

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 8

Wednesday 28 November 2012

1. MEETING:

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

2. PRAYERS.

3. VISITORS:

The Speaker advised Members of the presence in the public galleries of Year 5/6 students from Millner Primary School accompanied by Ms Arratta. On behalf of all Members the Speaker extended a warm welcome to the visitors.

4. QUESTIONS:

10.02am Ms Lawrie to Mr Giles and referred to Mrs Lambley.

10.03am Ms Lawrie to Mrs Lambley supplementary.

10.04am Mr Higgins to Mr Mills

10.07am Ms Lawrie to Mr Mills.

10.08am Ms Lee to Mr Giles.

10.12am Mr Gunner to Mrs Lambley.

10.13am Ms Finocchiaro to Mr Giles.

10.17am Mr Gunner to Mrs Lambley.

10.17am Mrs Price to Mr Giles.

10.21am Mr Wood to Mrs Lambley.

10.23am Mr Vatskalis to Mrs Lambley.

10.26am Mr Styles to Mr Tollner.

10.29am Ms Fyles to Mrs Lambley.

10.32am Mr Kurrupuwu to Mr Tollner.

10.36am Ms Fyles to Mrs Lambley.

10.39am Ms Finocchiaro to Mr Tollner.

10.43am Ms Fyles to Mrs Lambley.

Paper tabled: Ms Fyles, by leave, laid on the Table the following Paper -

- Letter, Ms Jayne Hokanson, General Manager, Child Australia to Parents, re fee structures for 2013 (Paper 143).

10.46am Mr Higgins to Mr Chandler.

10.50am Mr Wood to Mr Mills.

10.50am Mr Styles to Mr Chandler.

10.54am Mr Gunner to Mr Chandler.

10.57am Ms Finocchiaro to Mr Chandler.

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

5. DISALLOWANCE OF PLANS OF MANAGEMENT – INSTRUMENTS UNDER THE TERRITORY PARKS AND WILDLIFE ACT - MOTION:

The Minister for Parks and Wildlife (Mr Conlan) moved –

That the Assembly, pursuant to section 19(2) of the *Territory Parks and Wildlife Conservation Act*, disallow the -

- Joint Management Plan, Mary River National Park, January 2012 (Paper 1774) deemed to have been tabled in the Legislative Assembly on 23 October 2012; and
- Plan of Management, Litchfield National Park, December 2011 (Paper 37) deemed to have been tabled in the Legislative Assembly on 24 October 2012.

MINUTES OF PROCEEDINGS - Wednesday 28 November 2012

Debate ensued.

The Leader of Government Business (Mr Elferink) moved – That the debate be adjourned.

Question - put.

The Assembly divided (the Speaker, Hon. K. Purick, in the Chair) -

AYES, 15

NOES, 9

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

Mr Tollner

Mr Westra van Holthe

Ms Fyles

Mr Gunner

Mr Henderson

Ms Lawrie

Mr McCarthy

Mr Vatskalis

Mr Vowles

Ms Walker

Mr Wood

And so it was resolved in the affirmative.

Debate adjourned accordingly.

6. PLANNING AMENDMENT BILL 2012 (Serial 6) – PASS BILL THROUGH ALL STAGES:

The Chief Minister (Mr Mills), pursuant to notice, moved - That so much of Standing Orders be suspended as would prevent the Planning Amendment Bill 2012 (Serial 6) passing through all stages on Wednesday 28 November 2012.

Debate ensued.

Question – put and passed.

7. VICTIMS OF CRIME ASSISTANCE AMENDMENT BILL 2012 (Serial 10):

The Attorney-General and Minister for Justice (Mr Elferink), pursuant to notice, presented a Bill for an Act to amend the amend the *Victims of Crime Assistance Act*. Bill read a first time.

Mr Elferink moved – That the Bill be now read a second time.

Debate ensued.

Paper tabled: Mr Elferink laid on the Table the following Paper –

- Explanatory Statement, Victims of Crime Assistance Amendment Bill 2012 (Paper 144).

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

8. CRIMINAL CODE AMENDMENT (VIOLENT ACT CAUSING DEATH) BILL 2012 (Serial 3):

The Order of the Day having been read for the resumption of debate on the question – That the Bill be now read a second time –

Debate resumed.

Visitors: The Speaker advised Members of the presence in the public galleries of Year 3/4 Holy Spirit Primary School students accompanied by Ms O'Halloran.

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

Debate continued.
Debate suspended.

Suspension of sittings: The sittings of the Assembly was suspended between 12 Noon and 2pm.

9. NOTICES:

The following notices were given –

Mr Mills: To move - That, so much of Standing Orders be suspended as would prevent the Police Administration Amendment Bill 2012 (Serial 4) passing through all stages on Thursday 29 November 2012.

Mr Elferink: To present the Sentencing Amendment (Mandatory Minimum Sentences) Bill 2012 (Serial 12).

10. PETITIONS:

The Member for Goyder (Ms Purick) presented Petition No. 4 from 655 petitioners requesting the CSIRO Science Centre Manager position be retained (Paper 145).

Petition read.

The Member for Goyder (Ms Purick) presented Petition No. 5, not conforming with Standing Orders from 361 petitioners requesting the CSIRO Science Centre Manager position be retained (Paper 146).

Petition read.

Responses: The Clerk, pursuant to Standing Order 100A, tabled a response to Petition No. 2 relating to the closure of Chambers and Finke Bays to commercial Barramundi fishing (Paper 147).

11. CRIMINAL CODE AMENDMENT (VIOLENT ACT CAUSING DEATH) BILL 2012 (Serial 3):

The Order of the Day having been read for the 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.

The Assembly resolved itself into Committee of the Whole for consideration of the Bill.

In Committee

(The Deputy Speaker and Chair of Committees (Mr Higgins) in the Chair)

Bill, by leave, taken as a whole.

Debate ensued.

Bill as a whole agreed to, without amendment.

Bill to be reported without amendment.

The Assembly resumed; the Speaker took the Chair; and the Deputy Speaker and Chair of Committees (Mr Higgins) reported that the Committee had agreed to the Bill, without amendment.

Bill reported, report adopted.

On the motion of the Attorney-General and Minister for Justice (Mr Elferink) the Bill was read a third time and passed to be a proposed law.

12. PLANNING AMENDMENT BILL 2012 (Serial 6):

The Order of the Day having been read for the resumption of debate on the question – That the Bill be now read a second time –

Debate resumed.

Extension of time: On the motion of the Member for Nelson (Mr Wood) the Member for Barkly (Mr McCarthy) was granted an extension of time, pursuant to Standing Order 77.

Question – put and passed.

Bill read a second time.

The Assembly resolved itself into Committee of the Whole for consideration of the Bill.

In Committee

(The Deputy Speaker and Chair of Committees (Mr Higgins) in the Chair)

Bill, by leave, taken as a whole.

Debate ensued.

At 5.30pm the Deputy Speaker and Chair of Committees (Mr Higgins) interrupted the committee to report progress and asked leave to sit again.

Leave granted.

Progress to be reported, leave asked and granted to sit again to consider the Bill as a Whole.

The Assembly resumed; the Speaker took the Chair; the Deputy Speaker and Chair of Committees (Mr Higgins) reported progress to the Assembly and sought leave to sit again.

The report was adopted and leave granted.

13. POWER WATER PRICE INCREASES – MOTION:

The Member for Karama (Ms Lawrie) moved – That this Assembly oppose the Territory Government's planned PowerWater tariff increases.

Debate ensued.

Extension of time: On the motion of the Member for Fannie Bay (Mr Gunner) the Member for Nelson (Mr Wood) was granted an extension of time, pursuant to Standing Order 77.

Debate continued.

Extension of time: On the motion of the Member for Johnston (Mr Vowles) the Member for Fannie Bay (Mr Gunner) was granted an extension of time, pursuant to Standing Order 77.

Debate continued.

Extension of time: On the motion of the Member for Sanderson (Mr Styles) the Member for Port Darwin (Mr Elferink) was granted an extension of time, pursuant to Standing Order 77.

Debate continued.

Quorum: The Member for Casuarina (Mr Vatskalis) drew the Speaker's attention to the state of the Assembly.

The bells having been rung and a Quorum having been obtained –

Debate continued.

Extension of time: On the motion of the Member for Brennan (Mr Chandler) the Member for Araluen (Ms Lambley) was granted an extension of time, pursuant to Standing Order 77.

Debate continued.

Debate adjourned pursuant to the expiry of the General Business Day time allocation.

14. PLANNING AMENDMENT BILL 2012 (Serial 6):

The Order of the Day having been read for the further consideration in Committee of the Whole on the question - That the Bill as a whole be agreed to -

The Assembly again resolved itself into Committee of the Whole.

In Committee

(The Deputy Speaker and Chair of Committees (Mr Higgins) in the Chair

On recommittal -

Question - Bill as a whole be agreed to.

Debate resumed.

Bill as a whole agreed to, without amendment.

Bill to be reported without amendment.

The Assembly resumed; the Speaker took the Chair; and the Deputy Speaker and Chair of Committees (Mr Higgins) reported that the Committee had agreed to the Bill, without amendment.

Report reported, report adopted.

The Minister for Lands, Planning and the Environment (Mr Mills) the Bill moved – That the Bill be now read a third time.

Question - put.

The Assembly divided (the Speaker, Hon. K. Purick, in the Chair) -

AYES, 14

NOES, 8

Ms Anderson

Mr Chandler

Mr Conlan

Ms Finocchiaro

Mr Giles

Mr Higgins

Mr Kurrupuwu

Mrs Lambley

Ms Lee

Mr Mills

Mrs Price

Mr Styles

Mr Tollner

Mr Westra van Holthe

Ms Fyles

Mr Gunner

Mr Henderson

Ms Lawrie

Mr McCarthy

Mr Vatskalis

Mr Vowles

Ms Walker

And so it was resolved in the affirmative.

Bill read a third time and passed to be a proposed law.

- 15. TREASURER'S ANNUAL FINANCIAL REPORT 2011/2012 – REPORT NOTED:**
The Order of the Day having been read for the resumption of debate on the question – That the Assembly take note of the Report –
Debate resumed.
Question – put and passed.
- 16. GOVERNMENT RESPONSE TO THE RECOMMENDATIONS OF THE BOARD OF INQUIRY INTO CHILD PROTECTION – MINISTERIAL STATEMENT – MOTION TO NOTE STATEMENT:**
The Minister for Children and Families (Mrs Lambley) made a statement relating to the Recommendations of the Board of Inquiry into Child Protection.
Mrs Lambley moved – That the Assembly take note of the Statement.
Debate ensued.
On the motion of the Leader of Government Business (Mr Elferink) debate was adjourned.
- 17. ADJOURNMENT:**

MINUTES OF PROCEEDINGS - Wednesday 28 November 2012

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

Debate ensued.

Question - put and passed.

And the Assembly adjourned at 11.10pm, until Thursday 29 November 2012 at 10am.

PAPERS:

The following Papers were deemed to have been presented on 28 November 2012 –

Annual Reports

The Commissioner of Consumer Affairs, 2011/2012 (Paper 149)

Ombudsman Act

Appointment of Ombudsman, appoint Peter Howell Shoyer to be the Ombudsman on and from 20 November 2012, pursuant to section 132(1), dated 19 November 2012 (Paper 148)

Determination of Conditions, appoint Peter Howell Shoyer to be the Ombudsman on and from 20 November 2012, pursuant to section 135(1), dated 19 November 2012 (Paper 148)

Schedule, Conditions of Appointment (including Remuneration, Expenses and Allowances) of the Ombudsman (Paper 148)

ATTENDANCE:

All Members attended the sittings.

Ian McNeill
Clerk of the Legislative Assembly