

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 88

Wednesday 29 April 2015

1. MEETING

The Assembly met at 10am. The Deputy Speaker, Matthew Conlan took the Chair pursuant to Standing Order 9.

2. PRAYERS

3. DEPUTY SPEAKER'S STATEMENT

The Deputy Speaker made a statement regarding permission for filming, with sound, and photography in the Chamber by Channel 9, the NT News, ABC and the Chief Minister's Photographer.

4. REORDER OF BUSINESS – MOTION AGREED TO

Mr Elferink (Leader of Government Business) pursuant to Standing Order 89, moved – That the Routine of Business be reordered so that that at the completion of the Leader of the Opposition's reply to the Budget, the Assembly considers Government Business, Notices number 1.

Question – put and passed.

5. CHANGE OF COMMITTEE MEMBERSHIP – MOTION AGREED TO

Mr Gunner (Leader of the Opposition) moved – That the following committee membership changes, be adopted:

Mr Gunner (Member for Fannie Bay) be discharged, and Ms Fyles (Member for Nightcliff) be appointed to the Standing Orders Committee.

Question – put and passed.

6. APPROPRIATION (2015-2016) BILL 2015 (SERIAL 121)

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

Debate resumed.

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

7. VISITORS

The Deputy Speaker advised Honourable Members of the presence in the gallery of apprentices from the Department of Business.

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

8. REVENUE AND OTHER LEGISLATION AMENDMENT BILL 2015 (SERIAL 123)

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to amend legislation administered by the Treasurer.

Bill read a first time.

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

Debate suspended.

9. GAMING AND LIQUOR LEGISLATION AMENDMENT BILL 2015 (SERIAL 125)

Mr Styles (Minister for Business), pursuant to notice, presented a Bill for an Act to amend the *Gaming Machine Act*, *Liquor Act* and *Liquor Regulations*.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Styles laid upon the Table the Explanatory Statement (Paper 1315).

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

10. REVENUE AND OTHER LEGISLATION AMENDMENT BILL 2015 (SERIAL 123)

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

Debate ensued.

Paper Tabled: Mr Tollner (Treasurer) laid upon the Table the Explanatory Statement (Paper 1316).

On the motion of Ms Fyles (Member for Nightcliff) debate was adjourned.

11. APPROPRIATION (2015-2016) BILL 2015 (SERIAL 121)

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

Debate resumed.

Extension of Time: On the motion of Ms Walker (Member for Nhulunbuy), Mr McCarthy (Member for Barkly) was granted an extension of time.

Debate continued.

Debate suspended.

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

12. 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 – Justice Legislation Amendment (Summary Procedure) Bill 2015 (Serial 122).
2. Mr Elferink (Attorney-General and Minister for Justice) will present on the next sitting day a bill entitled – Sentencing Legislation Amendment Bill 2015 (Serial 124).
3. Mr Elferink (Leader of Government Business) will move on the next sitting day – that this Assembly appoint an Estimates Committee for the purposes of examining and reporting on the estimates of proposed expenditure contained in the Appropriation (2015-2016) Bill and related budget documents, and to appoint a Government Owned Corporations Committee for the purpose of examining and reporting on the activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy, and Territory Generation, with reference to those corporations' Statements of Corporate Intent for 2015-16.

By leave, the Terms of Reference to be incorporated into the Notice Paper.

4. Mr Elferink (Leader of Government Business) will move on the next sitting day – That the Members for Karama and Barkly together, be referred to the Committee of Privileges pursuant to Standing Order 83, for the following reason:

- Upon the recommendation of Mr John Lawler who conducted the Inquiry into Stella Maris authorised by this house so empowered to conduct an inquiry into the attempted transfer of the Stella Maris building to Unions NT applying to the Members for Karama and Barkly together; and

That the Member for Karama be further referred to the Committee of Privileges pursuant to Standing Order 83 by reason of:

- The findings of the Supreme Court of the Northern Territory into the deliberate and wilful attempt to have the Supreme Court to make a wrongful finding based on a deliberate attempt to discredit the Lawler inquiry.

This reference to the Committee of Privileges may also attend to the matter of affidavits that were lodged in support of the statement of issues and contentions which are currently the subject of a criminal investigation.

And further: This motion be held over in its entirety from further debate until the criminal matter is either completed or discharged by way of investigation or subsequently dealt with by a court.

13. PETITION

Ms Anderson (Member for Namatjira), by leave, presented Petition No. 46 from 1523 petitioners, not conforming with Standing Orders relating to Mobile phone coverage on a major Australian Highway (Paper 1317).

Petition read.

14. QUESTIONS

- 14.04 Mr Gunner to Minister for Education
14.07 Mrs Finocchiaro to Treasurer

Visitors: The Deputy Speaker advised Honourable Members of the presence in the gallery of a year 11 legal studies class from Marrara Christian School and students from Nungalingya College.

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

- 14.11 Ms Manison to Minister for Education
14.15 Mr Barrett to Treasurer

Paper Tabled: Mr Tollner (Treasurer) laid upon the Table – Table, Total Staffing Yearly Comparison, Whole-of-Government Total, March 2012 – March 2015 (Paper 1318).

- 14.18 Ms Walker to Minister for Health (supplementary question)
14.21 Mr Gunner to Minister for Health
14.24 Mr Kurrupuwu to Chief Minister
14.27 Mr Vowles to Minister for Central Australia
14.31 Mrs Finocchiaro to Chief Minister
14.34 Ms Lee to Chief Minister
14.36 Mr Barrett to Minister for Racing, Gaming and Licensing
14.40 Ms Walker to Minister for Housing
14.45 Mrs Finocchiaro to Minister for Primary Industry and Fisheries
14.49 Mr Wood to Treasurer
14.54 Mr Gunner to Chief Minister

Papers Tabled: Mr Giles (Chief Minister) laid upon the Table –

1. Department of Chief Minister, Ministerial Travel for the period 1 January 2008 – 31 March 2012 (Paper 1319); and
 2. Media Release, Chief Minister Hon. Denis Burke MLA, Labor's overseas visit fails the accountability test, dated 15 January 2001 (Paper 1320).
- 15.01 Ms Walker to Minister for Women's Policy
15.03 Mrs Finocchiaro to Treasurer

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

Mr Giles (Chief Minister) provided supplementary answers.

Papers Tabled: Mr Giles (Chief Minister) laid upon the Table –

1. Letter, to Mr Mark Hewitt, Chief Executive Officer, Anindilyakwa Land Council, re moratorium for exploration and mining activities for minerals on the sea floor will be extended for a further three years, from Mr David Tollner, Minister for Mines and Energy, dated 30 March 2015 (Paper 1321); and
2. NT Labor Housing Purchase Expenditure 2001-2012 in Nhulunbuy (Paper 1322).

15. APPROPRIATION (2015-2016) BILL 2015 (SERIAL 121)

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

Debate resumed.

Extension of Time: On the motion of Ms Fyles (Member for Nightcliff), Ms Walker (Member for Nhulunbuy) was granted an extension of time.

Debate continued.

Debate suspended.

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

16. OPEN AND ACCOUNTABLE MINISTERIAL TRAVEL – MOTION NOT AGREED TO

Mr Gunner (Member for Fannie Bay) pursuant to notice, moved – That to ensure that all Ministerial travel is:

1. undertaken in the interests of the Territory,
2. open and accountable to Territorians.

The following measures will be introduced by the Northern Territory Legislative Assembly immediately:

- All Ministerial travel will undergo evaluation from the public and private sectors regarding the benefit of the travel to the Northern Territory.
- These assessments will be made available to the public.
- Prior to departure, the Minister's itinerary will be published, removing the ability to sneak off on secret junkets.

- On return from overseas travel a full Parliamentary report on the trip will be provided by the Minister and will be made available to the public.
- Costs associated with the Minister's trip will be made available to the public.

Debate ensued.

Question – put

The Assembly divided:

Ayes - 7

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

Pairs: Ms Purick and Ms Lawrie.

Motion not agreed to.

17. AMENDMENT OF NT PLANNING SCHEME – MOTION NOT AGREED TO

Mr Wood (Member for Nelson) pursuant to notice, moved – That the Chief Minister instruct the Minister for Lands and Planning to revoke his recent decision to amend the NT Planning Scheme (Amendment No 359) on Lowther Road Bees Creek and that any revised proposal must not include blocks below 1 hectare.

Debate ensued.

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

Debate continued.

Question – put

The Assembly divided:

Ayes - 10

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

Pairs: Ms Purick and Ms Lawrie.

Motion not agreed to.

18. TEACHERS, HEALTH, POLICE AND EBA OUTCOMES – MOTION NOT AGREED TO

Resumption of debate on the motion – That this Legislative Assembly condemns the Chief Minister and the Government for the 125 teacher cuts in the Department of Education, the \$11 million cut to the health budget, failing to keep their promise of 120 new police and the failure to reach a satisfactory EBA outcome with paramedics, prison officers, firefighters and teachers; and

That the Legislative Assembly asserts that front line services must not be sacrificed while the Department of Chief Minister gets \$33 million increase simply to provide the Chief Minister with advice.

Debate resumed.

Question – put

The Assembly divided:

Ayes - 9

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

Pairs: Ms Purick and Ms Lawrie.

Motion not agreed to.

19. APPROPRIATION (2015-2016) BILL 2015 (SERIAL 121) – MOTION 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) moved – That the Committee Stage be taken later.

Question – put and passed.

20. PORT OF DARWIN SELECT COMMITTEE REPORT – PORT OF DARWIN LEASE MODEL – MOTION AGREED TO

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

Debate resumed.

Extension of Time: On the motion of Ms Fyles (Member for Nightcliff), Mr Gunner (Member for Fannie Bay) was granted an extension of time.

Debate continued.

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.

Papers Tabled: Mr Giles (Chief Minister) laid upon the Table –

1. Combined Schedule of Amendment No. 34 – Ports Management Bill 2014 (Serial 110) (Paper 1323); and
2. NT Government Responses to recommendations of the Port of Darwin Select Committee Report: Port of Darwin Lease Model (Paper 1324).

Question – put and passed.

21. ADJOURNMENT

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

The Assembly adjourned at 00.26am on 30 April 2015 until Thursday 30 April 2015 at 10.00am.

PAPERS

No papers were deemed to have been Tabled on 29 April 2015.

ATTENDANCE

All Members attended the sittings, except Ms Lawrie.

MICHAEL TATHAM
Clerk of the Legislative Assembly