

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 98

Wednesday 16 September 2015

1. MEETING

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

2. PRAYERS

3. SPEAKER'S STATEMENT

The Speaker made a statement regarding the celebration of 50 years of service of the Northern Territory by the Royal Life Saving.

4. MISUSE OF DRUGS AMENDMENT BILL 2015 (SERIAL 136)

Mr Elferink (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to Amend the *Misuse of Drugs Act*, and for related purposes.

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 1465).

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

5. SUSPENSION OF STANDING ORDERS TO PASS BILL THROUGH ALL STAGES

Mr Elferink (Attorney-General and Minister for Justice) pursuant to notice, moved – That so much of Standing Orders be suspended as would prevent the Misuse of Drugs Amendment Bill 2015 (Serial 136) passing through all stages during these sittings.

Debate ensued.

Paper Tabled: Mr Elferink laid upon the Table – Photographs of Members of Gangs in the Northern Territory (Paper 1464).

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

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

Extension of Time: On the motion of Mr Westra van Holthe (Member for Katherine), Mr Styles (Member for Sanderson) was granted an extension of time.

Debate continued.

Debate suspended.

Suspension of sittings: The sitting of the Assembly was suspended between 11.50am 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 – Bail Amendment Bill (No.2) 2015 (Serial 135).
2. Mr Chandler (Minister for Transport) will present on the next sitting day a bill entitled – Traffic Act and Other Legislation Amendment Bill 2015 (Serial 138).

7. PETITIONS

The following petitions were presented:

1. Ms Purick (Member for Goyder), by leave, presented Petition No. 52 from 120 petitioners, not conforming with Standing Orders relating to secondary wastewater treatment system at the Livingstone Beef Processing Abattoir (Paper 1466).

Petition read.

2. Mr Higgins (Member for Daly), by leave, presented Petition No. 49 from 27 398 petitioners, not conforming with Standing Orders relating to MacArthur River Mine (Paper 1467).

Petition read.

3. Ms Fyles (Member for Nightcliff), by leave, presented Petition No. 53 from 1184 petitioners, not conforming with Standing Orders relating to better planning for the future of Darwin (Paper 1468).

Petition read.

8. RESPONSES TO PETITIONS

The Clerk, pursuant to Standing Order 100A, laid upon the Table Response to Petition Number 46 (Paper 1469).

9. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of:

1. Electorate Officers of the Members of the Legislative Assembly, and
2. Former Opposition Leader and Member of the Legislative Assembly, Ms Jodeen Carney.

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

10. QUESTIONS

2.04 Mr Gunner to Chief Minister

Paper Tabled: Mr Gunner (Member for Fannie Bay), by leave, laid upon the Table – Letter, to Information Commissioner, Attention: Caroline Norrington, re Complaint to the Information Commission regarding five FOI applications directed at the Department of the Chief Minister, from Elizabeth Farquhar, Solicitor for the Northern Territory, dated 14 September 2015 (Paper 1470).

- 2.08 Ms Manison to Chief Minister (referred to Attorney-General and Minister for Justice)
- 2.13 Mr Conlan to Treasurer
- 2.17 Ms Walker to Minister for Police, Fire and Emergency Services
- 2.20 Mrs Finocchiaro to Chief Minister
- 2.24 Mr Wood to Minister for Lands and Planning
- 2.26 Mr Kurrupuwu to Minister for Primary Industry and Fisheries
- 2.29 Ms Fyles to Minister for Lands and Planning
- 2.33 Mr Barrett to Minister for Asian Engagement and Trade
- 2.38 Mrs Lambley to Chief Minister

Visitors: The Speaker advised Honourable Members of the presence in the gallery of students from the Nungalinga College accompanied by Reverend Felicity Amery.

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

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- 2.40 Mr Kurrupuwu to Chief Minister
 - 2.43 Ms Moss to Minister for Housing
 - 2.46 Mrs Finocchiaro to Minister for Infrastructure
 - 2.49 Ms Walker to Minister for Health
 - 2.51 Mr Barrett to Attorney-General and Minister for Justice (ruled out of order)
 - 2.56 Mr Barrett to Minister for Business

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

11. PERSONAL EXPLANATION – MEMBER FOR BRENNAN

Pursuant to Standing Order 57, having obtained leave from the Chair, Mr Chandler (Member for Brennan) explained matters of a personal nature.

12. SUSPENSION OF STANDING ORDERS TO PASS BILL THROUGH ALL STAGES – MOTION NOT AGREED TO

Resumption of debate on the question – That so much of Standing Orders be suspended as would prevent the Misuse of Drugs Amendment Bill 2015 (Serial 136) passing through all stages during these sittings.

Debate resumed.

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

Debate continued.

Question – put

The Assembly divided:

Ayes - 12	Noes - 13
Mr Barrett	Ms Anderson
Mr Conlan	Ms Fyles
Mr Chandler	Mr Gunner
Mr Elferink	Mrs Lambley
Mrs Finocchiaro	Ms Lawrie
Mr Giles	Ms Lee
Mr Higgins	Ms Manison
Mr Kurrupuwu	Mr McCarthy
Mrs Price	Ms Moss
Mr Styles	Ms Purick
Mr Tollner	Mr Vowles
Mr Westra van Holthe	Ms Walker
	Mr Wood

Motion not agreed to.

13. INFORMATION AMENDMENT BILL (NO. 2) 2015 (SERIAL 137)

Mr Elferink (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to Amend the *Information Act*, and for related purposes.

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 1475).

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

14. MINISTERIAL STATEMENT – NT ASIAN ENGAGEMENT, TRADE AND INVESTMENT STRATEGY 2015-2020 – MOTION TO NOTE

Mr Styles (Minister for Asian Engagement and Trade) made a statement regarding the launch of the Northern Territory's Asian Engagement, Trade and Investment Strategic Plan 2015 – 2020.

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

Debate ensued.

Debate suspended.

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

15. RESIDENTIAL RETIREMENT FACILITIES – AMENDED MOTION AGREED TO

Mr Wood (Member for Nelson) pursuant to notice, moved – That the Minister for Senior Territorians investigate the need for residential retirement facilities in the broader Darwin rural area and report back to the Parliament by the first quarter of 2016.

The investigation would involve but not limited to –

1. The future and existing needs of residents in the rural area in relation to seniors' accommodation, retirement and aged care facilities.
2. Land, existing facilities and infrastructure that exist presently or would be needed to facilitate 1.
3. The views of Government or private companies in relation to 1 and 2.
4. The financial sustainability of any proposals.

That the Minister report back to Parliament in the first quarter of 2016.

Debate ensued.

Paper Tabled: Mr Wood (Member for Nelson), by leave, laid upon the Table – Maps of land in the Rural areas and Photographs relating to Residential Retirement Facilities (Paper 1477).

Ms Moss (Member for Casuarina) moved the following amendment – omit the words 'the broader Darwin rural area', and insert in their place 'Northern Territory'.

Debate ensued.

Extension of Time: On the motion of Mrs Finocchiaro (Member for Drysdale), Mrs Price (Member for Stuart) was granted an extension of time.

Debate continued.

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

Debate continued.

Extension of Time: On the motion of Mr Westra van Holthe (Member for Katherine), Mr Tollner (Member for Fong Lim) was granted an extension of time.

Debate continued.

Mr Giles (Chief Minister) moved the following amendments –

- Omit 'Minister for Senior Territorians' and insert in their place 'Northern Territory Government';
- Insert after 'Northern Territory', 'including, but not limited to, Alice Springs, Litchfield shire, Nhulunbuy and the greater Darwin area';
- Omit 'first quarter of' and insert in their place 'April'; and
- Omit 'residents in the rural area' and insert in their place 'all NT residents'.

Debate ensued.

Question – That the amendment proposed by Ms Moss be agreed to – put and passed.

Question – That the amendments proposed by Mr Giles be agreed to – put and passed.

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

16. FIRST HOME OWNERS GRANT

Mrs Lambley (Member for Araluen) pursuant to notice, moved – That the government reverse the changes they made to the guidelines for the First Home Owners Grant on 1st January 2015 pertaining to Alice Springs and include both existing and new homes as eligible to receive the First Home Owners Grant.

Debate ensued.

Ms Moss (Member for Casuarina) moved the following amendment – omit all words after 'that' and insert in their place:

This House supports the principle that assistance should be provided to people who do not own a home seeking to purchase a place to live.

This House believes that the Territory will be a better, more stable place if we support more people into home ownership - either by the building of a new home or the purchase of an existing house or unit.

This House instructs Treasury to draft for discussion a paper with options for action by Government supporting the above principles and with the objective that these options do not inflate the costs of housing.

This paper to be brought back to this House by the Treasurer on the first day of the November sittings 2015.

Debate ensued.

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

17. LEAVE TO MOVE MOTION WITHOUT NOTICE – LEAVE NOT GRANTED

Mrs Lambley (Member for Araluen) sought leave of the Assembly for General Business to continue until the completion of General Business Notices Nos 2, 3 and 4.

Leave not granted.

18. SUSPENSION OF STANDING ORDERS – MOTION AGREED TO

Mrs Lambley (Member for Araluen) moved – That so much of Standing Orders be suspended so as to allow the completion of General Business, Notices Number 2, Number 3 and Number 4.

Debate ensued.

Ms Fyles (Member for Nightcliff) moved – That the question now be put.

Question – put

The Assembly divided:

Ayes - 13

Ms Anderson
Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Lee
Mr McCarthy
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker
Mr Wood

Noes - 12

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

Motion agreed to.

Question – That the motion be agreed to – put

The Assembly divided:

Ayes - 13

Ms Anderson
Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Lee
Mr McCarthy
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker
Mr Wood

Noes - 12

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

Motion agreed to.

19. FIRST HOME OWNERS GRANT – MOTION NOT AGREED TO

Resumption of debate on the question – That the government reverse the changes they made to the guidelines for the First Home Owners Grant on 1st January 2015 pertaining to Alice Springs and include both existing and new homes as eligible to receive the First Home Owners Grant.

Debate resumed.

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

Debate continued.

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

Question - That the motion be agreed to – put -

The Assembly divided:

Ayes - 12

Ms Anderson
Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Lee
Mr McCarthy
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker

Noes - 12

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

Motion not agreed to.

20. PUBLIC INFORMATION AMENDMENT BILL 2015 (SERIAL 140)

Ms Manison (Member for Wanguri), pursuant to notice, presented a Bill for an Act to amend the *Public Information Act*.

Bill read a first time.

Ms Manison moved - That the Bill be now read a second time.

Debate ensued.

Paper Tabled: Ms Manison laid upon the Table the Explanatory Statement (Paper 1478).

On the motion of Mr Elferink (Member for Port Darwin) debate was adjourned.

21. MEMBERSHIP OF THE PUBLIC ACCOUNTS COMMITTEE – MOTION AGREED TO

Ms Fyles (Member for Nightcliff) pursuant to notice, moved – That notwithstanding anything in the Standing or Sessional Orders:

- (a) The Public Accounts Committee is to comprise six Members including two Government Members, two Opposition Members and two Members who are not Members of the Government or the Opposition; and
- (b) The three Government Members be discharged from the Public Accounts Committee, and in their place be appointed the Member for Araluen and two Members to be nominated to the Speaker in writing by the Government Whip.

- (c) The Chair of the Public Accounts Committee is not to be a Member of the Government or the Opposition.

This resolution is to have effect for the remainder of this session, whether or not the Assembly agrees to the Leader of Government Business' motion of 25 August 2015 adopting new Standing Orders.

Debate ensued.

Ms Fyles (Member for Nightcliff) moved – That the question now be put.

Question – put

The Assembly divided:

Ayes - 10

Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Lee
Mr McCarthy
Ms Manison
Ms Moss
Mr Vowles
Ms Walker

Noes - 13

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

Motion not agreed to.

Debate resumed.

Question – put

The Assembly divided:

Ayes - 13

Ms Anderson
Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Lee
Mr McCarthy
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker
Mr Wood

Noes - 12

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

Motion agreed to.

22. MINISTERIAL STATEMENT – NT ASIAN ENGAGEMENT, TRADE AND INVESTMENT STRATEGY 2015-2020 – MOTION TO NOTE

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

Debate resumed.

Leave granted for Mr Westra van Holthe (Member for Katherine) to continue his remarks at a later time.

23. ADJOURNMENT

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

The Assembly adjourned at 11.42pm until Thursday 17 September 2015 at 10.00am.

PAPERS

The following papers were deemed to have been Tabled on 16 September 2015 -

Agreement:

Lasseter's Hotel Casino Operator's Agreement, Hon. David Tollner, Treasurer and Ford Dynasty Pty Ltd (ACN 009631029) (Paper 1472)

Annual Reports 2014/2015:

Professional Standards Councils, 2014/2015 (Paper 1471)

Electoral Commission Northern Territory:

2015 Redistribution of Northern Territory Legislative Assembly Electoral Boundaries, Report and Maps on the Redistribution of the Northern Territory into Divisions (Paper 1476)

Liquor Act:

Annual Reporting Requirements 2014/15 Financial Year - Banning Notices and Exclusion Orders in Designated Areas, pursuant to sections 120Z(3)(4) (Paper 1474)

Independent Review:

Stronger Futures in the Northern Territory Act 2012, Independent review of the effectiveness of Northern Territory and Commonwealth laws in reducing alcohol-related harm, MinterEllison (Paper 1473)

ATTENDANCE

All Members attended the sittings.

MICHAEL TATHAM
Clerk of the Legislative Assembly