NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

of the

LEGISLATIVE ASSEMBLY

No. 19

TUESDAY 26 MARCH 2013

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1. MEETING:

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

2. PRAYERS

3. MESSAGES — COMMONWEALTH DAY

The Speaker laid on the Table the Commonwealth Day Message 2013 from Her Majesty the Queen, dated 10 March 2013 (Paper 267). The Speaker advised that the Commonwealth Day Message would be incorporated in the Hansard record.

4. MESSAGE FROM THE ADMINISTRATOR:

The Speaker advised Members of receipt of the following Message from Her Honour the Administrator (Paper 268):

Message No 5 — Assent to Proposed Laws

I, SALLY THOMAS AM, the Administrator for 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 law(s):

13 March 2013

Sentencing Amendment (Mandatory Minimum Sentences) Act 2013 (Act No 1 of 2013)

14 March 2013

Bail Amendment Act 2013 (Act No 2 of 2013)

Criminal Code Amendment (Assaults on Workers) Act 2013 (Act No 3 of 2013)

Evidence (National Uniform Legislation) Amendment Act 2013 (Act No 4 of 2013)

Justice Legislation Amendment (Age of Retirement) Act 2013 (Act No 5 of 2013)

Victims of Crime Assistance Amendment Act 2013 (Act No 6 of 2013)

15 March 2013

Domestic and Family Violence Amendment Act 2013 (Act No 7 2013)

Dated 22 March 2013

SALLY THOMAS AM

Administrator

(Paper 268)

5. VISITORS:

The Speaker advised Members of the presence in the public gallery of year 5/6 Humpty Doo Primary School students accompanied by Ms Katie Jensen and Ms Wendy Tate and year 5/6 Jingili Primary School students accompanied by Ms Vivienne Chellew.

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

6. ADMINISTRATIVE ARRANGEMENTS ORDER— GOVERNMENT

Mr Elferink (Leader of Government Business), by leave, made a statement informing the Assembly of Ministers and laid on the Table the administrative arrangements of Government, dated 20 March 2013 (Paper 269):

Adam Graham Giles — Chief Minister;, Minister for Police, Fire and Emergency Services; Minister for Corporate and Information Services; Minister for Trade; Minister for Economic Development (Major Projects); Minister for Asian Engagement; Minister for Transport

David William Tollner — Treasurer; Minister for Business; Minister for Employment and Training; Minister for Defence Liaison and Defence Industry Support

Johan Wessel Elferink — Attorney-General and Minister for Justice; Minister for Public Employment; Minister for Correctional Services; Minister for Statehood

Robyn Jane Lambley — Minister for Health; Minister for Alcohol Rehabilitation

Peter Glen Chandler — Minister for Education; Minister for Housing; Minister for Lands, Planning and the Environment

Willem Rudolf Westra van Holthe — Minister for Primary Industry and Fisheries; Minister for Mines and Energy; Minister for Land Resource Management; Minister for Essential Services

Alison Anderson — Minister for Children and Families; Minister for Regional Development; Minister for Local Government; Minister for Women's Policy

Matthew Escott Conlan — Minister for Central Australia; Minister for Tourism and Major Events; Minister for Sport and Recreation; Minister for Racing; Minister for Parks and Wildlife; Minister for Arts and Museums

Peter Donald Styles **—** Minister for Infrastructure; Minister for Multicultural Affairs; Minister for Senior Territorians; Minister for Young Territorians

7 NOTICE OF MOTION – REVISED SITTINGS DATES 2013

Mr Elferink To move — That the 2013 Parliamentary Sittings be revised to schedule the sittings for the introduction of the Budget to 14—16 May 2013 and the Estimates Committee hearings which were to be held from 11 to 20 June be revised to 18—20 June and 25—27 June 2013 with the Appropriation Bill to be considered in the Assembly on 27 June 2013.

8. STANDING COMMITTEE ON PUBLIC ACCOUNTS — CHANGE OF MEMBERSHIP

Mr Elferink (Leader of Government Business), by leave, moved — That the Member for Sanderson, Mr Styles, be discharged from the Public Accounts Committee and that the Member for Stuart, Mrs Price, be appointed to the committee in his stead.

Question — put and passed.

9. ROUTINE OF BUSINESS — RE-ORDER OF BUSINESS

Mr Elferink (Leader of Government Business), by leave, moved that –

the routine of business for today be re—ordered in the following manner:

1 Prayers

2 Questions

3 Ministerial Statements

4 Government Business – Notices and Orders of the Day

At 2pm 5 Notices

6 Petitions

7 Government Business — Notices and Orders of the Day

8 Papers

9 Consideration of Committee Reports and Government Responses and Auditor-General's Reports

10 Discussion pursuant to Standing Order 92 (Matter of Public Importance)

Question — put and passed.

10. LEAVE OF ABSENCE

Mr Elferink (Leader of Government Business) moved a leave of absence for the Member for Stuart (Ms Price) for 26, 27 and 28 March 2013.

Question — put and passed.

11. LEAVE OF ABSENCE

Ms Lawrie (Leader of the Opposition) moved a leave of absence for the Member for Fannie Bay (Mr Gunner) for 26, 27 and 28 March 2013.

Question — put and passed.

12. QUESTIONS:

10.08 Ms Lawrie to Chief Minister

10.10 Ms Price to Mr Giles

10.13 Ms Lawrie to Mr Giles

10.16 Ms Finochiario to Mr Giles

10.18 Ms Lawrie to Mr Giles

10.21 Kurrupuwu to Mr Giles

10.24 Ms Lawrie to Mr Giles

10.27 Mr Wood to Mr Westra Van Holthe

10.31 Ms Lawrie to Mr Giles

10.37 Ms Lawrie to Mr Giles

10.40 Ms Lee to Mr Giles

Suspension of Standing Orders

Ms Lawrie (Leader of the Opposition) moved – That so much of Standing Orders be suspended as would prevent her censuring the Chief Minister.

Mr Elferink (Leader of Government Business) informed the Assembly that the government accepted the motion as a censure motion, pursuant to Standing Order 95.

Mr Elferink asked that further questions be placed on the Written Question paper.

13. CENSURE OF CHIEF MINISTER — MOTION

Ms Lawrie (Leader of the Opposition) moved – That so much of Standing Orders be suspended as would prevent this house from censuring the Chief Minister:

for his cowardly knifing of the former Chief Minister Terry Mills while he was overseas representing the Territory;

becoming an illegitimate Chief Minister by ignoring that Territorians voted for Terry Mills as Chief Minister only seven months ago;

the damage to the reputation of the Northern Territory caused by his actions;

the damage he has done to the business community in the Northern Territory; and

the lies that have led to lost jobs opportunities for Territorians.

Debate ensued.

Mr Elferink moved an amendment in the following terms — Omit all words after 'as would' and insert in their stead:

'prevent this House from censuring the now Leader of the Opposition for her calamitous mismanagement of the Northern Territory budget whilst she was Treasurer.'.

Debate ensued.

Debate suspended.

Suspension of sittings: The sitting of the Assembly was suspended between 12.01pm and 2pm.

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14. CONDOLENCE MOTION — MR COLIN FIRMIN — MOTION AGREED TO:

The Speaker advised Members of the death on 3 March 2013 of Mr Colin Firmin, former Member of the Legislative Assembly for the electorate of Ludmilla from 1983 to 1990.

The Speaker acknowledged the presence in the Speaker's Gallery of Mr Gary Haslett, Mr Grant Tambling, Mr Mick Palmer, Mr Rick Setter, Mr Earl James and Mrs Wendy James, Mr Terry Flowers and Mrs Maravon Flowers, Mr John Hardy and Mrs Marie Hardy, Mr Peter Allen, Ms Alison Maynard, Mr Bob Bradley, Mr Peter Bracken and Robyn Bracken, Mr Michael Savage and Mrs Sally Savage, Mr Jack Hamilton, and also for the friends and family of Mr Colin Firmin, apologies from Dr Jan Hills together with a number of friends of the Firmin family.

Mr Giles (Chief Minister), by leave, moved —

That this Assembly express its condolences at the passing of Mr Colin Firmin, and extend deepest sympathy to his family and friends.

Mr Giles thereupon addressed the Assembly.

Ms Lawrie (Leader of the Opposition) addressed the Assembly.

Debate ensued.

Motion agreed to.

As a mark of respect Members stood in their places for one minute, in silence.

15. NOTICES

The following notices were given —

1	Mr Elferink	To present	The Electronic Conveyancing (National Uniform Legislation) Bill 2013 (Serial 18)
2	Mr Elferink	To present	The Penalty Units Amendment Bill 2013 (Serial 24)
3	Mr Tollner	To present	Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Amendment Bill 2013 (Serial 22)
4	Ms Fyles	To move —	That this Assembly condemns the government for: gifting their CLP candidate Tina McFarlane a water allocation potentially worth millions of dollars; ignoring science, ignoring the environment and gifting the water extraction allocation against the advice of experts, a community advisory group, the ruling of an independent panel and the adjudication of the Supreme Court; and ignoring the concerns of indigenous communities and other landowners of the region.

16. PETITIONS — RESPONSES

The Clerk, pursuant to Standing Order 100A, laid upon the Table responses to Petition Numbers 6, 8 and 9 respectively. (Paper 270).

17. CENSURE MOTION — AMENDED MOTION AGREED TO:

Debate resumed.

Mr Tollner moved that the question be put.

Question — that the Question be put — put and passed.

Question — that the amendment be agreed to put —

The Assembly divided:

Ayes 13	**Noes 8**
Ms Anderson	Ms Fyles
Mr Chandler	Ms Lawrie
Mr Conlan	Ms Manison

Mr Elferink
Ms Finocchiaro
Mr Giles
Mr Higgins
Mr Kurrupuwu
Mrs Lambley
Ms Lee
Mr Styles
Mr Tollner
Mr Westra van Holthe
Mr McCarthy
Mr Vatskalis
Mr Vowles
Ms Walker
Mr Wood

And so it was resolved in the affirmative.

Debate resumed.

Visitors: The Speaker (Ms Purick) advised Members of the presence in the public galleries of St Phillips College students from Alice Springs who are in Darwin attending the NT rock climbing championships.

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

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

18. MINISTERIAL STATEMENT – FUTURE DIRECTIONS OF THE NORTHERN TERRITORY GOVERNMENT – MOTION TO NOTE STATEMENT:

Mr Giles (Chief Minister) made a statement relating to future directions of the Northern Territory Government.

Mr Giles moved — That the Assembly take note of the Statement.

Debate ensued.

Quorum: Mr Vatskalis drew the attention of the Speaker to the state of the Assembly.

Bells having been rung and a Quorum having been obtained —

Debate continued.

On the motion of Mr Elferink debate was adjourned.

19 MINISTERIAL STATEMENT – TREASURY – MOTION TO NOTE STATEMENT:

Mr Tollner (Treasurer) made a statement relating to the Northern Territory's budgetary position.

Mr Tollner moved — That the Assembly take note of the Statement.

Debate ensued.

Quorum: Ms Lawrie drew the attention of the Speaker to the state of the Assembly.

Bells having been rung and a Quorum having been obtained —

Debate continued.

Quorum: Mr Vatskalis drew the attention of the Speaker to the state of the Assembly.

Bells having been rung and a Quorum having been obtained —

Debate continued.

On the motion of Mr Elferink debate was adjourned.

20 SERIOUS SEX OFFENDERS BILL 2013 (SERIAL 18):

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 Ms Walker, Mr Wood was granted an extension of time.

Debate continued.

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

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 Chair of Committees (Mr Higgins) reported that the Committee had agreed to the Bill, without amendments.

On the motion of Mr Elferink, the Bill was read a third time and passed to be a proposed law.

21. ADJOURNMENT:

Mr Elferink (Leader of Government Business) moved —

That the Assembly do now adjourn.

Debate ensued.

Question — put and passed.

And the Assembly adjourned at 8.06pm until Tuesday 26 March at 10am.

PAPERS:

The following papers were deemed to have been tabled on 26 March 2013—

Annual Report

Board of the Australian Crime Commission, 2011/2012 (Paper 271)

ATTENDANCE

All Members attended the sittings except Mr Gunner, on leave.

Ian McNeill
Clerk of the Legislative Assembly