

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 43

Thursday 5 December 2013

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**1. MEETING**

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

**2. PRAYERS**

**3. VISITORS**

The Speaker advised Honourable Members of the presence in the gallery of students from St Francis Xavier Catholic School in Nuiyu, and the presence of the children of the Member for Nhulunbuy.

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

**4. QUESTIONS**

- 10.02 Ms Lawrie to Chief Minister
- 10.06 Mr Higgins to Chief Minister
- 10.10 Mr McCarthy to Chief Minister
- 10.13 Ms Anderson to Chief Minister
- 10.16 Mr Gunner to Chief Minister
- 10.19 Mr Wood to Chief Minister
- 10.20 Mr Higgins to Chief Minister
- 10.24 Mr Vowles to Minister for Community Services (referred to Chief Minister)
- 10.27 Ms Finocchiaro to Chief Minister

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**Suspension of Standing Orders**

Mr Giles (Chief Minister) moved — That so much of Standing Orders be suspended as would prevent the Government moving that an inquiry is established into the lease of the Stella Maris site to Unions NT.

Debate ensued.

Question – put

The Assembly divided:

**Ayes - 13**

Ms Anderson  
Mr Chandler  
Mr Conlan  
Mr Elferink  
Ms Finocchiaro  
Mr Giles  
Mr Higgins  
Mr Kurrupuwu  
Mrs Lambley  
Ms Lee  
Mr Mills  
Mrs Price  
Mr Styles

**Noes - 9**

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

Motion agreed to.

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**5. ESTABLISHMENT OF AN INQUIRY REGARDING STELLA MARIS — MOTION**

Mr Giles (Chief Minister) moved — That this Parliament resolves, pursuant to Section 4A of the *Inquiries Act*, to appoint a person to inquire into and report to the Administrator on the following matter:

With respect to the proposed grant of a Lease over Lot 5260, Town of Darwin known as Stella Maris ("the site") the Inquiry will:

1. Investigate and identify the circumstances of the purported decision of the then Minister for Lands to grant a lease over the site to Unions NT on or about 3 August 2012;
2. Review the public policy and public accountability considerations involved in making the purported decision to grant a lease of the site to Unions NT without putting the matter out to expressions of interest or public tender;
3. Assess the performance of relevant persons, including the responsible Minister at the time, in carrying out their obligations under the regulatory regime and ensuring the proper accountability processes were applied in the tenure management of the site;
4. Review the adequacy and effectiveness of the regulatory regime in ensuring transparency, good governance and community input into the process of leasing or granting Crown land;
5. Consider and comment on the provision and accessibility of relevant information to affected stakeholders and the public in relation to the proposal and purported decision to grant the site to Unions NT;
6. Make recommendations to the Minister for Lands, Planning and the Environment on any measures that might help to ensure transparency, good governance and community input into the process of leasing or granting Crown land with particular reference to the purported decision to grant the site to Unions NT; and
7. Consider, assess and make recommendations in relation to any other matter the Inquiry considers relevant to the matter.

Debate ensued.

**Paper Tabled:** Mr Giles (Chief Minister) laid upon the Table - Unions NT, Proposed re-development of the Stella Maris site, Unions NT in association with other community groups (Paper 659).

Debate resumed.

Debate suspended.

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

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**6. PETITIONS**

The following petitions were presented:

1. Mr Wood (Member for Nelson), presented Petition No. 32 from 11,375 petitioners, conforming with Standing Orders praying that the eviction of Badminton from Sports House facility is deferred and funds allocated for the construction of a new multi-purpose facility at Marrara (Paper 692).

Petition read.

2. Mr Wood (Member for Nelson), presented Petition No. 33 from 252 petitioners, conforming with Standing Orders praying that the eviction of Badminton from Sports House facility is deferred and funds allocated for the construction of a new multi-purpose facility at Marrara (Paper 693).

Petition read.

7. **ESTABLISHMENT OF AN INQUIRY REGARDING STELLA MARIS — MOTION AGREED TO**  
Resumption of the debate — That this Parliament resolves, pursuant to Section 4A of the *Inquiries Act*, to appoint a person to inquire into and report to the Administrator on the proposed grant of a Lease over Lot 5260, Town of Darwin known as Stella Maris and other matters.

Debate resumed.

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of members of the Night Patrol from Ngukurr.

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

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Debate resumed.

**Extension of Time:** On the motion of Mr Chandler (Member for Brennan), Mr Tollner (Deputy Chief Minister) was granted an extension of time.

Debate resumed.

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

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

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Debate resumed.

**Paper Tabled:** Mr Elferink (Lead of Government Business) laid upon the Table - Letter, to Hon Adam Giles MLA, re: making various allegations in relation to the agreement reached between the previous Labour Government and Unions NT for the Stella Maris site, Mr Gerry McCarthy, Member for Barkly, dated 2 December 2013 (Paper 694).

Question - put and passed.

8. **MUSEUM AND ART GALLERY OF THE NORTHERN TERRITORY BILL 2013 (SERIAL 61)**  
Mr Conlan (Minister for Arts and Museums) pursuant to notice, presented a Bill for an Act to provide for the management of the Museum and Art Gallery of the Northern Territory, and for related purposes.

Bill read a first time.

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

Debate ensued.

**Paper Tabled:** Mr Conlan laid upon the Table the Explanatory Memorandum (Paper 695).

On the motion of Mr McCarthy (Member for Barkly) debate was adjourned.

**9. CONSTITUTIONAL CONVENTION (ELECTION) AMENDMENT BILL 2013 (SERIAL 47)**

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.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

On the motion of Mrs Price (Minister for Statehood), the Bill was read a third time and was passed to be a proposed law.

**10. PAPERS**

The following papers were Tabled –

1. Mr Chandler (Minister for Lands, Planning and the Environment) made a Statement and laid on the Table - Annual Report 2012/2013, Northern Territory Environment Protection Authority (Paper 696).
2. Mr Tollner (Treasurer) made a Statement and laid on the Table – Treasurer's Mid-Year Report 2013/2014 (Paper 697).

Mr Tollner moved – That the Assembly take note of the Report.

Debate ensued.

By leave, Mr McCarthy (Member for Barkly) to continue his remarks at a later time.

**11. ADJOURNMENT**

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

Debate ensued.

And the Assembly adjourned at 6.21pm until Tuesday 11 February 2014 at 10am.

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**PAPERS**

The following papers were deemed to have been Tabled on 5 December 2013 –

**Annual Report 2012/2013:**

Aboriginal Areas Protection Authority, 2012/2013 (Paper 673)

AustralAsia Railway Corporation, 2012/2013 (Paper 671)

Land Development Corporation, 2012/2013 (Paper 670)

Northern Territory Architects Board, 2012/2013 (Paper 676)

NT Build 2012/2013, Portable Long Service Leave, Northern Territory Construction Industry (Paper 675)

Tarcoola-Darwin Rail Regulation, 2012/2013 (Paper 672)

The Surveyors Board of the Northern Territory of Australia, 2012/2013 (Paper 674)

Tourism NT, 2012/2013 (Paper 677)

Northern Territory Child Deaths Review and Prevention Committee, 2012/2013 (Paper 678)

Northern Territory Plumbers and Drainers Licensing Board, 2012/2013 for the year ended 30 September 2013 (Paper 681)

Electrical Workers and Contractors Licensing Board, 2012/2013 (Paper 682)

Department of Mines and Energy, 2012/2013 (Paper 683)

Office of the National Rail Safety Regulator, 2012/2013 (Paper 684)

Darwin Waterfront Corporation, 2012/2013 (Paper 685)

Work Health Authority, 2012/2013 - *Work Health Administration Act 2011* (Paper 686)

Work Health and Safety Advisory Council, 2012/2013 - *Work Health and Safety (National Uniform Legislation) Act 2011* (Paper 687)

**By-Laws 2013:**

Charles Darwin University (Site and Traffic) Amendment (Paper 690)

Charles Darwin University (Repeal of By-Laws) (Paper 691)

**Corrigendum:**

Annual Report 2012/2013, Department of Housing (Tabled 17 October 2013 - Paper 575)  
(Paper 689)

**Erratum Notice:**

Annual Report 2012/2013, Department of Business (Tabled 8 October 2013 - Paper 499)  
(Paper 688)

**Independent Auditor's Report:**

Independent Auditor's Report to the Minister for Business, Desert Knowledge Australia, year ended 30 June 2013, pursuant with section 47(3) of the *Desert Knowledge Australia Act* (Paper 680)

**Review:**

Desert Knowledge Australia Review, 2012/2013 (Paper 679)

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**ATTENDANCE**

All Members attended the sittings.

MICHAEL TATHAM

Clerk of the Legislative Assembly