

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 71

Thursday 23 October 2014

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 a shooting incident at the Houses of Parliament in Ottawa.

4. CHIEF MINISTER'S STATEMENT

Mr Giles (Chief Minister), by leave, made a statement regarding a shooting incident at the Houses of Parliament in Ottawa.

5. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of a year 7 class from Taminmin College.

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

6. QUESTIONS

10.09 Ms Lawrie to Chief Minister
10.13 Mrs Finocchiaro to Chief Minister
10.17 Mr McCarthy to Chief Minister

Paper Tabled: Mr McCarthy (Member for Barkly), by leave, laid upon the Table – Media Release, New Territory Commissioner to Indonesia and ASEAN, dated 17 April 2014 (Paper 1057).

10.22 Mr Barrett to Chief Minister
10.25 Ms Lawrie to Chief Minister
10.29 Ms Lawrie to Chief Minister (supplementary question)
10.31 Mr Kurrupuwu to Minister for Mines and Energy
10.35 Mr Wood to Chief Minister
10.39 Mr Gunner to Chief Minister
10.43 Mrs Finocchiaro to Minister for Tourism
10.46 Mr McCarthy to Chief Minister

Suspension of Standing Orders

Ms Lawrie (Leader of the Opposition) 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.

7. CENSURE OF CHIEF MINISTER

Ms Lawrie (Leader of the Opposition) pursuant to notice, moved – That this house censures the Chief Minister for:

- Covering up the illegal activities of Foundation 51 by shutting down the inquiry moved by this Parliament.

- Lying to Territorians and the people of Casuarina about your real intentions to sell off the Territory Insurance Office, privatise the Port and Power and Water assets.
- Covering up the dodgy \$1 million and bank guarantee deal with the Tiwi Land Council.

Debate ensued.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of a year 7 class from Taminmin College.

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

Mr Tollner (Member for Fong Lim) moved – That all words in the motion of censure after the word 'censuring' first appearing, be replaced with:

'the Leader of the Opposition for recklessly, intentionally and indifferently bringing this house into disrepute for misrepresenting circumstances, naming and demeaning public servants and lying to Territorians for political motives.'

Debate continued.

Debate suspended.

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

8. NOTICES

The following notice was given:

1. Ms Lawrie (Member for Karama) will move on the next General Business day - This Legislative Assembly condemns the Chief Minister and the Government for their actions to sell public assets: the Territory Insurance Office, PowerWater and the port, without a mandate, in order to fund their unfunded election commitments.

And that the Legislative Assembly asserts that the Government must halt any actions to sell public assets and must take their policy to sell public assets to the 2016 Territory election.

9. CENSURE OF CHIEF MINISTER – AMENDED MOTION AGREED TO

Resumption of debate on the question – that this house censures the Chief Minister and the amended question that this house censures the Leader of the Opposition.

Debate resumed.

Question – that the amendment be agreed to put -

The Assembly divided:

Ayes - 13

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins

Noes - 9

Ms Anderson
Ms Fyles
Mr Gunner
Ms Lawrie
Mr McCarthy
Ms Manison
Ms Moss

Mr Kurrupuwu Mr Vowles
Mrs Lambley Ms Walker
Mrs Price
Mr Styles
Mr Tollner
Mr Westra van Holthe

Motion agreed to.

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

10. TERMINATION OF UNITS PLANS AND UNIT TITLE SCHEMES BILL 2014 (SERIAL 104)

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act provide for the termination of units plans and unit title schemes, 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 1063).

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

11. POLICE (SPECIAL INVESTIGATIVE AND OTHER POWERS) BILL 2014 (SERIAL 100)

Mr Giles (Chief Minister), pursuant to notice, presented a Bill for an Act to provide for additional operational powers for law enforcement agencies for investigations and intelligence-gathering in relation to criminal activity, and for related purposes.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Giles laid upon the Table the Explanatory Statement (Paper 1064).

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

12. MOTION TO COGNATE THE LICENSING (DIRECTOR-GENERAL) BILL 2014 (SERIAL 102) AND LICENSING (REPEALS AND CONSEQUENTIAL AMENDMENTS) BILL 2014 (SERIAL 103) – MOTION AGREED TO

Mr Giles (Chief Minister) pursuant to notice, moved – That the two bills titled Licensing (Director-General) Bill 2014 (Serial 102) and Licensing (Repeals and Consequential Amendments) Bill 2014 (Serial 103):

1. together be debated, and in one motion be put in regard to the second readings, the committee report stages and the third readings of the bills; and
2. be considered separately in the Committee of the Whole.

Debate ensued.

Question – put and passed.

13. LICENSING (DIRECTOR-GENERAL) BILL 2014 (SERIAL 102) AND LICENSING (REPEALS AND CONSEQUENTIAL AMENDMENTS) BILL 2014 (SERIAL 103)

Mr Giles (Chief Minister), pursuant to notice, presented two Bills for an Act to establish the office of the Director-General of Licensing, and for related purposes and a Bill for an Act to

repeal various regulations and amend other laws in consequence of the enactment of the *Licensing (Director-General) Act*.

Bills read a first time.

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

Debate ensued.

Paper Tabled: Mr Giles laid upon the Table -

1. Explanatory Statement, Licensing (Director-General) Bill 2014 (Serial 102) (Paper 1065); and
2. Explanatory Statement, Licensing (Repeals and Consequential Amendments) Bill 2014 (Serial 103) (Paper 1066)

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

14. SUPERANNUATION LEGISLATION AMENDMENT AND REPEAL BILL 2014 (SERIAL 89) – 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 Higgins (Chair of Committees) took the Chair.

The Committee considered the Superannuation Legislation Amendment and Repeal Bill 2014 (Serial 89)

Clause 1 agreed to.

Clause 2 read.

Mr Giles (Chief Minister) invited defeat of clause 2.

Clause 2 defeated.

Mr Giles moved the following amendment –

After clause 1

insert

2 Commencement

- (1) Parts 1 and 2 commence on the day on which the Administrator's assent to this Act is declared.
- (2) The remaining provisions of this Act commence

Amendment agreed to.

Clause 3 to 89 taken together and agreed to.

Part 5 read.

Mr Giles moved the following amendment to part 5 -

After Part 5, heading

insert

90 Expiry of Act

Amendment agreed to.

Part 5 as amended agreed to.

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

Bill to be reported with amendments.

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

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

Motion agreed to.

On the motion of Mr Giles, the Bill was read a third time and was passed to be a proposed law.

15. CRIMINAL PROPERTY FORFEITURE AMENDMENT BILL 2014 (SERIAL 91) – 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 Elferink (Attorney-General), by leave, the Bill was read a third time and was passed to be a proposed law.

16. REORDER OF BUSINESS – MOTION AGREED TO

Mr Elferink (Leader of Government Business) moved – pursuant to Standing Order 89 the re-ordering of the Routine of Business so that at the conclusion of consideration of Government Business Orders of the Day Number Two, the Assembly immediately considers Ministerial Statements and at the conclusion of Ministerial Statements the Assembly resumes consideration of Government Business Orders of the Day followed by Papers and Committee Reports.

Question – put and passed

17. MINISTERIAL STATEMENT – ACHIEVEMENTS IN THE TRANSPORT PORTFOLIO – STATEMENT NOTED

Mr Styles (Minister for Transport) made a statement regarding administrative reforms and significant transport improvement initiatives in the Department of Transport.

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

Debate ensued.

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.

Question – put and passed.

18. TABLED PAPER - PASTORAL LAND BOARD ANNUAL REPORTS 2010/2011 AND 2011/12 – REPORT NOTED

Mr Westra van Holthe (Minister for Land Resource Management) continued making a statement.

Mr Westra van Holthe moved – That the Assembly take note of the report.

Debate ensued.

Question – put and passed.

19. MINISTERIAL STATEMENT – BUILDING THE CONTRIBUTION OF PARKS AND WILDLIFE TO THE TERRITORY – STATEMENT NOTED

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

Debate resumed.

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.

Question – put and passed.

20. MINISTERIAL STATEMENT – MID-TERM STATEMENT – MOTION TO NOTE – STATEMENT NOTED

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

Debate resumed.

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

Debate continued.

Extension of Time: On the motion of Mrs Finocchiaro, Mr Giles was granted an extension of time.

Debate continued.

Question – put and passed.

21. PAPERS

The Deputy Speaker tabled the following Papers –

1. Remuneration Tribunal Report, Travel Report, Member for Nhulunbuy, Ms Lynne Walker, to travel to Roper Bar, Ngukurr and Numbulwar, on 19th - 23rd July 2014 the visit was associated with road infrastructure and transport, public housing, pursuant to clause 4.12, dated 21 October 2014 (Paper 1067).

2. Remuneration Tribunal Report, Travel Report, Member for Namatjira, Ms Alison Anderson, travel to Darwin to attend various Indigenous and Cultural events throughout the Darwin Art Festival between 6th - 10th August 2014, pursuant to clause 4.12, dated 27 August 2014 (Paper 1069).
3. Remuneration Tribunal Report, Travel Report, Member for Fannie Bay, Mr Michael Gunner, to travel to Canberra to meet with Federal Parliamentarians and Federal Opposition Leader, Mr Bill Shorten to discuss issues in the Northern Territory on 24th - 26th June 2014, pursuant to clause 4.12, not dated (Paper 1068).

22. ADJOURNMENT

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

The Assembly adjourned at 10.51pm until Tuesday 28 October 2014 at 10.00am.

PAPERS

The following papers were deemed to have been Tabled on 23 October 2014 -

Annual Reports 2013/2014:

Department of Education, 2013/2014 (Paper 1058)

Department of Primary Industry and Fisheries, 2013/2014 (Paper 1059)

Parole Board of the Northern Territory, 2013 (Paper 1060)

Professional Standards Councils, 2013/2014 (Paper 1061)

Subordinate Legislation 2014:

No. 33, Alice Springs (Flammable, Plants) Repeal By-laws 2014 (Paper 1062)

ATTENDANCE

All Members attended the sittings.

MICHAEL TATHAM

Clerk of the Legislative Assembly