
NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

of the

LEGISLATIVE ASSEMBLY

No. 109

Tuesday 15 March 2016

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 two Year 6 classes from Leanyer Primary School accompanied by Mrs Leanne Avery and Ms Claire Rowat.

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

4. **MESSAGE FROM THE ADMINISTRATOR**

The Speaker advised Members of receipt of the following Message from His Honour the Administrator (Paper 1693):

Message No. 31 – Assent to Proposed Laws

I, JOHN HARDY OAM, the Administrator of the Northern Territory of Australia, advise the Legislative Assembly of, pursuant to section 7 of the *Northern Territory (Self-Government Act) 1978* of the Commonwealth, the assent to the following proposed laws:

2 March 2016

Electoral Legislation Amendment Act 2016 (**Act No 1 of 2016**)

Justice Legislation Amendment (Vulnerable Witnesses) Act 2016 (**Act No 2 of 2016**)

Justice Legislation Amendment (Small Claims and Other Matters) Act 2016 (**Act No 3 of 2016**)

Small Claims Act 2016 (**Act No 4 of 2016**)

Dated 8 March 2016

JOHN HARDY OAM

Administrator

5. **ADMINISTRATIVE ARRANGEMENTS ORDER:**

Mr Elferink (Attorney-General) laid upon the Table a copy of the Administrative Arrangements Order published in the Northern Territory Gazette No S9 dated 15 February 2016 (Paper 1694).

6. **ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION AND OTHER ENTITLEMENTS) LEGISLATION AMENDMENT BILL 2015 (SERIAL 141) – BILL AGREED TO**

Mr Tollner (Treasurer) sought leave to withdraw the remainder of Amendment Schedule No. 46 as circulated during the February sittings and replace it with Amendment Schedule No. 48.

Leave granted.

Consideration in Detail

The Assembly resumed consideration in detail of the Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Legislation Amendment Bill 2015 (Serial 141)

Mr Tollner (Member for Fong Lim) by leave withdrew Amendment Schedule No. 46 and circulated Amendment Schedule No. 48.

Clause 7 read.

Clause 7 defeated.

Mr Tollner moved the following amendment:

New Clause 7

After Clause 6

insert

7 Section 5 amended

(1) Section 5(1)

omit

(other than the basic salary or additional salary of office)

(2) After section 5(2)

insert

(2A) Before determining an entitlement under subsection (1), the Minister must seek written advice in relation to the entitlement from the Tribunal.

(3) Section 5(3) after “subsection (1)”

Insert

, and the written advice from the Tribunal in relation to the entitlement,

Debate ensued.

Amendment agreed to.

New Clause 7 agreed to.

The remainder of the Bill was taken as a whole and agreed to.

The Bill as amended was agreed to.

On the motion of Mr Tollner (Treasurer) the Bill was read a third time and was passed to be a proposed law.

7. INQUIRIES AMENDMENT BILL 2016 (SERIAL 151)

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

Debate resumed.

Visitors

The Speaker advised Honourable Members of the presence in the gallery of a year 5/6 class from Leanyer Primary School accompanied by Mrs Fran Selvadurai and middle school students from Katherine School of the Air accompanied by Sarah Dohl.

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

Debate continued.

Visitors

The Speaker advised Honourable Members of the presence in the gallery of two Year 5 classes from Wanguri Primary School accompanied by Julie Fraser and Rebecca Reyneke.

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

Debate continued.

Visitors

The Speaker advised Honourable Members of the presence in the gallery of two Year 5/6 classes from St Mary's Catholic Primary School accompanied by Courtney Morgan, Belinda Hicks and Nicky Farrell.

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

Debate continued.

Debate suspended.

Suspension of sittings: The sitting of the Assembly was suspended between 12.00pm and 2.00pm.

8. NOTICES

The following notices were given:

1. Mrs Price (Minister for Local Government and Community Services) on the next General Business day will move – That the Standing Orders of this Assembly be so amended as to allow the use of language other than English in this Chamber, provided that, for the purposes of Hansard, a translation of the words spoken by a Member must be provided directly following the speaking of language, or provided by way of tabling a copy of the Member's remarks immediately upon the conclusion of the contribution.

That this motion introduces a new Standing Order 23A that states:

A Member may rise to speak in any language other than English so long as an oral translation is provided in the English language by the same Member immediately subsequent to the words spoken in the language other than English, or a written translation is tabled (without the need to seek leave) immediately at the conclusion of the contribution by the Member in the language other than English.

2. Mr Tollner (Treasurer) will present on the next sitting day a bill entitled – Appropriation Acts Repeal Bill 2016 (Serial 158).

9. RESPONSES TO PETITIONS

The Clerk, pursuant to Standing Order 123, laid upon the Table Response to Petition Number 51 (Paper 1700).

10. QUESTIONS

- 02.01 Mr Gunner to Chief Minister
- 02.04 Mrs Finocchiaro to Chief Minister
- 02.07 Mr Gunner to Chief Minister
- 02.11 Mr Westra van Holthe to Chief Minister
- 02.14 Ms Walker to Chief Minister
- 02.18 Mr Kurrupuwu to Treasurer
- 02.22 Mr Wood to Minister for Lands and Planning
- 02.23 Mr Conlan to Attorney-General and Minister for Justice
- 02.26 Ms Manison to Chief Minister
- 02.31 Mrs Lambley to Chief Minister
- 02.37 Mrs Finocchiaro to Minister for Lands and Planning
- 02.40 Ms Fyles to Chief Minister
- 02.41 Mr Vowles to Chief Minister
- 02.46 Mr Westra van Holthe to Minister for Business
- 02.49 Mr Vowles to Chief Minister
- 02.53 Mr Kurrupuwu to Chief Minister
- 02.57 Mr Wood to Minister for Transport

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

11. LEAVE TO GIVE NOTICE OF MOTION – LEAVE NOT GRANTED

Mr Styles (Deputy Chief Minister) sought leave to give notice of a motion.

Leave not granted.

12. SUSPENSION OF STANDING ORDERS – MOTION AGREED TO

Mr Elferink (Leader of Government Business) moved – That so much of Standing Orders be suspended as would allow the Member for Sanderson to give notice of a motion.

Debate ensued.

Question – put

The Assembly divided:

Ayes - 14

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins
Mr Kurrupuwu
Ms Lee
Mrs Price
Mr Styles
Mr Tollner
Mr Westra van Holthe
Mr Wood

Noes - 8

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

Motion agreed to.

13. NOTICES

The following notice was given:

1. Mr Styles (Deputy Chief Minister) will move on the next sitting day – That this House condemns Territory Labor and its leader for creating a crisis in confidence by its anti-jobs stance for short-term political expediency that has resulted in companies laying off Territory workers; and in doing so it has sent a serious message internationally that the Northern Territory under a potential Labor government is too high a risk for investment.

14. INQUIRIES AMENDMENT BILL 2016 (SERIAL 151) – 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 to consider the Bill in detail.

Consideration in Detail

The Assembly considered the Inquiries Amendment Bill 2016 (Serial 151).

Clauses 1 to 3 taken together and agreed to.

Clause 4 read.

Mr Giles (Member for Braitling) moved the following amendment:

Clause 4(2)

insert (in alphabetical order)

contempt, see section 12

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 7 taken together and agreed to.

Clause 8 read.

Mr Giles (Member for Braitling) moved the following amendments:

Clause 8, proposed section 11(1)(b)

omit, insert

- (b) the conduct constitutes contempt of a Board or Commissioner and the person was reckless in relation to that circumstance.

Amendment agreed to.

Clause 8, proposed section 11(1), penalty provision, after “units”

insert

or 6 months imprisonment

Amendment agreed to.

Clause 8, proposed section 12

omit, insert

12 Conduct constituting contempt of the Board or Commissioner

A person's conduct constitutes **contempt** of a Board or Commissioner if the person:

- (a) was served with a summons under section 9 to attend the Board or Commissioner; and
- (b) when required by the Board or Commissioner, fails to:
 - (i) attend before the Board or Commissioner to give evidence; or
 - (ii) take an oath; or
 - (iii) answer a question; or
 - (iv) produce a book, document or writing as required by the summons.

Amendment agreed to.

Clause 8, as amended, agreed to.

The remainder of the Bill was taken as a whole and agreed to.

The Bill as amended was agreed to.

On the motion of Mr Giles (Chief Minister) the Bill was read a third time and was passed to be a proposed law.

15. PAPERS

The Deputy Speaker tabled the following Papers –

1. Remuneration Tribunal Determination, Travel Report, Member for Nhulunbuy, Ms Lynne Walker to travel to Darwin, pursuant to clause 6.11, dated 11 February 2016 (Paper 1701).
2. Remuneration Tribunal Determination, Travel Report, Member for Barkly, Mr Gerry McCarthy to travel to Alice Springs, pursuant to clause 6.11, not dated (Paper 1702).
3. Remuneration Tribunal Determination, Travel Report, Member for Arnhem, Ms Larisa Lee to travel to Darwin, pursuant to clause 6.11, dated 1 March 2016 (Paper 1703).
4. Remuneration Tribunal Determination, Travel Report, member for Araluen, Mrs Robyn Lambley to travel to Sydney, pursuant to clause 6.11, dated 1 March 2016 (Paper 1704).
5. Remuneration Tribunal Determination, Travel Report, Member for Arnhem, Ms Larisa Lee to travel to Darwin, pursuant to clause 6.11, dated 7 March 2016 (Paper 1705).

16. REPORTS

1. Public Accounts Committee Report – Public Private Partnership Arrangements for the Darwin Correctional Precinct – **Consideration Adjourned**
2. Public Accounts Committee Report – Inquiry into Structural Separation of the Power and Water Corporation – **Consideration Adjourned**
3. Committee on the Northern Territory's Energy Future Report – Key Challenges and Opportunities: Issues Paper – **Consideration Adjourned**
4. Committee on Foetal Alcohol Spectrum Disorder – The Preventable Disability – **Report Noted**

Resumption of debate on the question -- That the Assembly take note of the Report.

Debate resumed.

Extension of Time: On the motion of Ms Manison (Member for Wanguri), Mr Wood (Member for Nelson) was granted an extension of time.

Debate continued.

Question – put and passed.

17. PAPER TABLED – ANNUAL REPORT 2014/2015, MUSEUM AND ART GALLERY NORTHERN TERRITORY – REPORT NOTED

Mr Higgins (Minister for Arts and Museums) made a statement and laid on the Table – Museum and Art Gallery Northern Territory, Annual Report 2014/2015 (Paper 1706).

Mr Higgins moved – That the Assembly take note of the report.

Question – put and passed.

18. ADJOURNMENT

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

The Assembly adjourned at 7.18pm until 16 March 2016 at 10.00am.

PAPERS

The following papers were deemed to have been tabled on 15 March 2016 –

Subordinate Legislation 2016:

No. 2, Plant Health Amendment (Control of Cucumber Green Mottle Mosaic Virus) Regulations 2016 (Paper 1695)

No. 3, Crown Lands Amendment Regulations 2016 (Paper 1696)

No. 4, Alcohol Mandatory Treatment Regulations 2016 (Paper 1697)

No. 5, Traffic Amendment Regulations 2016 (Paper 1698)

No. 6, Ports Management Amendment Regulations 2016 (Paper 1699)

ATTENDANCE

All Members attended the sittings.

MICHAEL TATHAM
Clerk of the Legislative Assembly