

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 67

Wednesday 27 August 2014

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1. **MEETING**

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

2. **PRAYERS**

3. **QUESTIONS**

10.01 Ms Lawrie to Chief Minister

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of a year 11 Legal Studies class from the Essington School accompanied by Mali Grossman.

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

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10.06 Mrs Finocchiaro to Chief Minister

10.09 Mr Gunner to Chief Minister (referred to Attorney-General and Minister for Justice)

10.13 Mr Higgins to Minister for Health

10.16 Ms Lawrie to Chief Minister

10.20 Mrs Finocchiaro to Minister for Housing (referred to Minister Lands, Planning and the Environment)

10.24 Ms Anderson to Chief Minister

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of Mr and Mrs Chevastelle from France.

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

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10.26 Mr Higgins to Minister for Correctional Services

10.31 Mr Gunner to Attorney-General (Mr Gunner asked a supplementary question)

10.35 Mrs Finocchiaro to Minister for Infrastructure

10.38 Mr Gunner to Chief Minister (referred to the Attorney-General and Minister for Justice)

10.42 Mr Barrett to Minister for Alcohol Rehabilitation

10.46 Mr Wood to Minister for Lands, Planning and the Environment (referred to the Minister for Mines and Energy)

10.50 Mr Tollner to Minister for Lands, Planning and the Environment

10.54 Mr Gunner to Chief Minister

10.59 Mr Higgins to Minister for Community Services

Mr Elferink (Attorney-General) asked that further questions be placed on the Written Question Paper.

4. **CRIMINAL PROPERTY FORFEITURE AMENDMENT BILL 2014 (SERIAL 91)**

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Criminal Property Forfeiture Act*.

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**Withdrawal from Chamber:** The Speaker ordered Ms Anderson (Member for Namatijira) to withdraw from the Assembly for one hour pursuant to Standing Order 240A.

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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 1001).

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

5. **MOTION TO SUSPEND STANDING ORDERS TO COGNATE BILLS – MOTION AGREED TO**  
Mr Elferink (Leader of Government Business), moved – that so much of Standing Orders be suspended as would prevent bills titled Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction for Native Title Matters) Bill 2014 (Serial 93) and Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction for Amendments) (No. 2) Bill 2014 (Serial 92):

- Be presented and read a first time together and on motion being put in regards, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and
- The consideration of the Bill separately in the Committee of the Whole.

Question – put and passed.

6. **NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL (CONFERRAL OF JURISDICTION FOR NATIVE TITLE MATTERS) BILL 2014 (SERIAL 93) AND NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL (CONFERRAL OF JURISDICTION AMENDMENTS) (NO. 2) BILL 2014 (SERIAL 92)**

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to confer jurisdiction on the Civil and Administrative Tribunal in relation to native title matters and a Bill for an Act to amend various laws to confer jurisdiction on the Northern Territory Civil and Administrative Tribunal.

Bills read a first time.

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

Debate ensued.

**Paper Tabled:** Mr Elferink laid upon the Table the Explanatory Statements:

1. Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction for Native Title Matters) Bill 2014 (Serial 93) (Paper 1003); and
2. Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) (No. 2) Bill 2014 (Serial 92) (Paper 1002).

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

7. **LIVESTOCK AMENDMENT BILL 2014 (SERIAL 85)**

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

Debate resumed.

Debate suspended.

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

8. **VISITORS**

The Speaker advised Honourable Members of the presence in the gallery of Mr Rowan and Mrs Mary Borella and Mr Richard Borella the family of Albert Borella VC, accompanied by Dr Tom Lewis OAM.

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

9. **NOTICES**

The following notices were given:

1. Mr Giles (Chief Minister) will present on the next sitting day a bill entitled – Firearms Amendment Bill 2014 (Serial 94).
2. Mr Elferink (Leader of Government Business) will move on the next sitting day – that this Assembly resolves to establish the Government Owned Corporations Scrutiny Committee pursuant to terms circulated.
3. Mr Elferink (Leader of Government Business) will move on the next sitting day - that the Assembly amends its resolution of 26 March 2014 establishing the Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder by deleting “October” in paragraph 6 and inserting instead “November”.
4. Mr Elferink (Attorney-General) will present on the next sitting day a bill entitled – Statute Law Revision Bill 2014 (Serial 95).
5. Mr Elferink (Attorney-General) will present on the next sitting day a bill entitled – Parole Amendment Bill 2014 (Serial 96).

10. **PETITION).**

Mr Wood (Member for Nelson), by leave, presented Petition No. 38 from 1048 petitioners, not conforming with Standing Orders, opposing any suburban development in the Holtze/Howard Springs Area (Paper 1004).

Petition read.

11. **LIVESTOCK AMENDMENT BILL 2014 (SERIAL 85) – 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 Westra van Holthe (Minister for Primary Industry and Fisheries), by leave, the Bill was read a third time and was passed to be a proposed law.

12. **MINISTERIAL STATEMENT – ABORIGINAL HEALTH WORKERS BACK ON TRACK PLAN – STATEMENT NOTED STATEMENT NOTED**

Mrs Lambley (Minister for Health) made a statement regarding the Government's plan to get Aboriginal Health Practitioners "back on track".

Mrs Lambley moved – That the Assembly take note of the Statement.

Debate ensued.

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of Ms Noel Padgham, former Member for Nelson and Ms Plaxy Purich.

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

Question – put and passed.

13. **MINISTERIAL STATEMENT – PLANNING AND BUILDING REFORMS REDUCING RED TAPE – MOTION TO NOTE**

Mr Chandler (Minister for Lands, Planning and the Environment) made a statement regarding the Department of Lands, Planning and the Environment identification of opportunities to streamline processes for the benefit of business and the community.

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

Debate ensued.

Debate suspended.

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

14. **ANTI-DISCRIMINATION AMENDMENT BILL 2014 (SERIAL 97)**

Ms Lawrie (Member for Karama), pursuant to notice, presented a Bill for an Act to amend the *Anti-Discrimination Act*.

Bill read a first time.

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

Debate ensued.

On the motion of Mr Westra van Holthe (Member for Katherine) debate was adjourned.

15. **DEVELOPMENT OF THE LITCHFIELD AREA – MOTION NOT AGREED TO**

Mr Wood (Member for Nelson) pursuant to notice, moved – That the Government reaffirms its support for the development of the Litchfield area as a predominately rural community i.e. villages or district centres interspersed with rural blocks (not less than 1 ha) as highlighted in the Litchfield Land Use Objectives;

That the minimum lot size for Rural Residential remains as 1 hectare and not 0.4 hectare as being promoted by developers and the Planning Commission and that blocks smaller than 1 ha be located within villages or district centres;

That the Government does not go ahead with its plans to develop Holtze Howard Springs into the suburb of Palmerston North (9500 blocks) but rather develops the area as rural with the smallest rural lot size being 1 hectare except within a village or district centre;

That the Government supports the development of the Howard Springs Forestry Land into a rural subdivision not an activity centre as shown on the Planning Commission's Draft Plans;

That ribbon development included in proposed Activity Centres along the Stuart and Arnhem Highways Highway as shown in the Planning Commission Draft Plan be replaced with predominately rural residential or rural living development with commercial and industrial land centralised in District Centres;

That the notion of peri urban and urban development in the Lloyd Creek, Noonamah and Hughes localities is scrapped and the area developed in keeping with the concept of small

villages (not cities such as proposed for Hughes) interspersed with rural lot sizes above 1 hectare as in the Litchfield Land Use Objectives. Lloyd Creek, Noonamah and Hughes should not be used to avoid the Government's responsibility to build Weddell; and

That the government keep their promise that they announced before the last election, to develop Weddell as the next major urban centre for the Darwin Region without an Elizabeth River Dam or Lake.

Debate ensued.

Question – put

The Assembly divided:

**Ayes - 12**

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

**Noes - 13**

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

Motion not agreed to.

16. **CHAOS IN THE TERRITORY GOVERNMENT**

Resumption of debate on the motion - That this Assembly condemns the CLP for the deepening and ongoing chaos in the Territory Government – hurting families, and businesses and our lifestyle.

1. Inflicting PowerWater price hikes spiking the cost of living;
2. Ongoing turmoil in the NT Public Service with 5 Ministerial reshuffles and 2 Chiefs in 12 months;
3. Broken election promises across the Territory – from the city to the bush, including rising violent crime;
4. Cutting resources to our schools with less teachers and support staff;
5. Disputes with Public Servants – over pay and conditions and pay cuts; and
6. Dodgy deals and jobs for mates.

Debate resumed.

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**Withdrawal from Chamber:** The Deputy Speaker ordered Mr Vowles (Member for Johnston) to withdraw from the Assembly for one hour pursuant to Standing Order 240A.

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

17. **PAPERS**

The Deputy Speaker laid upon the Table - Quarterly Members Fuel Transaction Report, dated 18 August 2014 (Paper 1005).

18. **TABLING STATEMENT – ANNUAL REPORT 2013/2014 PUBLIC ACCOUNTS COMMITTEE – MOTION TO NOTE**

Mrs Finocchiaro (Chair of the Public Accounts Committee) made a statement and laid on the Table – Annual Report 2013/2014, Public Accounts Committee (Paper 1006).

Mrs Finocchiaro moved – That the paper be printed.

Question – put and passed

Mrs Finocchiaro moved – That the Assembly take note of the report.

Leave was granted for Mrs Finocchiaro to continue her remarks at a later time.

19. **ADJOURNMENT**

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

And the Assembly adjourned at 9.39pm until Thursday 28 August 2014 at 10.00am.

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**PAPERS**

The following papers were deemed to have been Tabled on 27 August 2014 -

**Annual Report 2012/2013**

Pastoral Land Board Northern Territory, 2012/2013 (Paper 1000)

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**ATTENDANCE**

All Members attended the sittings.

MICHAEL TATHAM

Clerk of the Legislative Assembly