

---

NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

of the

LEGISLATIVE ASSEMBLY

No. 62

Tuesday 19 June 2014

---

**1. MEETING**

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

**2. PRAYERS**

**3. 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 1 be called on.

Debate ensued.

Mr Elferink (Leader of Government Business) moved – That the question now be put.

Question – put

The Assembly divided:

**Ayes - 12**

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

**Noes - 12**

Ms Anderson  
Ms Fyles  
Mr Gunner  
Mr Kurrupuwu  
Ms Lawrie  
Ms Lee  
Mr McCarthy  
Ms Manison  
Mr Vatskalis  
Mr Vowles  
Ms Walker  
Mr Wood

Motion not agreed to.

Question – Pursuant to Standing Order 89, that Government Business, Order of the Day No 1 be called on - put

The Assembly divided:

**Ayes - 13**

Mr Barrett  
Mr Chandler  
Mr Conlan  
Mr Elferink  
Ms Finocchiaro  
Mr Giles

**Noes - 12**

Ms Anderson  
Ms Fyles  
Mr Gunner  
Mr Kurrupuwu  
Ms Lawrie  
Ms Lee

Mr Higgins	Mr McCarthy
Mrs Lambley	Ms Manison
Mrs Price	Mr Vatskalis
Ms Purick	Mr Vowles
Mr Styles	Ms Walker
Mr Tollner	Mr Wood
Mr Westra van Holthe	

Motion agreed to.

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

Mr Gunner (Member for Fannie Bay) moved – That so much of Standing Orders be suspended as would prevent the conduct of question time.

Debate ensued.

Mr Elferink (Leader of Government Business) moved – That the question now be put.

Question – put and passed.

Question – That so much of Standing Orders be suspended as would prevent the conduct of question time – put and not agreed to.

**5. APPROPRIATION (2014-2015) BILL 2014 (SERIAL 79)**

Mr Tollner (Treasurer) moved – That the Committee Stage now be taken.

Question – put and passed.

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

---

**In Committee**

Mr Higgins (Chair of Committees) took the Chair.

Ms Finocchiaro (Chair of the Estimates Committee) made a statement and laid upon the Table – Estimates Committee Report, Report of the Estimates Committee on its consideration of the Appropriation (2014-2015) Bill 2014 (Serial 79) (Paper 932).

**Visitors:** The Chair advised Honourable Members of the presence in the gallery of Hon. Stephen Hatton, a former Chief Minister of the Northern Territory.

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

Committee of the Whole suspended.

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

**6. APPROPRIATION (2014-2015) BILL 2014 (SERIAL 79) – BILL AGREED TO**

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

---

**In Committee**

Mr Higgins (Chair of Committees) took the Chair.

Estimates Report noted.

Expenditure proposed in the Appropriation (2014-2015) Bill 2014 (Serial 79) agreed to.

Remainder of the Bill taken as a whole and agreed to.

Bill to be reported as printed.

---

The Assembly resumed; the Speaker took the Chair; Mr Higgins reported that the Committee had agreed to the Bill.

Madam Speaker put the question - That the Report be adopted.

Motion agreed to.

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

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

Mr Elferink (Leader of Government Business) moved – Pursuant to Standing Order 89, that the routine of business be reordered so that the assembly proceeds with the following routine:

- a. Notices
- b. Petitions
- c. Government Business, Notices and Orders of the Day
- d. Papers.

Debate ensued.

Mr Elferink (Leader of Government Business) moved – That the question now be put.

Question – put

The Assembly divided:

<b>Ayes - 12</b>	<b>Noes - 8</b>
Mr Barrett	Ms Fyles
Mr Chandler	Mr Gunner
Mr Conlan	Ms Lawrie
Mr Elferink	Mr McCarthy
Ms Finocchiaro	Ms Manison
Mr Giles	Mr Vatskalis
Mr Higgins	Mr Vowles
Mrs Lambley	Ms Walker
Mrs Price	
Mr Styles	
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

Question – Pursuant to Standing Order 89, that the routine of business be reordered – put and passed.

**8. NOTICES**

The following notices were given:

1. Mr Elferink (Attorney-General) will present a bill entitled – Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) Bill 2014 (Serial 81).
2. Mrs Lambley (Minister for Health) will present a bill entitled – Tobacco Control Legislation Amendment Bill 2014 (Serial 88).

**9. REMOVE QUESTION FROM THE WRITTEN QUESTION PAPER – LEAVE GRANTED**

Mr Elferink (Leader of Government Business) sought leave to have Written Questions 112 to 202 asked for the Estimates Committee be considered answered and removed from the Assembly's Written Question Paper.

Leave granted.

**10. SUSPENSION OF STANDING ORDERS TO COGNATE BILLS – MOTION AGREED TO**

Mr Elferink (Leader of Government Business) sought leave to have two bills titled Correctional Services Bill 2014 (Serial 82) and Correctional Services (Related and Consequential Amendments) Bill 2014 (Serial 83):

1. Together be debated, and in one motion be put in regard to the second readings, the Committee's report stage and the third readings of the bills; and
2. Be considered separately in the Committee of the Whole.

Leave not granted.

Mr Elferink moved – That so much of Standing Orders be suspended as would prevent the Assembly from allowing two bills titled Correctional Services Bill 2014 (Serial 82) and Correctional Services (Related and Consequential Amendments) Bill 2014 (Serial 83):

1. Together be debated, and in one motion be put in regard to the second readings, the Committee's report stage and the third readings of the bills; and
2. Be considered separately in the Committee of the Whole.

Question – put and passed.

**11. CORRECTIONAL SERVICES BILL 2014 (SERIAL 82) AND CORRECTIONAL SERVICES (RELATED AND CONSEQUENTIAL AMENDMENTS) BILL 2014 (SERIAL 83)**

Mr Elferink (Attorney-General), pursuant to notice, presented Bills for an Act to provide for the declaration of correctional services establishments, the management and control of those establishments and offenders, and related purpose and a Bill for an Act to amend various laws related to the *Correctional Services Act*.

Bills read a first time.

Mr Elferink moved - That the Bills be now read a second time.

Debate ensued.

**Papers Tabled:** Mr Elferink laid upon the Table –

1. Correctional Services Bill 2014 (Serial 82) Explanatory Statement (Paper 947); and
2. Correctional Services (Related and Consequential Amendments) Bill 2014 (Serial 83) Explanatory Statement (Paper 948).

On the motion of Mr Gunner (Member for Fannie Bay) debate was adjourned.

**12. TREASURY LEGISLATION AMENDMENT BILL 2014 (SERIAL 80) – 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.

**13. CONSUMER AFFAIRS AND FAIR TRADING AMENDMENT BILL 2014 (SERIAL 86) – 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.

Mr Tollner (Treasurer), by leave, moved - That the Bill be read a third time.

Question – put

The Assembly divided:

**Ayes - 12**

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

**Noes - 9**

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

Motion agreed to.

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

**14. STELLA MARIS INQUIRY REPORT – TABLED PAPER**

Mr Giles (Chief Minister) laid on the Table the Stella Maris Inquiry Report and made a statement (Paper 950).

Mr Giles moved – That the paper be printed and sought leave to continue his remarks at a later hour.

Leave not granted

Mr Giles moved – That the paper be printed.

Question - put and passed.

Mr Giles moved – That he continue his remarks at a later time.

Debate ensued.

Mr Elferink (Leader of Opposition) moved - That the question now be put.

Question – put

The Assembly divided:

<b>Ayes - 12</b>	<b>Noes - 8</b>
Mr Barrett	Ms Fyles
Mr Chandler	Mr Gunner
Mr Conlan	Ms Lawrie
Mr Elferink	Mr McCarthy
Ms Finocchiaro	Ms Manison
Mr Giles	Mr Vatskalis
Mr Higgins	Mr Vowles
Mrs Lambley	Ms Walker
Mrs Price	
Mr Styles	
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

Question – That Mr Giles may continue his remarks at a later time – put and passed.

#### 15. PAPERS

The Speaker laid on the Table –

1. Travel Report, Member for Fannie Bay, Mr Gunner, as Shadow Minister to travel to Alice Springs to tour the Alice Springs Correctional facility and a briefing from local Corrections Officers, 22 - 23 April 2014, pursuant to clause 4:12, dated 19 June 2014 (Paper 952).
2. Travel Report, Member for Wanguri, Ms Nicole Manison, as Shadow Minister to travel to Alice Springs to attend the Mental Health Association of Central Australia, The Tangentyere Women's Group, Disability advocates and others, 22 - 23 April 2014, pursuant to clause 4:12, dated 9 June 2014 (Paper 951).
3. Travel Report, Member for Nelson, Mr Wood travel to Europe, European Study Tour, April 2014, pursuant to clause 4:12, dated 16 June 2014 (Paper 953).

#### 16. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of receipt of the following Message from Her Honour the Administrator (Paper 949):

##### **Message No 17 – Assent to Proposed Laws**

I, SALLY THOMAS AC, the Administrator of the Northern Territory of Australia, advise the Legislative Assembly of, pursuant to section 7 of the *Northern Territory (Self-Government Act) 1978* of the Commonwealth, the assent to the following proposed laws:

##### **9 May 2014**

Power and Water Corporation Legislation Amendment Act 2014 (**Act No 13 of 2014**)

Power Generation Corporation Act 2014 (**Act No 14 of 2014**)

Power Retail Corporation Act 2014 (**Act No `15 of 2014**)

##### **29 May 2014**

Poppy Regulation Act 2014 (**Act No 16 of 2014**)

**2 June 2014**

Environment Protection (Beverage Containers and Plastic Bags) Legislation Amendment Act 2014 (**Act No 17 of 2014**)

Health Services Act 2014 (**Act No 18 of 2014**)

Local Government Amendment Act 2014 (**Act No 19 of 2014**)

Motor Accidents (Compensation) Amendment Act 2014 (**Act No 20 of 2014**)

Water Efficiency Labelling and Standards (National Uniform Legislation) Act 2014 (**Act No 21 of 2014**)

Criminal Code Amendment (Presumption of Joint Trials) Act 2014 (**Act No 22 of 2014**)

SALLY THOMAS AC

Administrator

**17. ADJOURNMENT**

Mr Giles (Chief Minister) moved - That the Assembly do now adjourn.

And the Assembly adjourned at 7.56pm until Tuesday 19 August 2014 at 10.00am.

---

**PAPERS**

The following papers were deemed to have been Tabled on 19 June 2014 -

**By-Laws 2013:**

No.49, Alice Springs (Waste Management Facility) By-laws 2013 (Paper 933)

**Coroners Act:**

In the matter of the Deputy Coroner's Findings and recommendation regarding the death of Ms Theresa Black, pursuant to section 46B, dated 20 November 2013 (Paper 934)

In the matter of the Coroner's Findings and recommendations regarding the death in custody of Mr Peter Alexander Clarke (Senior), pursuant to section 46B, dated 27 May 2014 (Paper 935)

In the matter of the Coroner's Findings and recommendations regarding the death of Ms Sara Lorraine Hampel, pursuant to section 46B, dated 17 June 2014 (Paper 936)

**Financial Management Act:**

Authorisation, Issue of Increased Funds available from Commonwealth, pursuant to section 19A(1),(2), dated 17 June 2014 (Paper 937)

Direction, Transfer of Excess Appropriations, pursuant to section 20(1), dated 17 June 2014 (Paper 938)

Determination, Proportions of Appropriations to be transferred after redistribution of Business, pursuant to section 21(1), dated 17 June 2014 (Paper 939)

**Government Owned Corporations Act:**

Constitution Power Generation Corporation, pursuant to section 11(3) of the *Government Owned Corporations Act (NT)*, dated 29 May 2014 (Paper 940)

Constitution Power Retail Corporation, pursuant to section 11(3) of the *Government Owned Corporations Act (NT)*, dated 29 May 2014 (Paper 941)

**Police Administration Act:**

Northern Territory Police Force Consent Agreement 2014, pursuant to section 51, dated 29 May 2014 (Paper 942)

**Subordinate Legislation 2014:**

No. 13, Summary Offences Amendment Regulations 2014 (Paper 943)

No. 14, Museum and Art Gallery of the Northern Territory Regulations (Paper 944)

No. 15, Motor Vehicles (Fees and Charges) Amendment Regulations 2014 (Paper 945)

No. 16, Tobacco Control Amendment Regulations 2014 (Paper 946)

---

**ATTENDANCE**

All Members attended the sittings.

MICHAEL TATHAM

Clerk of the Legislative Assembly