MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 61

Thursday 15 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. QUESTIONS

10.01 Ms Lawrie to Chief Minister (referred to Minister for Land Resource Management)
10.05 Ms Finocchiaro to Treasurer
10.08 Mr Vowles to Treasurer

Paper Tabled: Mr Vowles (Member for Johnston), by leave, laid upon the Table – Media Release, Middle East Investors Eye Territory Opportunities, dated 6 March 2014 (Paper 848).

10.12 Mr Barrett to Minister for Transport
10.15 Ms Walker to Chief Minister
10.20 Mr Higgins to Minister for Community Services
10.24 Ms Lee to Chief Minister
10.25 Mr Barrett to Treasurer

Papers Tabled: Mr Tollner (Treasurer) laid upon the Table –

1. Letter, Mr Ken Clarke Chairman, Power and Water Corporation, re Ministerial Direction to Power and Water Corporation in relation to Implementation of an Alternative Revenue Path for the 2014-19 Regulatory Control Period, from Mr David Tollner, dated 13 May 2014 (Paper 849).

2. Letter, Mr Ken Clarke Chairman, Power and Water Corporation, re Ministerial Direction to Power and Water Corporation Board in relation to payments for the System Black Event, Mr David Tollner 13 May 2014 (Paper 850).

Visitor: The Speaker advised Honourable Members of the presence in the gallery of Mr Denis Burke, a former Chief Minister in the Legislative Assembly of the Northern Territory.

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

10.29 Mr Gunner to Chief Minister
10.37 Mr Higgins to Minister for Primary Industry and Fisheries
10.40 Mr Wood to Chief Minister
10.45 Ms Finocchiaro to Minister for Disability Services

Suspension of Standing Orders

Ms Lawrie (Member for Karama) moved — That so much of Standing Orders be suspended as would prevent this house from censuring the Chief Minister and his CLP government.

Mr Elferink (Leader of Government Business) informed the Assembly that the Government would accept the censure motion, pursuant to Standing Order 95.

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4. CENSURE OF CHIEF MINISTER AND HIS CLP GOVERNMENT – MOTION NOT AGREED TO

Ms Lawrie (Leader of Opposition) moved - That this House censure the Chief Minister and his CLP Government for the lack of any ethical standards of leadership and behaviour including:

- Refusing to conduct a full and independent Judicial Inquiry into the actions of CLP slush fund Foundation 51 since its creation;
- Refusing to instigate an inquiry under the *Inquiries Act* into the granting of Water Licenses since September 2012; and
- Failing to ensure that serious allegations of criminal behaviour are immediately passed on to police for investigation.

Mr Elferink (Leader of Government Business) informed the Assembly that the Government would accept the censure motion, pursuant to Standing Order 95.

Debate ensued.

Papers Tabled: Ms Lee (Member for Arnhem), by leave, laid upon the Table –

1. File Notes – Sunday 23 February 2014 Phone Conversation with Mr Peter Maley, Magistrate (Paper 851).

2. Recorded Telephone Calls – Mr Peter Maley and Mr John Elferink (Paper 852).

Debate continued.

Extension of Time: On the motion of Mr Gunner (Member for Fannie Bay), Ms Lee was granted an extension of time.

Debate continued.

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Statement by the Speaker: The Speaker advised Honourable Members that she would order all mobile phone numbers to be redacted from the Parliamentary Record.

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Debate continued.

Question – put

The Assembly divided:

Ayes - 10	**Noes - 12**
Ms Anderson	Mr Barrett
Mr Gunner	Mr Chandler
Mr Kurrupuwu	Mr Conlan
Ms Lawrie	Mr Elferink
Ms Lee	Ms Finocchiaro
Mr McCarthy	Mr Giles
Ms Manison	Mr Higgins
Mr Vatskalis	Mrs Lambley
Mr Vowles	Mrs Price
Ms Walker	Mr Styles
	Mr Tollner
	Mr Westra van Holthe

Motion negatived.

Suspension of sittings: The sitting of the Assembly was suspended between 1.00 pm and 2.15pm.

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5. NOTICES

The following notices were given:

1. Mr Elferink (Attorney-General) to present on the next sitting day a bill entitled – Correctional Services Bill 2014 (Serial 82).

2. Mr Elferink (Attorney-General) to present on the next sitting day a bill entitled – Correctional Services (Related and Consequential Amendments) Bill 2014 (Serial 83).

6. PETITION

Mr Vatskalis (Member for Casuarina), by leave, presented e-Petition No. 37 from 1,548 petitioners, not conforming with Standing Orders relating to exploring and extracting shale oil and gas (Paper 853).

7. KEY CHALLENGES AND OPPORTUNITIES: ISSUES PAPER – TABLED PAPER

Mr Higgins (Chair of the Committee on the Northern Territory's Energy Future) made a statement and laid on the Table - Key Challenges and Opportunities: Issues Paper (Paper 854).

Mr Higgins moved – That the paper be printed.

Question – put and passed

Mr Higgins moved – That the Assembly take note of the report.

Leave was granted for Mr Higgins to continue his remarks at a later time.

8. MANAGEMENT OF INFORMATION AND COMMUNICATION PROJECTS BY GOVERNMENT AGENCIES – TABLED PAPER

Ms Finocchiaro (Chair of the Public Accounts Committee) made a statement and laid on the Table - Management of Information and Communication Projects by Government Agencies (Paper 855).

Ms Finocchiaro moved – That the paper be printed.

Question – put and passed.

Ms Finocchiaro moved – That the Assembly take note of the report.

Leave was granted for Ms Finocchiaro to continue her remarks at a later time.

9. STATEMENT BY SPEAKER – REFLECTING ON THE CHAIR

The Speaker made a statement regarding Members reflecting on the occupant of the Chair and ordered the Member for Johnston to withdraw from the Assembly for one hour pursuant to Standing Order 240A.

10. RESOLUTION TO ESTABLISH THE ESTIMATES COMMITTEE – MOTION AGREED TO

Mr Elferink (Leader of Government Business), pursuant to notice, moved - That the Legislative Assembly resolves to establish the estimates committee pursuant to terms circulated.

Debate ensued.

Mr McCarthy (Member for Barkly) moved the following amendment to the Terms of Reference -

paragraph 7

omit

six members comprising the Chair, two Government Members, and three non-government Members

insert

seven members comprising the Chair, two Government Members, and four non-government Members

Debate ensued.

Question that the amendment be agreed to – put

The Assembly divided:

Ayes - 11	**Noes - 12**
Ms Anderson	Mr Barrett
Mr Gunner	Mr Chandler
Mr Kurrupuwu	Mr Conlan
Ms Lawrie	Mr Elferink
Ms Lee	Ms Finocchiaro
Mr McCarthy	Mr Giles
Ms Manison	Mr Higgins
Mr Vatskalis	Mrs Lambley
Mr Vowles	Mrs Price
Ms Walker	Mr Styles
Mr Wood	Mr Tollner
	Mr Westra van Holthe

Amendment not agreed to.

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

11. STATEMENT BY SPEAKER – REFLECTING ON THE ASSEMBLY

The Speaker made a statement regarding Members reflecting on the Assembly outside of the Chamber and ordered the Member for Nelson to withdraw a Media Release issued earlier today and the Member for Casuarina to remove the Media Release from his social media pages.

12. NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL BILL 2014 (SERIAL 77)

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to establish the Northern Territory Civil and Administrative Tribunal, and for related purposes.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Elferink laid upon the Table the Explanatory Statement (Paper 856).

On the motion of Mr Gunner (Member for Fannie Bay) debate was adjourned.

13. CONSUMER AFFAIRS AND FAIR TRADING AMENDMENT BILL 2014 (SERIAL 86)

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Consumer Affairs and Fair Trading Act*, and for related purposes.

Bill read a first time.

Mr Tollner moved - That the Bill be now read a second time.

Debate ensued.

Paper Tabled: Mr Tollner laid upon the Table the Explanatory Statement (Paper 857).

On the motion of Mr McCarthy (Member for Barkly) debate was adjourned.

14. LIVESTOCK AMENDMENT BILL 2014 (SERIAL 85)

Mr Westra van Holthe (Minister for Primary Industry and Fisheries), pursuant to notice, presented a Bill for an Act to amend the *Livestock Act*.

Bill read a first time.

Mr Westra van Holthe moved - That the Bill be now read a second time.

Debate ensued.

Paper Tabled: Mr Westra van Holthe laid upon the Table the Explanatory Statement (Paper 858).

On the motion of Mr McCarthy (Member for Barkly) debate was adjourned.

15. CRIMINAL CODE AMENDMENT (DANGEROUS DRIVING DURING PURSUIT) BILL 2014 (SERIAL 84)

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the Criminal Code.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Elferink laid upon the Table the Explanatory Statement (Paper 859).

On the motion of Mr Gunner (Member for Fannie Bay) debate was adjourned.

16. POPPY REGULATION BILL 2014 (SERIAL 78) – BILL AGREED TO

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

Debate resumed.

Extension of Time: On the motion of Mr Elferink (Leader of Government Business), Mr Westra van Holthe (Minister for Primary Industry and Fisheries) was granted an extension of time.

Debate continued.

Question - put and passed.

Bill read a second time.

On the motion of Mr Tollner (Treasurer) by leave, the Bill was read a third time and was passed to be a proposed law.

17. REORDER OF THE ROUTINE OF BUSINESS

Mr Westra van Holthe (Minister for Primary Industry and Fisheries), by leave, reordered the Routine of Business so that Government Business, Orders of the Day Number 19, Appropriation (2014-2015) Bill 2014 (Serial 79), be called on.

18. APPROPRIATION (2014-2015) BILL 2014 (SERIAL 79)
Resumption of debate on the question - That the Bill be now read a second time.

Debate resumed.

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

A quorum having been obtained, debate continued.

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

A quorum having been obtained, debate continued.

Extension of Time: On the motion of Mr Tollner (Member for Fong Lim), Mr Conlan (Member for Greatorex) was granted an extension of time.

Debate continued.

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

Debate continued.

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

A quorum having been obtained, debate continued.

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

Debate continued.

Question – put and passed.

Mr Tollner (Treasure) moved - That the committee stage be later taken.

19. LOCAL GOVERNMENT AMENDMENT BILL 2014 (SERIAL 73) – BILL AGREED TO
Resumption of debate 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 Tollner (Treasurer) by leave, the Bill was read a third time and was passed to be a proposed law.

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

And the Assembly adjourned at 11.27pm until Thursday 19 June 2014 at 10.00am.

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PAPERS
No papers were deemed to have been Tabled on 15 May 2014.

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

MICHAEL TATHAM
Clerk of the Legislative Assembly