

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 107

Wednesday 10 February 2016

1. MEETING

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

2. PRAYERS

3. SPEAKER'S STATEMENT

The Speaker made a statement regarding Ovarian Cancer Awareness Month.

4. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of two Year 5/6 classes from Nakara Primary School accompanied by their teachers Hayden Woodroffe and Gaetano Gugliotta.

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

5. INQUIRIES AMENDMENT BILL 2016 (SERIAL 151)

Mr Giles (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Inquiries Act*.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Giles laid upon the Table the Explanatory Statement (Paper 1662).

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

6. BUILDING AMENDMENT (OCCUPANCY CERTIFICATION) BILL 2016 (SERIAL 152)

Mr Tollner (Minister for Lands and Planning), pursuant to notice, presented a Bill for an Act to amend the *Building Act*, and for Related Purposes.

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 1663).

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

7. SMALL CLAIMS BILL 2015 (SERIAL 144) AND JUSTICE LEGISLATION AMENDMENT (SMALL CLAIMS AND OTHER MATTERS) BILL 2015 (SERIAL 145) – BILLS AGREED TO

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

Debate resumed.

Question - put and passed.

Bills read a second time.

On the motion of Mr Elferink (Attorney-General and Minister for Justice), by leave, the Bills were read a third time and were passed to be proposed laws.

8. ELECTORAL LEGISLATION AMENDMENT BILL 2015 (SERIAL 149)

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 Nakara Primary School accompanied by their teacher Vicki Manley.

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

Debate continued

Extension of Time: On the motion of Mr Elferink (Member for Port Darwin), Mr Wood (Member for Nelson) 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.

9. NOTICES

The following notices were given:

1. Mr Giles (Chief Minister) will present on the next sitting day a bill entitled – Fuel Price Disclosure Bill 2016 (Serial 153).
2. Mr Elferink (Attorney-General and Minister for Justice) will present on the next sitting day a bill entitled – Local Court (Related Amendments) Bill 2016 (Serial 154).

10. SPEAKER'S STATEMENT

The Speaker advised Members that the Member for Katherine would make a personal explanation.

11. PERSONAL EXPLANATION - MEMBER FOR KATHERINE

Pursuant to Standing Order 26, having obtained leave from the Chair, Mr Westra van Holthe (Member for Katherine) explained matters of a personal nature.

12. QUESTIONS

- 2.08 Mr Gunner to Chief Minister
- 2.12 Mr Kurrupuwu to Chief Minister
- 2.15 Mr Gunner to Deputy Chief Minister
- 2.20 Mrs Finocchiaro to Minister for Infrastructure
- 2.23 Mr Gunner to Deputy Chief Minister
- 2.24 Mrs Lambley to Deputy Chief Minister

Paper Tabled: Mrs Lambley (Member for Araluen), by leave, laid upon the Table – emails between the Member for Katherine and the CT Group (Paper 1664).

- 2.29 Mr Barrett to Treasurer

- 2.32 Mr Gunner to Deputy Chief Minister
- 2.36 Mr Gunner to Deputy Chief Minister (Supplementary)
- 2.37 Mr Conlan to Minister for Sport and Recreation

Paper Tabled: Mr Higgins (Minister for Sport and Recreation) laid upon the Table – An update on sporting infrastructure projects (Paper 1665).

- 2.41 Mr Wood to Minister for Land Resource Management
- 2.45 Mr Gunner to Chief Minister
- 2.49 Mr Barrett to Minister for Business
- 2.52 Mr Gunner to Chief Minister
- 2.56 Mr Kurrupuwu to Minister for Housing
- 2.59 Ms Lee to Chief Minister
- 3.03 Mrs Finocchiaro to Chief Minister

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

13. ELECTORAL LEGISLATION AMENDMENT BILL 2015 (SERIAL 149)

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

Debate resumed.

Suspension of Standing Orders

Ms Fyles (Member for Nightcliff) by leave moved — That Standing Orders be suspended to permit the sittings of the Assembly to suspend pending the distribution of proposed amendments to the Electoral Legislation Amendment Bill (Serial 149).

Question – put

The Assembly divided:

Ayes - 10

Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Mr McCarthy
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker

Noes - 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

Motion not agreed to.

Debate resumed.

Debate suspended.

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

14. PUBLIC INFORMATION AMENDMENT BILL 2016 (SERIAL 156)

Ms Manison, (Member for Wanguri) pursuant to notice, presented a Bill for an Act to amend the *Public Information Act*.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Ms Manison laid upon the Table the Explanatory Statement (Paper 1666).

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

15. REMOTE HOUSING – MOTION NOT AGREED TO

Ms Moss (Member for Casuarina) pursuant to notice, moved – That this Parliament notes the abject failure of the CLP to provide for the housing needs of remote Territorians and supports the Labor plan for increasing remote housing in the Territory. Further, this house calls on the Territory government to act on implementing Labor's plans as soon as possible.

Debate ensued.

Paper Tabled: Mr McCarthy laid upon the Table seven photographs of remote housing (Paper 1667).

Debate continued.

Question – put

The Assembly divided:

Ayes - 7

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

Noes - 13

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

Motion not agreed to.

16. ELECTORAL AMENDMENT BILL 2016 (SERIAL 155)

Mr Wood (Member for Nelson) pursuant to notice, presented a Bill for an Act to amend the *Electoral Act*.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Wood laid upon the Table the Explanatory Statement (Paper 1668).

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

17. SUSPENSION OF STANDING ORDERS – MOTION, AS AMENDED, AGREED TO

Mr Wood (Member for Nelson) pursuant to notice, moved – That so much of Standing Orders be suspended as would allow me to move a motion after my second reading speech on the Electoral Amendment Bill 2016 (Serial 155) to:

- a) refer the Bill to a particular committee, and if necessary establish that committee, to consider whether the Bill should be passed or amended for report to the Assembly by a particular date,
- b) make the resumption of the second reading debate to be an order of the day for the day following the tabling of the committee's report or the date the report is due, whichever occurs first,
- c) allow me to speak again to the second reading for up to 20 minutes when the debate on the second reading resumes.

Debate ensued.

Mr Elferink (Member for Port Darwin) moved that Clause (c) be amended so the number '20' is omitted and replaced with the number '10'.

Debate continued.

Question – That the amendment be agreed to – put and passed.

Question – That the motion, as amended, be agreed to – put and passed.

18. REFERRAL OF ELECTORAL AMENDMENT BILL 2016 (SERIAL 155) TO A SELECT COMMITTEE

Mr Wood (Member for Nelson) pursuant to a suspension of Standing Orders, moved – That:

- a) a select committee on the Electoral Amendment Bill 2016 comprising two government members and one opposition member to be nominated in writing to the Speaker by the relevant Whip and Mr Wood be appointed,
- b) the chair of the committee must be a government member,
- c) the Electoral Bill 2016 (Serial 155) be referred to the committee to consider whether the bill should be passed or amended, and the committee is to report to the Assembly by 20 April 2016,
- d) the resumption of the second reading debate for the Electoral Amendment Bill be an Order of the Day for the day following the tabling of the committee's report or the date the report is due, whichever occurs first,
- e) I be allowed again to speak to the question that the Electoral Amendment Bill be read for a second time for up to 10 minutes when the debate on the question resumes,
- f) this resolution has effect notwithstanding anything in the standing orders.

Debate ensued.

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

Suspension of Standing Orders

Mr Wood (Member for Nelson) moved — That Standing Orders be suspended so that, notwithstanding the Routine of Business, the debate on Referral of the Electoral Amendment Bill 2016 (Serial 155) to a Committee could be concluded prior to the resumption of Government Business.

Question – put

The Assembly divided:

Ayes - 8

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

Noes – 13

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

Motion not agreed to.

19. ELECTORAL LEGISLATION AMENDMENT BILL 2015 (SERIAL 149) – 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.

**REFERRAL OF THE ELECTORAL LEGISLATION AMENDMENT BILL 2015 (SERIAL 149)
TO A SELECT COMMITTEE – MOTION NOT AGREED TO**

Mr Wood (Member for Nelson) pursuant to notice, moved – That

- a) in accordance with Standing Order 148(2), the Electoral Legislation Amendment Bill 2015 (Serial 149) be referred to a select committee for a report to the Assembly by April 20th.
- b) The Members of the Select Committee shall be two Government Members and one Opposition Member, to be nominated in writing to the Speaker by the relevant Whip, and an independent.
- c) The Chair of the Committee must be a Government Member.

Debate ensued.

Question - put and not agreed to.

The Assembly resolved to consider the Bill in detail.

Consideration in Detail

The Assembly considered the Electoral Legislation Amendment Bill 2015 (Serial 149).

Clauses 1 to 6 taken together and agreed to.

Clause 7 read.

Mr Wood (Member for Nelson) invited defeat of Clause 7.

Clause 7 as read agreed to.

Clauses 8 to 12 taken together and agreed to.

Clause 13 read and agreed to.

Clauses 14 to 16 taken together and agreed to.

Clause 17 read.

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

Clause 17

Omit

500 metres

Insert

100 metres

Amendment agreed to.

Clause 17 as amended agreed to.

Remainder of the Bill taken together and agreed to.

Bill as amended agreed to.

Mr Giles (Chief Minister), moved that the Bill be now read a third time.

Question – put

The Assembly divided:

Ayes - 13

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins

Noes - 11

Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Mr McCarthy
Ms Manison
Ms Moss

Mr Kurrupuwu	Ms Purick
Ms Lee	Mr Vowles
Mrs Price	Ms Walker
Mr Styles	Mr Wood
Mr Tollner	
Mr Westra van Holthe	

Motion agreed to.

20. PAPERS

The Deputy Speaker tabled the following Paper –

1. Auditor-General's February 2016 Report to the Legislative Assembly (Paper 1669).

Mr Elferink (Leader of Government Business) moved – That pursuant to Standing Order 242(1) the Auditor-General's February 2016 Report to the Legislative Assembly is made available in an accessible format.

Question – put and passed.

Mr Elferink further moved – That the Assembly take note of the report and sought leave to continue his remarks at a later time.

Leave was granted for Mr Elferink to continue his remarks at a later time.

2. Remuneration Tribunal Determination, Travel Report, Member for Blain, Mr Nathan Barrett Travel Report (Study Allowance) pursuant to clause 6.11, dated 9 February 2016 (Paper 1670).

21. 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 – **Consideration Adjourned**
5. Auditor-General for the Northern Territory – Report to the Legislative Assembly, August 2015 – **Consideration Adjourned**

22. ADJOURNMENT

Mr Elferink (Attorney-General and Minister for Justice) moved - That the Assembly do now adjourn.

The Assembly adjourned at 11.03pm until Thursday 11 February 2016 at 10.00am.

ATTENDANCE

All Members attended the sittings.

MICHAEL TATHAM
Clerk of the Legislative Assembly