# NORTHERN TERRITORY OF AUSTRALIA
# LEGISLATIVE ASSEMBLY

## MINUTES OF PROCEEDINGS

## Meeting Number 11
## Wednesday 30 November 2016

**1. MEETING**

The Assembly met at 10.00. The Speaker, the Honourable Kezia Purick, presided.

**2. PRAYERS**

**3. VISITORS**

The Speaker advised Honourable Members of the presence in the gallery of two Year 8 classes from Nightcliff Middle School accompanied by their teachers, Anthony Brereton, Hannah Motter, Chip Mohammed, Martin Tumuls and Terry Collins.

On behalf of all Members the Speaker welcomed the visitors.

**4. JUSTICE LEGISLATION AMENDMENT (BODY-WORN VIDEO AND DOMESTIC VIOLENCE EVIDENCE) BILL 2016 (SERIAL 10)**

Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Evidence Act* and the *Surveillance Devices Act* in relation to body-worn video and recorded statements of evidence in proceedings for domestic violence offences.

Bill read a first time.

Ms Fyles moved that the Bill be read a second time and made a statement.

**Paper Tabled:** Ms Fyles tabled the Explanatory Statement (Paper 164).

On the motion of Mr Higgins debate was adjourned.

**5. CRIMINAL CODE AMENDMENT (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) BILL 2016 (SERIAL 11)**

Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the Criminal Code.

Bill read a first time.

Ms Fyles moved that the Bill be read a second time and made a statement.

**Paper Tabled:** Ms Fyles tabled the Explanatory Statement (Paper 165).

On the motion of Mrs Finocchiaro debate was adjourned.

**6. JUSTICE AND OTHER LEGISLATION AMENDMENT (AUSTRALIAN CRIME COMMISSION) BILL 2016 (SERIAL 12)**

Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend legislation administered by the Attorney-General and Minister for Justice and Minister for Police, Fire and Emergency Services.

Bill read a first time.

Ms Fyles moved that the Bill be read a second time and made a statement.

**Paper Tabled:** Ms Fyles tabled the Explanatory Statement (Paper 166).

On the motion of Mrs Finocchiaro debate was adjourned.

**7. LIQUOR AMENDMENT BILL 2016 (SERIAL 13)**

Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act*.

Bill read a first time.

Ms Fyles moved that the Bill be read a second time and made a statement.

**Paper Tabled:** Ms Fyles tabled the Explanatory Statement (Paper 167).

On the motion of Mrs Finocchiaro debate was adjourned.

**8. MOTION: SUSPENSION OF STANDING ORDERS TO PASS LIQUOR AMENDMENT BILL 2016 (SERIAL 13) ON URGENCY AGREED TO**

Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, moved that the Liquor Amendment Bill 2016 be passed on urgency.

Mrs Finocchiaro, Mr Gunner, Mr Wood, Ms Fyles.

Question put and passed.

**9. MOTION: TERMS OF REFERENCE INQUIRY INTO POLITICAL DONATIONS**

Mr Gunner (Chief Minister), pursuant to notice, moved:

That the Northern Territory Legislative Assembly appoints a person under section 4A of the Northern Territory *Inquiries Act* to inquire into and report on options for the reform of political funding and donations in the Northern Territory by no later than 12 months from today, including:

1. Should there be a cap on how much parties can spend on a campaign, how it should be calculated and what other details should be considered.
2. Whether or not 'full' or 'partial' public funding of political parties and candidates should be provided.
3. If a 'partial' public funding scheme is considered preferable, recommendations as to a potential model, the basis upon which such funding is to be provided and whether a threshold for such funding should be adopted (consideration should extend to any legislative/regulatory amendments that would be required to affect such a model).
4. What is the appropriate level to cap the value of political donations to parties, groups, candidates, elected members and third-party campaigners; what methodology should be used to determine that cap; and what measures can be put in place to ensure that any caps are effective.
5. Whether the current donations disclosure requirements are appropriate including potential changes to the method, timing and publication of disclosures.
6. What controls should apply to the making of political donations, including:

i. whether or not particular entities or groups of donors should be excluded; and

ii. any limitations or restrictions or caps on such political donations.

7. Whether there have been any breaches of the Northern Territory *Electoral Act* in relation to donations made to political parties and candidates in the Northern Territory over the last 10 years.

8. Any legislative or regulatory amendments that should be made to ensure that limits on political donations and disclosure requirements cannot be avoided through the use of third parties, associated entities or other means. To this end the inquiry will investigate:

   i. the structure of Foundation 51 and the scope of its activities;

   ii. the relationship between Foundation 51 and the Northern Territory Government and its Agencies and any related conflicts of interest;

   iii. the relationship between Foundation 51 and the Country Liberal Party and any related conflicts of interest;

   iv. the extent of direct and indirect financial and in-kind support provided by Foundation 51 to the Country Liberal Party, Members of Parliament and candidates for Parliamentary elections;

   v. the extent of breaches of the Northern Territory *Electoral Act* and any other Territory legislation by Foundation 51; and

   vi. the activities of Harold Nelson Holdings and its compliance with the Northern Territory *Electoral Act*.

9. Any other matters relevant to political funding and donations.

**Papers Tabled:** Mr Gunner (Chief Minister) tabled:

1. Written Question No. 460 (Paper 169).
2. *Restoring Integrity to Government Trust and Integrity Reform Discussion Paper, Territory Labor* (Paper 168).

Mr Higgins.

Mr Higgins moved the following amendment to the motion:

Amend section 8 of the motion:

i. To include Harold Nelson Holdings;

ii. To include Harold Nelson Holdings;

iii. To include Harold Nelson Holdings and the Labor Party;

iv. To include Harold Nelson Holdings and the Labor Party;

v. To include Harold Nelson Holdings; and

vi. To replace Harold Nelson Holdings with the word 'unions'.

Mr Wood, Mr Mills.

Debate suspended.

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**Suspension of Meeting:** The meeting of the Assembly was suspended between 12.00 and 14.00.

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**10. NOTICES**

The following notice was given:

1. Ms Fyles (Minister for Health) will present on the next Meeting Day a Bill entitled Medical Services Legislation Amendment Bill 2016 (Serial 14).

**11. PETITIONS**

Mr Higgins presented Petition Number 5 from 602 petitioners praying that the Home Improvement Scheme be re-instated (Paper 170).

Petition read.

Mrs Finocchiaro presented Petition Number 6 from 436 petitioners praying that the Home Improvement Scheme be re-opened (Paper 171).

Petition read.

**12. VISITOR**

The Speaker advised Honourable Members of the presence in the gallery of a former Leader of the Opposition, Jodeen Carney, a former Member for Araluen.

On behalf of all Members the Speaker welcomed the visitor.

**13. QUESTIONS**

14:01 Mr Higgins to Mr Gunner

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of combined stage 1 and 2 classes from Good Shepherd Lutheran College accompanied by their teachers, Jacob Fajzullin and Jack Williams.

On behalf of all Members the Speaker welcomed the visitors.

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14:07 Mr Higgins to Mr Gunner – Supplementary
14:08 Mrs Finocchiaro to Mr McCarthy

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**Visitors:** The Speaker advised Honourable Members of the presence in the gallery of students and lecturers from Jambi University in Central Sumatra.

On behalf of all Members the Speaker welcomed the visitors.

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14:13 Mr Wood to Ms Moss
14:16 Mr Mills to Mr Gunner
14:20 Mrs Lambley to Mr McCarthy – Ruled out of order
14:21 Mrs Finocchiaro to Mr McCarthy
14:25 Mr Higgins to Ms Moss
14:29 Mr Wood to Ms Fyles
14:33 Mr Mills to Mr Gunner
14:37 Mrs Lambley to Ms Manison
14:39 Mr Higgins to Ms Moss
14:42 Mrs Finocchiaro to Mr McCarthy

14:47 Mr Wood to Mr Gunner
14:48 Mr Mills to Ms Lawler
14:52 Mrs Lambley to Mr Gunner
14:56 Mrs Finocchiaro to Ms Manison
15:01 Mr Higgins to Ms Moss

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

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**14. MOTION: LONG TERM MANAGEMENT OF THE SHOAL BAY COASTLINE NOT AGREED TO**

Mr Wood, pursuant to notice moved:

That the Government in consultation with the NT Land Corporation develop a plan for the long term management of the Shoal Bay coastline between Tree Point Conservation Reserve and the Gunn Point Peninsula that would eventuate into a formal Conservation or Marine Park.

That the Government build a permanent park ranger station at Gunn Point to make sure the beaches and hinterland adjacent to those beaches are protected from environmental damage as well as inappropriate behaviour from some visitors.

Ms Moss, Mr Higgins, Mr Vowles, Mr Wood.

Question put and not agreed to.

**15. MOTION: HOME IMPROVEMENT SCHEME NOT AGREED TO**

Mr Higgins (Leader of the Opposition), pursuant to notice, moved:

That this Assembly calls on the Territory Government to listen to Territorians and re-instate the Home Improvement Scheme.

Ms Manison, Mrs Finocchiaro, Mr Mills, Mrs Lambley.

**Papers Tabled:** Mrs Lambley, by leave, tabled:

1. Deferred Infrastructure Works (Paper 180).
2. Araluen Capital Works Electorate Report – Braitling Capital Works Electorate Report, Department of Infrastructure, Planning and Logistics, dated 24 November 2016 (Paper 181).

Mr Wood, Mr Higgins.

Question put.

The Assembly divided:

| **Ayes 4** | **Noes 16** |
|---|---|
| Mrs Finocchiaro | Mr Costa |
| Mr Guyula | Ms Fyles |
| Mr Higgins | Mr Gunner |
| Mr Mills | Mr Kirby |
| | Ms Lawler |
| | Mr McCarthy |
| | Mr McConnell |
| | Ms Manison |
| | Ms Moss |
| | Ms Nelson |
| | Mr Paech |
| | Mr Sievers |

Ms Uibo
Mr Vowles
Ms Wakefield
Mrs Worden

Motion not agreed to.

**16. MOTION: GOVERNMENT EMPLOYEE HOUSING FOR LOCAL RECRUITS**

Mrs Finocchiaro (Deputy Leader of the Opposition), pursuant to Standing Order 81, moved:

That this Assembly calls on the Northern Territory Government to explain:

- how the new entitlement of Government Employee Housing for local recruits will be rolled out;
- what will be the eligibility requirements and how will these entitlements be managed;
- what benefit will flow to local recruits that are unable to be provided with Government Employee Housing in the short, medium and long term; and
- what impact this will have on current Enterprise Bargaining Agreements and how these impacts will be managed.

Mr McCarthy, Mrs Lambley.

Debate suspended.

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**17. ADJOURNMENT**

Ms Fyles (Leader of Government Business) moved that the Assembly adjourn.

Ms Moss, Mrs Finocchiaro, Ms Wakefield, Mr Kirby, Ms Nelson, Ms Uibo, Mr McCarthy, Ms Manison.

The Assembly adjourned at 20.10 until Thursday 1 December 2016 at 10.00.

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**DEEMED PAPERS**

Pursuant to Standing Order 239 the following papers were deemed to have been tabled:

**Annual Reports 2015-2016:**

Desert Knowledge Australia (Paper 172).
Electrical Workers and Contractors Licensing Board (Paper 173).
Health and Community Services Complaints Commission (Paper 174).
Northern Territory Environment Protection Authority, *Environment Protection (Beverage Containers and Plastic Bags) Act* (Paper 175).
NT Build, Portable Long Service Leave, Northern Territory Construction Industry (Paper 176).
Northern Territory Grants Commission (Paper 177).
Northern Territory Legal Aid Commission (Paper 178).
Youth Justice Advisory Committee (Paper 179).

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**ATTENDANCE**
All Members attended the meeting.



MICHAEL TATHAM
Clerk of the Legislative Assembly