NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 75
Tuesday 12 February 2019

1. MEETING

The Assembly met at 11.00. The Speaker, the Honourable Kezia Purick, presided.

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY

Mr Paech delivered the acknowledgement of country on behalf of the Assembly.

4. VISITOR

The Speaker advised Honourable Members of the presence the Mayor of Katherine, Fay Miller.

On behalf of all Members the Speaker welcomed the visitors.

5. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from Her Honour the Administrator (Paper 1020):

Message Number 20

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:

29 November 2018
Northern Territory Environment Protection Authority Amendment Act 2018 (Act No. 27 of 2018)

30 November 2018
Health Practitioner Regulation (National Uniform Legislation) and Other Legislation Amendment Act 2018 (Act No. 28 of 2018)

4 December 2018
Water Legislation Amendment Act 2018 (Act No. 29 of 2018)

5 December 2018
Births, Deaths and Marriages Registration and Other Legislation Amendment Act 2018 (Act No. 30 of 2018)

19 December 2018
Electoral Amendment Act 2018 (Act No. 31 of 2018)

Dated 18 January 2019.

6. ADMINISTRATIVE ARRANGEMENTS ORDER

Ms Fyles (Leader of Government Business) tabled a copy of the Administrative Arrangements Order published in the *Northern Territory Gazette No. S5* dated 31 January 2019 (Paper 1021).

7. SPEAKER'S STATEMENTS

The Speaker made a statement regarding the status of the Opposition.

The Speaker made a statement regarding updated copies of the Guide to Procedures and common procedural matters on Members' desks and the incorporation of Hansard questions and debates transcripts into the draft Daily Hansard.

8. PERSONAL EXPLANATION: MR COLLINS

Pursuant to Standing Order 26, having obtained leave from the Chair, Mr Collins explained matters of a personal nature.

9. PERSONAL EXPLANATION: MR MCCONNELL

Pursuant to Standing Order 26, having obtained leave from the Chair, Mr McConnell explained matters of a personal nature.

10. PETITION REPORTS TABLED:REPORTS FROM SCRUTINY COMMITTEE

Speaker tabled responses from Scrutiny Committees regarding Petition Number 26 (Paper 1022), Petition Number 29 (Paper 1023), Petition Number 30 (Paper 1024) and Petition Number 31 (Paper 1025).

11. PETITION REPORT FROM SCRUTINY COMMITTEE ADOPTED

The Clerk advised receipt of a report from the Economic Policy Scrutiny Committee regarding Petition Number 29 (Paper 1023) concerning Section 13 of the *Motor Accident (Compensation) Act* recommending the Assembly debate the petition in February 2019.

Mrs Finocchiaro moved the report be adopted.

Question put and passed.

12. PETITION REPORT FROM SCRUTINY COMMITTEE

The Clerk advised receipt of a report from the Economic Policy Scrutiny Committee regarding Petition Number 26 (Paper 1022) Support Vapers' Rights recommending the Assembly debate the petition in February 2019.

13. PETITION REPORT FROM SCRUTINY COMMITTEE ADOPTED

The Clerk advised receipt of a report from the Economic Policy Scrutiny Committee regarding Petition Number 30 (Paper 1024) concerning a rural based water and swimming complex recommending the Assembly debate the petition in February 2019.

Mr Wood moved the report be adopted.

Question put and passed.

14. PETITION REPORT FROM SCRUTINY COMMITTEE ADOPTED

The Clerk advised receipt of a report from the Economic Policy Scrutiny Committee regarding Petition Number 31 (Paper 1025) concerning 'Don't let the NT Government call last drinks on family businesses' recommending the Assembly debate the petition in February 2019.

Mrs Finocchiaro moved the report be adopted.

Question put and passed.

15. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Mr Costa (Deputy Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Licensed Surveyors Amendment Bill 2018 (Serial 66) (Paper 1026) and Minutes of Proceedings (Paper 1027) and made a statement.

Mr Costa moved that the Assembly take note of the report.

Question put and passed.

16. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE REPORT NOTED

Mr Costa (Deputy Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Superannuation Legislation Amendment Bill 2018 (Serial 65) (Paper 1028) and Minutes of Proceedings (Paper 1029) and made a statement.

Mr Costa moved that the Assembly take note of the report.

Mr Wood.

Question put and passed.

17. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE REPORT NOTED

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Criminal Code Amendment Bill 2018 (Serial 69) (Paper 1032) and Minutes of Proceedings (Paper 1033) and made a statement.

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

Question put and passed.

18. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE REPORT NOTED

Mr Costa (Deputy Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Justice Legislation Amendment Bill 2018 (Serial 73) (Paper 1030) and Minutes of Proceedings (Paper 1031) and made a statement.

Mr Costa moved that the Assembly take note of the report.

Question put and passed.

19. SUPERANNUATION LEGISLATION AMENDMENT BILL 2018 (SERIAL 65)

Ms Manison moved the Bill be read a second time.

Mr Higgins, Mr McCarthy.

Visitors: The Deputy Speaker advised Honourable Members of the presence in the gallery of students from Wagaman Primary School and Mrs Dawn McCarthy.

On behalf of all Members the Deputy Speaker welcomed the visitors.

Ms Lawler, Mr Wood, Mrs Worden.

Debate suspended.

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

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20. NOTICES

The following notices were given:

1. Ms Manison (Treasurer) will present on the next Meeting Day a Bill entitled Motor Accidents (Compensation) Amendment Bill 2019 (Serial 78).
2. Ms Lawler (Environment and Natural Resources) will present on the next Meeting Day a Bill entitled Water Amendment Bill 2019 (Serial 80).
3. Mr Higgins (Leader of the Opposition) will move on 12 March 2019 that the Assembly, pursuant to section 24(1)(a) of the *Electoral Act*, expresses that the Government no longer possesses the confidence of the Assembly.
4. Mrs Finocchiaro (Deputy Leader of the Opposition) will move on the next General Business Day:

   That this Assembly:

   1. Recognises that the Northern Territory is headed towards a fiscal crisis based on its "Plan for Budget Repair' dated 14 December 2018;

   2. Acknowledges that this crisis transcends the party divide; and

   3. Takes responsibility as a whole to address the dire state of the Northern Territory finances.

21. PETITION

Mrs Finocchiaro presented Petition Number 32 from 201 petitioners praying that alcohol floor price legislation be repealed and the reintroduction of repeal legislation (Paper 1034).

Petition read.

22. MOTION: PETITION REFERRED TO SCRUTINY COMMITTEE AGREED TO

Mrs Finocchiaro moved that Petition Number 32 be referred to the Social Policy Scrutiny Committee.

Question put and passed

23. QUESTIONS

14.03 Mr Higgins to Mr Gunner

Visitors: The Speaker advised Honourable Members of the presence in the gallery of members of the Katherine Senior Citizens Association.

On behalf of all Members the Speaker welcomed the visitors.

14.08 Mrs Worden to Mr Gunner
14.11 Mrs Finocchiaro to Mr Gunner
14.15 Mr Sievers to Mr Gunner
14.19 Mrs Finocchiaro to Ms Manison
14.22 Mr Paech to Ms Uibo

24. 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 inability in addressing the current economic crisis and for plunging the Territory into financial oblivion.

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

Paper Tabled: Mr Higgins, by leave, tabled: Statement from the Opposition and Independent Members of the Legislative Assembly, Whole of Parliament approach to addressing the Northern Territory fiscal crisis (Paper 1047).

Question put.

The Assembly divided:

Ayes 6	**Noes 16**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Mr Costa
Mr Guyula	Ms Fyles
Mr Higgins	Mr Gunner
Mrs Lambley	Mr Kirby
Mr Mills	Ms Lawler
	Mr McCarthy
	Mr McConnell
	Ms Manison
	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers
	Ms Uibo
	Ms Wakefield
	Mrs Worden

Motion not agreed to.

25. SUPERANNUATION LEGISLATION AMENDMENT BILL 2018 (SERIAL 65): BILL AGREED TO

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

Ms Nelson, Ms Manison.

Papers Tabled: Ms Manison (Treasurer) tabled the following papers:

1. Statewide Superannuation – Responses to Media Questions (Paper 1048).
2. ABC News Article NT Government switches to super fund with ties to Territory Union (Paper 1049).

Question put and passed.

Bill read a second time.

By leave, on the motion of Ms Manison (Treasurer), the Bill was read a third time and passed to be a proposed law.

26. MINISTERIAL POLICY STATEMENT: PUTTING TERRITORIANS FIRST MOTION TO NOTE

Mr Gunner (Chief Minister) made a statement regarding the Territory's future.

Mr Gunner moved that the Assembly take note of the Statement.

On the motion of Mr McCarthy debate was adjourned.

27. PAPERS TABLED

The Deputy Speaker tabled:

1. Auditor-General's Report into a review of an allegation under the *Public Information Act 2010* dated 24 January 2019 to the Legislative Assembly (Paper 1050).
2. Quarterly Members Fuel Transaction Reports, October - December 2018 (Paper 1051).

28. GOVERNMENT RESPONSE TO SCRUTINY COMMITTEE REPORT

The Clerk reported that Ms Fyles (Attorney-General and Minister for Justice) presented the Government's response to the Social Policy Scrutiny Committee report of enquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018, pursuant to Standing Order 201 on 20 December 2018 (Paper 1052)

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

The Assembly deferred consideration of the following reports:

1. *Public Accounts Committee Inquiry into Taxi Licensing and Subleasing Report* (Paper 554).
2. *Auditor-General for the Northern Territory, November 2017, Report to the Legislative Assembly (Paper 580).*
3. *Auditor-General for the Northern Territory, March 2018, Report to the Legislative Assembly* (Paper 677).
4. *Auditor-General for the Northern Territory, November 2018, Report to the Legislative Assembly* (Paper 1017).

30. RESPONSES TO PETITIONS

The Clerk, pursuant to Standing Order 123, tabled responses to Petition Number 25, Treatment of elderly pensioners by NT Environmental Protection Agency and Department of Environment and Natural Resources, Petition Number 26, Support Vapers' Rights, Petition Number 31, Don't let the NT Government call last drinks on family businesses (Paper 1053).

31. MATTER OF PUBLIC IMPORTANCE: OPPOSITION STATUS

The Deputy Speaker advised the Assembly that Mr Wood had proposed a Matter of Public Importance.

Opposition, independents, alliances, coalitions, parties - who or what are they in today's NT Legislative Assembly and do they reflect how our Parliament is made up today and will be into the future?

Having received the necessary support, discussion ensued.

Mr Wood, Ms Fyles.

Paper Tabled: Ms Fyles (Attorney-General and Minster for Justice) tabled: Advice from Solicitor-General Northern Territory of Australia, regarding the Formation of the Opposition by Independents from Sonia Brownhill SC (Paper 1054).

Mrs Lambley, Mr Guyula, Mr Collins, Mr Mills.

Discussion concluded.

32. ADJOURNMENT

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

Ms Wakefield, Mr Paech, Ms Ah Kit, Mr Kirby, Ms Purick, Ms Nelson, Ms Uibo.

Paper Tabled: Ms Uibo, by leave, tabled: List of names, Northern Territory Board of Studies 2018 Award Winners (Paper 1055).

Ms Moss.

The Assembly adjourned at 20.23 until Wednesday 13 February 2019 at 10.00.

DEEMED PAPERS

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

Annual Reports 2017-2018

Electrical Workers and Contractors Licensing Board (Paper 1035)
Nitmiluk (Katherine Gorge) National Park (Paper 1036)
Museum and Art Gallery of the Northern Territory (Paper 1037)

***Professional Standards Act 1994* (NSW)**

The Australian Computer Society Professional Standards Scheme (Paper 1038)

Subordinate Legislation 2018

No. 23 of 2018, Local Court Amendment Regulations 2018 (Paper 1039)
No. 24 of 2018, Pastoral Land Amendment Regulations 2018 (Paper 1040)
No. 25 of 2018, Fisheries Amendment (Off-Shore Net and Line Fishery) Regulations 2018 (Paper 1041)
No. 26 of 2018, National Electricity (Northern Territory) (National Uniform Legislation) (Modification) Amendment Regulations 2018 (Paper 1042)
No. 27 of 2018, Petroleum (Environment) Amendment Regulations 2018 (Paper 1043)
No. 28 of 2018, Petroleum (Environment) Further Amendment Regulations 2018 (Paper 1044)
No. 29 of 2018, Plant Health (Fees) Amendment Regulations 2018 (Paper 1045)
No. 30 of 2018, Traffic Amendment Regulations 2018 (Paper 1046)

ATTENDANCE

All Members attended the meeting.

MICHAEL TATHAM
Clerk of the Legislative Assembly