a bill entitled – Justice Legislation Amendment Bill 2015 (Serial 119).
3. Mr Tollner (Treasurer) will present on the next sitting day a bill entitled – Co-operatives (National Uniform Legislation) Bill 2015 (Serial 114).
4. Mr Wood (Member for Nelson) will move on 30 April 2015 - that the Legislative Assembly disallows:
 1. Subordinate Legislation No. 41 of 2014, *Gaming Machine Amendment (Aggregate Number of Gaming Machines) Regulations 2014*; and
 2. Subordinate Legislation No. 42 of 2014, *Gaming Machine Amendment (Maximum Number of Gaming Machines) Regulations 2014*.

7. PETITIONS

Ms Purick (Member for Goyder), presented Petition No. 45 from 423 petitioners, conforming with Standing Orders praying that low level prisoners are not relocated to the old ANSTI site on Bees Creek Road (Paper 1276).

Petition read.

8. MESSAGE FROM THE ADMINISTRATOR

The Deputy Speaker advised Members of receipt of the following Message from His Honour the Administrator (Paper 1278):

Message No. 24

Local Court Bill 2015

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, under section 11 of the *Northern Territory (Self-Government) Act 1978* (Cth), recommend to the Legislative Assembly a Bill for an Act that will provide a standing appropriation for payment of salaries and allowances for Local Court Judges, in place of the equivalent standing appropriation currently contained in the *Magistrates Act*, which is to be repealed.

Dated 25 March 2015

JOHN HARDY OAM
Administrator

9. QUESTIONS

- 14.03 Ms Lawrie to Chief Minister
- 14.04 Ms Lawrie to Chief Minister (supplementary question)
- 14.05 Mr Kurrupuwu to Chief Minister
- 14.08 Ms Walker to Minister for Police, Fire and Emergency Services

Visitors: The Speaker advised Honourable Members of the presence in the gallery of students from Nungalinga College.

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

- 14.12 Mr Barrett to Minister for Police, Fire and Emergency Services

14.16 Ms Moss to Chief Minister

Withdrawal from Chamber: The Speaker ordered Mr Vowles (Member for Johnston) to withdraw from the Assembly for one hour pursuant to Standing Order 240A.

- 14.18 Mrs Finocchiaro to Chief Minister
14.22 Ms Moss to Chief Minister (referred to Minister for Children and Families)
14.26 Mr Kurrupuwu to Minister for Arts and Museums
14.29 Ms Lee to Minister for Local Government and Community Services
14.33 Mr Conlan to Minister for Parks and Wildlife
14.35 Ms Moss to Chief Minister
14.36 Mrs Finocchiaro to Minister for Correctional Services
14.39 Ms Moss to Chief Minister
14.44 Mr Kurrupuwu to Minister for Health
14.47 Mr Wood to Minister for Correctional Services
14.51 Mr Conlan to Minister for Primary Industry and Fisheries
14.54 Mr Gunner to Minister for Housing
14.57 Mr Barrett to Minister for Sport and Recreation

Mr Elferink (Leader of Government Business) asked that further questions be placed on the Written Question Paper.

10. NATIONAL ELECTRICITY (NORTHERN TERRITORY) (NATIONAL UNIFORM LEGISLATION) BILL 2015 (SERIAL 118)

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to apply, as a law of the Territory, a national law providing for the operation of a national electricity market, to make interim arrangements, and for related purposes.

Bill read a first time.

Mr Tollner moved - That the Bill be now read a second time.

Debate ensued.

Paper Tabled: Mr Tollner laid upon the Table the Explanatory Statement (Paper 1277).

On the motion of Ms Manison (Member for Wanguri) debate was adjourned.

11. CONSTRUCTION INDUSTRY LONG SERVICE LEAVE AND BENEFITS AMENDMENT BILL 2015 (SERIAL 112) – 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.

On the motion of Mr Tollner (Treasurer), by leave, the Bill was read a third time and was passed to be a proposed law.

12. WORKERS REHABILITATION AND COMPENSATION LEGISLATION AMENDMENT BILL 2015 (SERIAL 117) – BILL AGREED TO

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

Debate resumed.

Paper Tabled: Ms Walker (Member for Nhulunbuy), by leave, laid upon the Table – Newspaper article, Nhulunbuy Fire-station, Brave firefighters hopes Govt helps fight for life (Paper 1279).

Debate suspended.

General Business: The time being 5.30pm, General Business commenced.

13. ESTABLISHMENT OF TASKFORCE TO TACKLE ICE EPIDEMIC – MOTION NOT AGREED TO

Ms Lawrie (Member for Karama) pursuant to notice, moved – That this Legislative Assembly calls on the Northern Territory Government to immediately establish an interagency Taskforce of Police, Health and Children and Families to report in six weeks on actions that can be taken to tackle the ice epidemic.

And that this Legislative Assembly calls on the Northern Territory Government to incorporate an ice room in the existing Emergency Department construction at Royal Darwin Hospital.

Debate ensued.

Question – put and not agreed to.

14. DEVELOPMENT OF A MAN-MADE ISLAND IN OUR HARBOUR – MOTION NOT AGREED TO

Ms Fyles (Member for Nightcliff) pursuant to notice, moved – That this Assembly recognises the Community is calling on the CLP Government to listen and rule out the development of a man-made island in our harbour.

Paper Tabled: Ms Fyles (Member for Nightcliff), by leave, laid upon the Table – Proposal Map, Man-made Island in our Harbour (Paper 1280).

Debate ensued.

Extension of Time: On the motion of Mr Tollner (Member for Fong Lim), Ms Fyles was granted an extension of time.

Debate continued.

Question – put

The Assembly divided:

Ayes - 8

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

Noes - 11

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins
Mr Kurrupuwu
Mrs Price
Mr Tollner
Mr Westra van Holthe

Pairs: Mr Styles and Mr Wood, Ms Anderson and Mrs Lambley

Motion not agreed to.

15. POLLING DAY CONSIDERATIONS

Mr Wood (Member for Nelson) pursuant to notice, moved – That the NT Government considers that on polling day in local Government and Territory elections.

- not to permit a person to canvass for votes, solicit the vote or induce or attempt to induce an elector not to vote for a particular candidate or particular candidates within 100 metres of a polling place
- and/or not permit the distribution of any advertisement, how to vote card, handbill, pamphlet, poster or notice containing any electoral matter on polling day. This would also include advertising or comment in a newspaper on that day.

Debate ensued.

The time being 9.00pm, debate was suspended at the completion of General Business.

16. WORKERS REHABILITATION AND COMPENSATION LEGISLATION AMENDMENT BILL 2015 (SERIAL 117) – 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.

The Assembly resolved itself into Committee of the Whole for consideration of the Bill in detail.

In Committee

Mr Conlan (Chair of Committees) took the Chair.

The Committee considered the Construction Industry Long Service Leave and Benefits Amendment Bill 2015 (Serial 112).

Clause 1 to 9 taken together and agreed to.

Clause 10 read.

Mr Chandler (Minister for Police, Fire and Emergency Services) moved the following amendment to clause 10 -

Clause 10, proposed section 50A(1), after "Act,"

insert

but subject to section 203A,

Amendment agreed to.

Mr Chandler moved the following amendment to clause 10 -

Clause 10, proposed section 50A(1)(d)

omit

25 August 2012

insert

4 July 2011

Amendment agreed to.

Clause 10 as amended agreed to.

Clauses 11 to 22 taken together and agreed with.

Mr Chandler moved the following amendment to clause 23 -

Clause 23, after proposed section 203

insert

203A Extended application of section 50A

- (1) The presumption mentioned in section 50A(1) also applies in relation to a worker if the following conditions are met:
 - (a) the worker is or was a firefighter (including a person appointed to be an auxiliary member under the *Fire and Emergency Act*) other than a volunteer firefighter;
 - (b) the disease is a prescribed disease;
 - (c) the worker:
 - (i) is, on the onset day for the prescribed disease, working as an active firefighter and had been so working for a period at least as long as the prescribed qualifying period for the prescribed disease; or
 - (ii) had been, within the 10 years immediately preceding that onset day, working as an active firefighter and had been so working for a period at least as long as the prescribed qualifying period for the prescribed disease;
 - (d) that onset day is before 4 July 2011;
 - (e) a claim for compensation is made by the worker within 3 months after the commencement.
- (2) If the conditions mentioned in subsection (1) are met, this Act applies as if the onset day were immediately before the commencement.
- (3) Without limiting subsection (2), a person making a claim under Part 5, Division 3, Subdivision A in respect of a worker who has died may do so only if the worker made a claim as mentioned in subsection (1)(e) before dying.

Amendment agreed to.

Clause 23 as amended agreed to.

Remainder of the bill taken together and agreed to.

Bill to be reported with amendments.

The Assembly resumed; the Speaker took the Chair; Mr Conlan reported that the Committee

had agreed to the Bill with amendments.

The Speaker put the question - that the Report be adopted.

Motion agreed to.

Mr Chandler moved - that the Bill be read a third time.

Debate ensued.

Question – put

The Assembly divided:

Ayes - 11

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins
Mr Kurrupuwu
Mrs Price
Mr Tollner
Mr Westra van Holthe

Noes - 8

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

Pairs: Mr Styles and Mr Wood, Ms Anderson and Mrs Lambley

Motion agreed to.

The Bill was read a third time and was passed to be a proposed law.

17. ADJOURNMENT

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

The Assembly adjourned at 10.49pm until Thursday 26 March 2015 at 10.00am.

PAPERS

No papers were deemed to have been Tabled on 25 March 2015.

ATTENDANCE

All Members attended the sittings, except Ms Anderson and Mr Styles on leave.

MICHAEL TATHAM
Clerk of the Legislative Assembly