

# MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 60

Wednesday 14 May 2014

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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 a Year 6 class from Kormilda College.

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

**4. QUESTIONS**

- 10.01 Ms Lawrie to Treasurer
- 10.05 Mr Barrett to Treasurer
- 10.08 Mr McCarthy to Chief Minister
- 10.12 Mr Higgins to Minister for Education
- 10.15 Ms Lawrie to Treasurer
- 10.20 Ms Finocchiaro to Treasurer
- 10.23 Mr Wood to Treasurer
- 10.26 Ms Lawrie to Treasurer
- 10.30 Mr Barrett to Minister for Sport, Recreation and Racing
- 10.33 Ms Lee to Treasurer
- 10.36 Ms Finocchiaro to Attorney-General
- 10.40 Mr Gunner to Chief Minister
- 10.44 Ms Finocchiaro to Minister for Sport, Recreation and Racing
- 10.47 Mr McCarthy to Treasurer

**Paper Tabled:** Mr McCarthy (Member for Barkly), by leave, laid upon the Table – Budget Strategy and Outlook, Non-Financial Public Corporation Sector Comprehensive Operating Statement (Paper 839).

- 10.49 Mr Higgins to Minister for Alcohol Rehabilitation
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**Visitor:** The Speaker advised Honourable Members of the presence in the gallery of Mr Stephen Dunham, a former Minister of the Legislative Assembly of the Northern Territory.

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

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- 10.52 Mr Wood to Minister for Health
- 10.54 Mr Higgins to Minister for Transport
- 10.57 Ms Manison to Treasurer

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

**5. APPROPRIATION (2014-2015) BILL 2014 (SERIAL 79)**

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

Debate resumed.

On the motion of Mr Elferink (Leader of Government Business) debate was adjourned.

**6. RESPONSE TO QUESTION ON NOTICE**

Mrs Lambley (Minister for Health) answered a question taken on notice earlier in the day.

**7. WATER EFFICIENCY LABELLING AND STANDARDS (NATIONAL UNIFORM LEGISLATION) BILL 2014 (SERIAL 70)**

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.

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**8. NOTICES**

The following notices were given:

1. Mr Tollner (Treasurer) to present on the next sitting day a bill entitled – Consumer Affairs and Fair Trading Amendment Bill 2014 (Serial 86).
2. Mr Westra van Holthe (Minister for Primary Industry and Fisheries) to present on the next sitting day a bill entitled – Livestock Amendment Bill 2014 (Serial 85).
3. Mr Elferink (Attorney-General) to present on the next sitting day a bill entitled – Criminal Code Amendment (Dangerous Driving During Pursuit) Bill 2014 (Serial 84).
4. Mr Elferink (Leader of Government Business) to move on the next sitting day – That the Legislative Assembly resolves to establish the estimates committee pursuant to terms to be circulated.

**9. RESPONSES TO PETITIONS**

The Clerk, pursuant to Standing Order 100A, laid upon the Table Response to Petition Number 36 (Paper 838).

**10. WATER EFFICIENCY LABELLING AND STANDARDS (NATIONAL UNIFORM LEGISLATION) BILL 2014 (SERIAL 70) – BILL AGREED TO**

Resumption of debate, suspended earlier this day, 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 Chandler (Minister for Lands, Planning and the Environment) by leave, the Bill was read a third time and was passed to be a proposed law.

**11. REORDER OF THE ROUTINE OF BUSINESS**

Mr Elferink (Leader of Government Business), by leave, reordered the Routine of Business so that Government Business, Orders of the Day Number 20, Appropriation (2014-2015) Bill 2014 (Serial 79), be called on now.

**12. APPROPRIATION (2014-2015) BILL 2014 (SERIAL 79)**

Resumption of debate, adjourned earlier this day, on the question - That the Bill be now read a second time.

Debate resumed.

**Extension of Time:** On the motion of Ms Finocchiaro (Member for Drysdale), Mr Westra van Holthe (Member for Katherine) was granted an extension of time.

Debate continued.

Debate suspended for General Business.

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

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**13. CHANGES TO THE COMMONWEALTH RACIAL DISCRIMINATION ACT 1975 – AMENDED MOTION AGREED TO**

Ms Lawrie (Member for Karama), pursuant to notice, moved - That this Assembly:

- Understands the importance of Section 18C of the Commonwealth *Racial Discrimination Act 1975*;
- Recognises that Section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin;
- Urges all levels of Government to combat bigotry at every opportunity;
- Rejects the Commonwealth plans to remove existing vilification protections and calls on Senator Brandis to withdraw the planned amendments to the *Racial Discrimination Act*; and
- Notes that the Northern Territory is the only jurisdiction which does not have anti-vilification provisions in legislation and welcomes the action by the Leader of the Opposition to bring forward a Private Member's Bill to provide protection for Territorians following the Federal Government's move to repeal section 18C of the federal *Racial Discrimination Act*.

Debate ensued.

Mr Elferink (Member for Port Darwin) moved the following amendment -

*omit*

All words after 'That this Assembly:'

*insert*

- Understands the importance of the Commonwealth *Racial Discrimination Act 1975* and the Northern Territory's *Anti-Discrimination Act*;
- Recognises that while Section 18C of the Commonwealth *Racial Discrimination Act 1975* provides some protection to individuals from offensive behaviour because of race, colour, national or ethnic origin, the Commonwealth Attorney-General has released a discussion paper to elicit community views;
- Recognises the harmonious and respectful multi-cultural make-up of the Northern Territory which is robust and unique in Australia;
- Monitors the Commonwealth plans to remove existing vilification protections with interest and reserves its right to augment Northern Territory legislation in the event that this is necessary to cover any legislative shortfall; and

- Notes that the Leader of the Opposition has released a discussion paper and has indicated that she will bring forward a Private Member's Bill to provide protection for Territorians following the Federal Government's move to repeal section 18C of the federal *Racial Discrimination Act*.

Debate ensued.

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

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

#### 14. SUSTAINABLE WATER RESOURCES

Ms Walker (Member for Nhulunbuy), pursuant to notice, moved - That this Assembly:

- Recognises that the sustainable use of water resources is fundamental to the economic, social and cultural development of the Northern Territory;
- Acknowledges that potential impact of water allocations on the Territory's unique environment, bio-diversity and cultural values;
- Re-affirms that water allocations under the *Water Act* should be based on sound scientific analysis following proper consultation with all water users and stakeholders;
- Supports indigenous economic development and understands the importance of Strategic Indigenous Reserves; and
- Resolves that the *Water Act* be amended to incorporate provision for Strategic Indigenous Reserves.

Debate ensued.

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

Mr Westra van Holthe (Member for Katherine) moved the following amendment –

*omit*

All words after 'development' in the fourth dot point

*insert*

through the strategic and appropriate allocation of the Territory's water resources.

Debate ensued.

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

Debate continued.

Debate suspended at 9.00pm at the completion of General Business.

#### 15. PAPERS

The Speaker laid on the Table –

1. NT General Election 25 August 2013 Report (Paper 843).

2. Legislative Assembly Division of Wanguri By-Election Saturday 16 February 2013, Election Report (Paper 844).
3. Quarterly Members Fuel Transaction Report dated 13 May 2014 (Paper 845).

**16. ADJOURNMENT**

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

Debate ensued.

**Paper Tabled:** Mr Elferink (Member for Port Darwin), by leave, laid upon the Table – Eulogy, Christine Mary Nathanael (Paper 846).

Debate continued.

**Paper Tabled:** Mr Wood (Member for Nelson), by leave, laid upon the Table – Eulogy, Reginald Valwynne Lowry (Paper 847).

Debate continued.

And the Assembly adjourned at 9.42pm until Thursday 15 May 2014 at 10.00am.

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**PAPERS**

The following papers were deemed to have been Tabled on 14 May 2014 -

***Professional Standards Act:***

Notification, Victorian Bar Professional Standards Scheme, pursuant to section 13(1), dated 10 April 2014 (Paper 840)

Notification, Western Australian Bar Association Scheme, pursuant to section 13(1), dated 10 April 2014 (Paper 841)

Notification, Law Society of Western Australia Scheme, pursuant to section 13(1), dated 10 April 2014 (Paper 842)

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**ATTENDANCE**

All Members attended the sittings, except Ms Fyles on leave.

MICHAEL TATHAM  
Clerk of the Legislative Assembly