

# MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 20

Wednesday 27 March 2013

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**1. MEETING:**

The Assembly met at 10.00am. The Speaker, the Honourable Kezia Purick, took the Chair.

**2. PRAYERS.**

**3. DISTINGUISHED VISITOR:**

The Speaker (Ms Purick) advised Members of the presence in the Speaker's Gallery of Mr Neville Perkins former Member of the Legislative Assembly.

**4. VISITORS:**

The Speaker advised Members of the presence in the public gallery of Alzheimer NT clients. The Speaker also advised Members of the presence in the public gallery of Mr Andrew Fyles, the father of the Member for Nightcliff.

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

**5. ASSEMBLY MEMBERS' ANNUAL SCHEDULE OF TRAVEL AND TELEPHONE USE FOR YEAR 2012 — TABLED PAPER — MOTION TO NOTE:**

The Speaker laid upon the Table the Report to the Legislative Assembly Pursuant to Clauses 8.3 and 10.9(b) of Remuneration Tribunal Determination No. 1 of 2011 Annual Schedule Containing Government Payments for each Member for Satellite and Mobile Telephones and Annual Schedule of Member Travel at Government Expense for Year 2012 (Paper 272).

Mr Giles (Chief Minister) moved –That the Report be noted.

Question – put and passed.

**6. QUESTIONS:**

- 10.03 Ms Lawrie to Chief Minister
- 10.05 Ms Lee to Chief Minister
- 10.09 Mr McCarthy to Chief Minister
- 10.13 Mr Higgins to Minister for Central Australia
- 10.16 Mr Vatskalis to Chief Minister
- 10.19 Ms Finocchiaro to Minister for Business
- 10.22 Mr McCarthy to Chief Minister
- 10.26 Mr Kurrupuwu to Minister for Infrastructure
- 10.30 Mr Wood to Minister for Land Resource Management
- 10.34 Ms Fyles to Chief Minister
- 10.36 Mr Higgins to Minister for Lands, Planning and the Environment

**Paper Tabled:** Mr Chandler laid upon the Table an email from Narelle Anderson, Managing Director of Enviroweb to Mr Chandler, dated 20 March 2013 (Paper 273).

- 10.39 Mr Vatskalis to Chief Minister
- 10.44 Ms Lee to Minister for Lands, Planning and the Environment
- 10.47 Mr Vowles to Chief Minister referred to Minister for Tourism and Major Events
- 10.52 Ms Finocchiaro to Attorney-General and Minister for Justice
- 10.57 Mr Wood to Minister for Land Resource Management

**Paper Tabled:** Mr Westra van Holthe laid upon the Table a Water Extraction Licence Decision regarding an application from L & B MacFarlane for a Licence to Take Groundwater from the Tindall Limestone Aquifer, Mataranka (Paper 274).

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

**7. ELECTRONIC CONVEYANCING (NATIONAL UNIFORM LEGISLATION) BILL 2013 (SERIAL 21):**

Mr Elferink (Attorney-General and Minister for Justice) presented a bill for an Act to provide for a national law relating to electronic conveyancing, and for related purposes.

Bill read a first time.

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**Visitors:** The Speaker advised Members of the presence in the public gallery of senior Darwin High School students accompanied by Jenny Jenkinson.

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

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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 275).

On the motion of Ms Walker debate was adjourned.

**8. PENALTY UNITS AMENDMENT BILL 2013 (SERIAL 24):**

Mr Elferink (Attorney-General and Minister for Justice) presented a bill for an Act to amend the Penalty Units Act.

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 276).

On the motion of Ms Walker debate was adjourned.

**9. TRANSPORT OF DANGEROUS GOODS BY ROAD AND RAIL (NATIONAL UNIFORM LEGISLATION) AMENDMENT BILL 2013 (SERIAL 22):**

Mr Tollner (Minister for Business) presented a bill for an Act to amend the Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act.

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 277).

On the motion of Mr McCarthy debate was adjourned.

**10. ORDER OF BUSINESS — MOTION AGREED TO:**

Mr Elferink (Leader of Government Business) moved – That intervening business be postponed until after Ministerial Statements.

Question – put and passed.

**11. NT CONTAINER DEPOSIT SCHEME – MINISTERIAL STATEMENT – MOTION TO NOTE STATEMENT:**

Mr Chandler (Minister for Lands, Planning and the Environment) made a statement relating to the NT Container Deposit Scheme.

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

Debate ensued.

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**Visitors:** The Deputy Speaker advised Members of the presence in the public gallery of students from Adelaide River School.

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

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Debate continued.

Debate suspended.

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**Suspension of sittings:** The sitting of the Assembly was suspended between 11.59am and 2pm.

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**12. NOTICES:**

The following notices were given —

1. Mr Elferink: To present Sale of Land (Rights and Duties of Parties) Act Repeal Bill 2013 (Serial 25)
2. Mr Giles: To present Marine Safety (Domestic Commercial Vessel) (National Uniform Legislation) Bill 2013 (Serial 23)

**13. NT CONTAINER DEPOSIT SCHEME – MINISTERIAL STATEMENT – STATEMENT NOTED:**

Debate resumed.

**Extension of Time:** On the motion of Ms Fyles, Ms Walker was granted an extension of time.

**Paper Tabled:** Ms Walker, by leave, laid upon the table photographs of Cash for Containers Collection in Millingimbi (Paper 283).

Debate continued.

**Extension of Time:** On the motion of Ms Manison, Mr Wood was granted an extension of time.

Debate continued.

Question – put and passed.

**14. FORCED ADOPTIONS – MOTION AGREED TO:**

Mr Giles (Chief Minister) moved - That the Northern Territory Parliament expresses its sorrow and regret:

- (a) for the pain caused by past forced adoption practices;
- (b) in supporting the apology made by the federal parliament on behalf of the nation;
- (c) in offering our sympathies to those Territorians who have suffered from those decisions and policies; and
- (d) for those policies, whilst recognising that forced adoption practices did not occur since the Northern Territory formed as a self-governing body politic in 1978.

Debate ensued.

Question – put and passed.

**15. RESCHEDULE OF 2013 SITTING DATES — MOTION:**

Mr Elferink (Leader of Government Business) moved – That the 2013 Parliamentary Sittings be revised to schedule the sittings for the introduction of the Budget to 14 — 16 May 2013 and the Estimates Committee hearings which were to be held from 11 to 20 June be revised to 18 — 20 June and 25 — 27 June with the Appropriation Bill to be considered in the Assembly on 27 June 2013.

Motion agreed to.

**16. AUDITOR—GENERAL’S REPORT TO THE LEGISLATIVE ASSEMBLY, MARCH 2013 — TABLED PAPER — MOTION TO NOTE REPORT:**

The Speaker laid upon the Table the Auditor-General's Report, March 2013 (Paper 284).

Mr Elferink (Leader of Government Business) moved –That the Report be noted and that the Chief Minister have leave to continue his remarks at a later hour.

Leave granted.

The time having reached 5.30pm, debate was suspended pursuant to Sessional Order.

**17. TINDAL AQUIFER WATER ALLOCATION — MOTION NEGATIVED:**

Ms Fyles (Nightcliff), pursuant to Notice, moved - That this Assembly condemns the Government for:

- (a) gifting their CLP candidate Tina MacFarlane a water allocation potentially worth millions of dollars;
- (b) ignoring science, ignoring the environment and gifting the water extraction allocation against the advice of experts, a community advisory group, the ruling of an independent panel and the adjudication of the Supreme Court; and
- (c) ignoring the concerns of Indigenous communities and other land owners of the region.

Debate ensued.

**Extension of Time:** On the motion of Mr Chandler, Mr Westra van Holthe was granted an extension of time.

Debate continued.

**Extension of Time:** On the motion of Mr Vowles, Mr McCarthy was granted an extension of time.

Debate continued.

**Extension of Time:** On the motion of Ms Lawrie, Mr Wood was granted an extension of time.

Debate continued.

Question — put and negatived.

**18. FUTURE DEVELOPMENT OF ONE MILE DAM, KNUCKEY LAGOON — MOTION:**  
Mr Wood (Nelson), pursuant to Notice, moved –

1. That the Government review the future development of the One Mile Dam, Knuckey Lagoon, 15-Mile and Aboriginal communities within the Darwin region; and
2. That the review include:
  - (a) any future development plans;
  - (b) existing and future land leasing arrangements;
  - (c) home ownership; and
  - (d) governance including local government; and
3. That the review should include views of residents, Aboriginal Development Foundation, relevant housing bodies and all other relevant government agencies and non-government organisations.

Debate ensued.

**Extension of Time:** On the motion of Mr Wood, Ms Walker was granted an extension of time.

Debate continued.

Debate suspended (Mr Giles in continuation, 13 minutes remaining).

**19. RESCHEDULE OF 2013 SITTING DATES — MOTION AGREED TO:**  
Debate resumed.

Question — put and passed.

**20. ADJOURNMENT:**  
Mr Elferink (Leader of Government Business) moved – That the Assembly do now adjourn.

Debate ensued.

Question – put and passed.

And the Assembly adjourned at 10.25pm until Thursday 28 March 2013 at 10am.

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**PAPERS:**

The following papers were deemed to have been presented on 27 March 2013 -

**Subordinate Legislation 2012**

No. 57, Alice Springs (Management of Public Places) Amendment By-Laws  
(Paper 278)

**Subordinate Legislation 2013**

No. 2, Fines and Penalties (Recovery) Amendment (Firearms) Regulations 2013  
(Paper 279)

No. 3, Racing and Betting Amendment Regulations 2013 (Paper 280)

No. 4, Procurement Amendment Regulations 2013 (Paper 281)

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**ATTENDANCE:**

All Members attended the sittings except Mrs Price and Mr Gunner, on leave.

Ian McNeill  
Clerk of the Legislative Assembly