NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 66
Tuesday 23 October 2018

1. MEETING

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

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY

Ms Moss delivered the acknowledgement of country on behalf of the Assembly.

4. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Electorate Officers for the Government Members.

On behalf of all Members the Speaker welcomed the visitors.

5. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of receipt of the following Message from Her Honour the Administrator (Paper 834):

Message Number 16

Assent to Proposed Laws

I, VICKI O'HALLORAN AM, the Administrator of the Northern Territory of Australia, advise the Legislative Assembly, pursuant to section 7 of the *Northern Territory (Self-Government Act) 1978* of the Commonwealth, of the assent to the following proposed laws:

17 August 2018
Gaming Control Amendment Act 2018 (Act No 15 of 2018)

27 August 2018
Liquor Amendment (Minimum Pricing) Act 2018 (Act No 16 of 2018)

6 September 2018
Monetary Units Act 2018 (Act No 17 of 2018)
Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018 (Act No 18 of 2018)
Parks and Wildlife Commission Amendment Act 2018 (Act No 19 of 2018)
Pastoral Land Legislation Amendment Act 2018 (Act No 20 of 2018)

Dated 19 October 2018.

6. GOVERNMENT RESPONSE TO SCRUTINY COMMITTEE REPORT

The Speaker reported that Ms Fyles (Attorney-General and Minister for Justice) presented the Government's response to the Social Policy Scrutiny Committee's report of Inquiry into the Domestic and Family Violence Amendment (Information Sharing) Bill 2017 to the Clerk, pursuant to Standing Order 201, on Wednesday 12 September 2018 which was deemed to have been tabled (Paper 846).

7. WITHDRAWL OF QUESTION ON NOTICE

Ms Purick, by leave, withdrew Question on Notice Number 441.

8. SPEAKER'S STATEMENTS

The Speaker made a statement regarding the 2019 Meeting Day calendar.

Paper Tabled: The Speaker tabled: Speakers Media Release, Meeting Dates for 2019 (Paper 835).

The Speaker made a statement regarding raising awareness for breast cancer, liver cancer, child sexual assault and national carers' week.

9. MOTION: LEAVE OF ABSENCE AGREED TO

Ms Fyles moved that a leave of absence for 23 October to 25 October 2018 be granted to Mr Collins due to Commonwealth Parliamentary Association business and that a leave of absence for 23 October to 25 October 2018 be granted to Mrs Worden due to Government Business.

Question put and passed.

10. PAPERS TABLED: REPORTS FROM SCRUTINY COMMITTEES

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Interpretation Legislation Amendment Bill 2018 (Serial 58) (Paper 836) and Minutes of Proceedings (Paper 837) and made a statement.

Ms Ah Kit moved that the Assembly take note of the Report.

Question put and passed.

11. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEES

Mr Sievers (Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Training and Skills Development Amendment Bill 2018 (Serial 59) (Paper 838) and Minutes of Proceedings (Paper 839) and made a statement.

Mr Sievers moved that the Assembly take note of the Report.

Question put and passed.

12. PAPERS TABLED: REPORTS FROM SCRUTINY COMMITTEES

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Northern Territory Environment Protection Authority Amendment Bill 2018 (Serial 63) (Paper 840) and Minutes of Proceedings (Paper 841) and made a statement.

Ms Ah Kit moved that the Assembly take note of the Report.

Question put and passed.

13. PAPERS TABLED: REPORTS FROM SCRUTINY COMMITTEES

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018 (Serial 62) (Paper 842) and Minutes of Proceedings (Paper 843) and made a statement.

Ms Ah Kit moved that the Assembly take note of the Report.

Question put and passed.

14. NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2018 (SERIAL 54): BILL AGREED TO

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

Mrs Finocchiaro, Ms Manison, Mr Wood, Ms Uibo, Mr Kirby, Ms Ah Kit, Ms Wakefield, Ms Fyles.

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 4 taken together and agreed to.

Clause 5 read.

Ms Fyles moved the following amendment:

Clause 5, proposed section 101A(2)

omit, insert

(2) A decision must not be made under subsection (1) unless:

(a) the applicant files an unattested declaration declaring, to the best of the applicant's knowledge, information and belief:

(i) the amount of the debt or other fixed sum of money that remains due and owing as at the date of the declaration; and

(ii) the amounts and dates of any payments made in relation to the amount due and owing since the date of the application; and

(b) the Tribunal is satisfied that the application set out the claim in terms that were reasonably clear.

Amendment put and passed.

Bill as amended agreed to.

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

15. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL 2017 (SERIAL 40)

Ms Fyles moved the Bill to be read a second time.

Mrs Finocchiaro.

Paper Tabled: Mrs Finocchiaro, by leave, tabled: Recommendations – the Committee recommends that the Legislative Assembly not pass the Domestic and Family Violence Amendment (Information Sharing) Bill 2017 (Paper 844).

Debate suspended.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.58 and 14.00.

---

16. PETITIONS

Ms Purick presented a petition from one petitioner not conforming with Standing Orders relating to Petition Number 25, treatment of elderly pensioners by Northern Territory Environmental Protection Agency and Department of Environment and Natural Resources (Paper 845).

Petition read.

17. MOTION: PETITION REFERRED TO SCRUTINY COMMITTEE AGREED TO

Ms Purick moved that Petition Number 25 be referred to the Economic Policy Scrutiny Committee.

Question put and passed.

18. NOTICES

The following notices were given:

1. Ms Fyles (Minister for Health) will present on the next Meeting Day a Bill entitled Health Practitioner Regulation (National Uniform Legislation) and Other Legislation Amendment Bill 2018 (Serial 64).
2. Ms Fyles (Attorney-General and Minister for Justice) will present on the next Meeting Day a Bill entitled Local Court Amendment (Judicial Appointments) Bill 2018 (Serial 67).
3. Mrs Finocchiaro (Deputy Leader of the Opposition) will present on the next General Business Day a Bill entitled Liquor Amendment (Repeal of Minimum Pricing) Bill 2018 (Serial 68).
4. Mr Wood will move on the next General Business Day that the Government reconsider its decision to build a youth detention centre and alcohol rehabilitation centre at Pinelands and instead look at possible alternative sites and in keeping with your promise of Opening up Parliament to the People invite the community and others including local Members of Parliament to be part of those discussions.
5. Mrs Finocchiaro (Deputy Leader of the Opposition) will move on the next General Business Day that this Assembly calls on the Government to adequately resource frontline services commensurate with demand.
6. Mr Wood will move on the next General Business Day that the *Motor Accidents (Compensation) Act* specifically section (5) which states:

   The entitlements conferred by this section are subject to the following qualifications:

   (a) a person ceases to be entitled to benefits under this section on the day the person reaches pension age;

   be amended to allow people who are 65 years and over and either working full time or part time to be covered by the Schemes benefits.
7. Mr Wood will move on the next General Business Day that Local Governments in the NT be permitted to rate Aboriginal Land where owners of that land receive income from commercial agreements on that land whilst at the same time receiving Local Government services.

19. QUESTIONS

14:03 Mr Higgins to Mr Gunner
14:07 Mr Kirby to Mr Gunner
14:11 Mrs Finocchiaro to Ms Fyles
14:15 Mr Costa to Mr Gunner

14:18 Mr Higgins to Ms Fyles
14:22 Mr Sievers to Mr Gunner

Visitors: The Speaker advised Honourable Members of the presence in the gallery of Charles Darwin University VET students studying Certificate Business Administration accompanied by their lecturers Jane McLoughlin and Felicity Ledek.

On behalf of all Members the Speaker welcomed the visitors.

14:26 Mrs Lambley to Mr Gunner
14:30 Mrs Lambley to Mr Gunner – Supplementary
14:31 Ms Ah Kit to Ms Manison
14:34 Mr Wood to Ms Moss
14:37 Mr Sievers to Ms Manison
14:41 Mrs Finocchiaro to Ms Lawler
14:44 Ms Ah Kit to Ms Wakefield
14:48 Mr Higgins to Ms Fyles

20. CENSURE MOTION: NOT AGREED TO

Mr Higgins (Leader of the Opposition), pursuant to Standing Order 67, moved:

That this Assembly censures the Government for its arrogance in addressing the current crisis besetting the Northern Territory in the areas of alcohol abuse, crime, juvenile delinquency, prison escapes, population decline, poor business confidence, debt and deficit, lazy tax grabs, dishonesty and a severe lack of transparency since it came to office in August 2016.

Ms Fyles.

Papers Tabled: Ms Fyles (Leader of Government Business) tabled:

1. Media Release, NT coalition of health, justice and social services wholly rejects calls to reinstate Alcohol Mandatory Treatment and to scrap the floor price on alcohol, Aboriginal Medical Services Alliance Northern Territory (AMSANT), dated 12 October 2018 (Paper 863).
2. Letter, to Hon. Natasha Fyles, re: Liquor Amendment (Minimum Pricing) Bill 2018, from Mahiban Thomas, Chair Northern Territory Regional Committee, Royal Australasian College of Surgeons, dated 7 August 2018 (Paper 864).

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

Question put.

The Assembly divided:

Noes 16	**Ayes 4**
Ms Ah Kit	Mrs Finocchiaro
Mr Costa	Mr Higgins
Ms Fyles	Mrs Lambley
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

Motion not agreed to.

21. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL 2017 (SERIAL 40)

Resumption of debate on the question that the Bill be read a second time.

Mrs Finocchiaro, Mr Gunner, Ms Moss.

On the motion of Ms Fyles debate was adjourned.

22. CONSIDERATION OF COMMITTEE AND AUDITOR-GENERAL'S REPORTS AND GOVERNMENT RESPONSES

1. *Public Accounts Committee Inquiry into Taxi Licensing and Subleasing Report* (Paper 554). Deferred.
2. *Auditor-General for the Northern Territory, November 2017* (Paper 580). Deferred.
3. *Auditor-General for the Northern Territory, March 2018* (Paper 677). Deferred.

23. ADJOURNMENT

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

Mr Paech, Mr McConnell, Ms Wakefield, Ms Uibo, Mr Vowles, Ms Nelson, Ms Ah Kit, Mr Kirby, Ms Manison.

The Assembly adjourned at 19.35 until Wednesday 24 October 2018 at 10.00.

DEEMED PAPERS

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

Annual Reports 2017-2018:

Department of the Legislative Assembly, 2017-2018 (Paper 859)
Department of Environment and Natural Resources, 2017-2018 (Paper 847)
Community Justice Centre, 2017-2018 (Paper 848)
Northern Territory Architects Board, 2017-2018 (Paper 849)
Northern Territory Civil and Administrative Tribunal, 2017-2018 (Paper 850)
Northern Territory Police, Fire and Emergency Services, 2017-2018 (Paper 851)
Child Protection 2017-2018, (Offender Reporting and Registration) Act 2004 (Paper 852)
Terrorism *(Emergency Powers) Act,* 2017-2018 (Paper 853)
Liquor Act, 2017-2018 (Paper 854)
Police *(Special Investigative and Other Powers) Act* - Authorities for Assumed Identities, 2017-2018 (Paper 855)
Police *(Special Investigative and Other Powers) Act* - Witness Identity Protection Certificates, 2017-2018 (Paper 856)

Coroners Act:

Coroner's Findings and recommendations regarding the death of Mr Asera aka Ezra Young, dated 30 August 2018 (Paper 857)

OmbudsmanNT:

OmbudsmanNT, Report to Attorney-General and Minister for Justice, Compliance by Northern Territory Police Force with *Surveillance Devices Act*, July 2018 (Paper 860)

OmbudsmanNT Report to Minister for Police, Fire & Emergency Services Controlled Operations, Compliance by Northern Territory Police Force, *Police (Special Investigative and Other Powers) Act* Part 2, 2017-2018, July 2018 (Paper 861)

Remuneration Tribunal:

Remuneration Tribunal Report and Determination No.1 of 2018 on the Entitlements of Local Court Judges (Paper 862)

Report:

Letter, to Hon. Gerry McCarthy, Minister for Public Employment, 2017-2018 Employment Report for the Department of the Legislative Assembly (Paper 858)

ATTENDANCE

All Members attended the meeting, except Mr Collins and Mrs Worden on leave.

MICHAEL TATHAM
Clerk of the Legislative Assembly