NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 27
Thursday 11 May 2017

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

2. PRAYERS

3. SPEAKER'S STATEMENTS
The Speaker made a statement regarding breaches of Standing Order 245.

The Speaker made a statement regarding the launch of the Legislative Assembly's Facebook page.

4. MOTION: ESTABLISHMENT OF AN ESTIMATES COMMITTEE TERMS OF REFERENCE AGREED TO
Ms Fyles (Leader of Government Business), moved:

This Assembly resolves that:

1. There be appointed an Estimates Committee of the Legislative Assembly (the Committee) for the purposes of examining and reporting on the:

   (a) Estimates of proposed expenditure contained in the Appropriation (2017-2018) Bill (the Appropriation Bill) and related budget documents.

   (b) Activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy and Territory Generation, with reference to those corporations' Statements of Corporate Intent 2017-18; and

   (c) The performance of Agencies as outlined in their Annual Reports.

2. The membership of the Committee will be four Government Members and one Opposition Member and two non-party aligned Members to be appointed by motion without notice. Pursuant to SO193(2), Members of the Assembly who are not members of the Committee may participate in public hearings of the Committee, provided that at any time a quorum of 3 members of the Committee is maintained. Proxy Members can be nominated prior to the Chair in writing.

3. Unless otherwise ordered by the Committee, the Committee will hold hearings:

   (a) For up to 30 hours in relation to 1(a) and (b) on:

- Monday, 19 June 2017
- Tuesday, 20 June 2017
- Wednesday, 21 June 2017

(b) For up to 30 hours in relation to 1(c) on:

- Tuesday, 28 November 2017
- Wednesday, 29 November 2017
- Thursday, 30 November 2017

4. The Committee shall examine the proposed expenditure contained in the Appropriation Bill by portfolios in accordance with the schedule to be published by the Committee and the proposed expenditure shall be considered on an output by output basis for each portfolio unit.

5. The Committee shall publish a schedule of the times allotted for hearing from Ministers, the Speaker and Board Chairs.

6. The maximum total time of the appearance at all hearings of each of the Chief Minister and the Treasurer shall be 8 hours, and for each other Minister and the Speaker shall be 7 hours.

7. All hearings of the Committee are to be open to the public unless the Committee orders otherwise.

8. All questions should conform to Standing Order 109 and answers will be concise and directly relevant to the question asked.

9. Answers to questions taken on notice during the June hearings, or additional information about an answer given by or on behalf of a Minister, the Speaker or Board Chair, are to be written and given to the First Clerk Assistant by 13 July 2017, or other earlier time decided by the Committee. For the November hearings, such answers or information are to be submitted by 14 December 2017. Answers or additional information so received are deemed to be documents presented to the Committee.

10. The Clerk of the Legislative Assembly is authorised to publish a transcript of the Committee proceedings, whether or not it has been edited, as soon as practicable.

11. Evidence taken in public by the Committee and documents presented to the Committee are deemed to be authorised for publication by the Committee, unless the Committee orders otherwise.

12. At a hearing of the Committee, the Chair may, after a warning, order any Member of the Assembly whose conduct, in the opinion of the Chair, continues to be disorderly or disruptive to immediately withdraw from the Committee for a period of 1 hour.

13. Following its second reading, the Appropriation (2017-2018) Bill stands referred to the Committee for report by 22 June 2017.

14. The Committee is to report on its consideration of Annual Reports at the next available sitting day.

15. When the Committee's report on the Appropriation Bill is presented the Assembly shall immediately consider the question:

    That the expenditure proposed in the Appropriation (2017-2018) Bill stand as part of the Bill, and the report of the Estimates Committee be noted.

16. The following time limits shall apply to the debate on the Committee's report on the Appropriation Bill:

    - Ministers, Leader of the Opposition and Shadow Ministers: 20 minutes;
    - Any other Member: 10 minutes;
    - The maximum period for consideration shall be 5 hours.

17. When the question on the expenditure proposed in the Appropriation (2017-2018) Bill is agreed to, the following question is proposed and put immediately:

    That the remainder of the Bill stand as part of the Bill.

18. When the Appropriation Bill has been agreed to by the Assembly, the third reading may be taken into consideration immediately.

19. Pursuant to Standing Order 4, the dates on which the Assembly will meet during November will be 21, 22 and 23 November 2017.

20. This resolution shall have effect notwithstanding anything contained in Standing and Sessional Orders.

Mr Higgins, Mr Gunner.

Mr Gunner moved the following amendment:

That the terms of reference as circulated be amended to delete all words in paragraph 2 after 'Proxy members can' and insert the following:

'also make up the quorum if previously nominated to the chair in writing'.

Mrs Finocchiaro, Mr Wood, Mr Mills, Mrs Lambley, Ms Fyles.

Question, that the amendment be agreed to, put and passed.

Question, that the Motion as amended be agreed to, put.

The Assembly divided:

Ayes 17	**Noes 5**
Ms Ah Kit	Mrs Finocchiaro
Mr Collins	Mr Higgins
Mr Costa	Mrs Lambley
Ms Fyles	Mr Mills
Mr Gunner	Mr Wood
Mr Kirby	
Ms Lawler	
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	

Mr Vowles
Ms Wakefield
Mrs Worden

Motion as amended agreed to.

5. MOTION: ESTIMATES COMMITTEE MEMBERSHIP AGREED TO

Ms Fyles (Leader of Government Business) moved that in accordance with the Assembly's resolution today that the following Members be appointed to the Estimates Committee: Ms Ah Kit, Ms Uibo, Mr Paech, Ms Nelson, Mr Higgins, Mr Mills and Mrs Lambley.

Question put and passed.

6. MOTION: 50TH ANNIVERSARY OF THE 1967 REFERENDUM

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

That this Assembly:

- notes the upcoming 50th anniversary of the 1967 referendum leading to greater national recognition and attention to the issues of importance to Aboriginal Australians;
- acknowledges the importance of this referendum in underpinning recognition, reconciliation and respect for all Aboriginal Australians and, in particular, Aboriginal Australians here in the Northern Territory; and
- expresses its support for work being undertaken, both by government and the wider Northern Territory community, to advance respect, recognition and the well-being of Aboriginal Territorians in the Northern Territory.

Debate suspended.

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

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7. CHIEF MINISTER STATEMENT

The Chief Minister made a statement regarding the death of a soldier in the Northern Territory on 10 May 2017.

Mr Gunner, Mr Higgins, Mr Wood, Ms Purick.

8. RESPONSE TO PETITION

The Clerk, pursuant to Standing Order 123, presented a response to Petition Number 7, Change *Gazette S119* to bring Dan Murphys to Darwin (Paper 296).

9. QUESTIONS

14:02 Mr Higgins to Mr Gunner
14:06 Mrs Worden to Mr Gunner
14:09 Mrs Finocchiaro to Ms Wakefield
14:14 Mr Sievers to Ms Manison
14:17 Mrs Finocchiaro to Ms Wakefield
14:21 Ms Uibo to Ms Wakefield
14:24 Mrs Lambley to Mr Gunner
14:29 Ms Ah Kit to Ms Fyles

14:32 Mr Mills to Mr Gunner
14:35 Mr Kirby to Ms Moss
14:39 Mr Wood to Mr Gunner
14:42 Mr Costa to Mr McCarthy
14:46 Mrs Finocchiaro to Mr Gunner
14:49 Mrs Finocchiaro to Mr Gunner – Supplementary
14:50 Mr Sievers to Ms Lawler
14:54 Mr Higgins to Mr Gunner
14:58 Mr Wood to Ms Manison
15:00 Ms Nelson to Mr Vowles

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

10. MOTION: 50TH ANNIVERSARY OF THE 1967 REFERENDUM AGREED TO

Resumption of debate on the question that the Assembly notes the upcoming 50th anniversary of the 1967 referendum.

Mr Higgins, Mr Vowles.

Mr Vowles moved the following amendment:

Insert after each occurrence of the word "Aboriginal" the following:

'and Torres Strait Islander'.

Mr Wood, Mr Costa, Ms Uibo, Mr McCarthy, Mrs Worden, Ms Nelson, Ms Ah Kit, Mr Paech, Ms Manison, Mr Gunner.

Amendment agreed to.

Question put and agreed to.

11. PAROLE AMENDMENT BILL 2017 (SERIAL 21)

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

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 303).

On the motion of Mrs Finocchiaro debate was adjourned.

12. CONSUMER AFFAIRS AND FAIR TRADING LEGISLATION AMENDMENT BILL 2017 (SERIAL 17): BILL AGREED TO

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

Mr Sievers, Mrs Worden, Mr McCarthy, Ms Fyles, Ms Manison.

Question put.

The Assembly divided:

Ayes 16	**Noes 3**
Ms Ah Kit	Mrs Finocchiaro
Mr Collins	Mr Higgins
Mr Costa	Mr Wood
Ms Fyles	
Mr Gunner	
Mr Kirby	
Ms Lawler	

Mr McCarthy
Ms Manison
Ms Moss
Ms Nelson
Mr Paech
Mr Sievers
Ms Uibo
Ms Wakefield
Mrs Worden

Motion agreed to.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Bill, by leave, taken as a whole.

Debate ensued.

Question put that the Bill stand as printed, agreed to.

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

13. APPROPRIATION (2017-2018) BILL 2017 (SERIAL 20)

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

Mr Costa, Ms Manison.

Question put and passed.

Bill read a second time.

On the motion of Ms Manison (Treasurer), consideration in detail of the Bill to be taken at a later time.

Motion agreed to.

14. MOTION: LEAVE OF ABSENCE AGREED TO

Ms Fyles moved that a leave of absence for today be granted to Mr McConnell due to personal reasons.

Motion agreed to.

15. PAPERS TABLED

The Deputy Speaker tabled:

1. Schedule of Government Responses to Committee Reports, March 2017 (Paper 304).
2. Travel Report, Member for Blain, Mr Terry Mills to attend the Austrade Vocational Education event in Jakarta and Surabaya from 2-11 March 2017, dated 8 May 2017 (Paper 305).

16. PAPER TABLED: COMMITTEE OF MEMBERS' INTERESTS, REPORT INTO MATTER OF TABLED INFORMATION DISCLOSING A HOME ADDRESS, MAY 2017 REPORT ADOPTED

Ms Fyles (Chair of Committee of Members' Interests) tabled *Report into matter of Tabled Information disclosing a Home Address, May 2017* (Paper 306) and made a statement.

Ms Fyles moved that the Assembly adopt the report.

Question put and passed.

17. PAPER TABLED: STANDING ORDER COMMITTEE, REPORT ON PROPOSED SESSIONAL ORDER FOR REORDERING OF GENERAL BUSINESS ON THE NOTICE PAPER, MAY 2017 REPORT ADOPTED

Ms Fyles (Chair of Standing Order Committee) tabled *Report on Proposed Sessional Order for Reordering of General Business on the Notice Paper, May 2017* (Paper 307) and made a statement.

Ms Fyles moved that the Assembly adopt the report.

Question put and passed.

18. PAPER TABLED: SUBORDINATE LEGISLATION AND PUBLICATIONS COMMITTEE, REPORT OF MINISTERIAL CORRESPONDENCE ON SUBORDINATE LEGISLATION AND PUBLICATIONS, OCTOBER 2016-MAY 2017 REPORT NOTED

Mr Sievers (on behalf of the Chair of Subordinate Legislation and Publications Committee) tabled *Report of Ministerial Correspondence on Subordinate Legislation and Publications, October 2016 – May 2017* (Paper 308) and made a statement.

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

Question put and passed.

19. PAPER TABLED: SUBORDINATE LEGISLATION AND PUBLICATIONS COMMITTEE, REPORT OF MINISTERIAL CORRESPONDENCE ON SUBORDINATE LEGISLATION AND PUBLICATIONS, OCTOBER 2016- MAY 2017, ASSOCIATED MINUTES REPORT NOTED

Mr Sievers (on behalf of the Chair of Subordinate Legislation and Publications Committee) tabled *Report of Ministerial Correspondence on Subordinate Legislation and Publications, October 2016 - May 2017, Associated Minutes of Proceedings* (Paper 309) and made a statement.

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

Question put and passed

20. MOTION: AUDITOR-GENERAL FOR THE NORTHERN TERRITORY: REPORT TO THE LEGISLATIVE ASSEMBLY, MARCH 2017 AGREED TO

Resumption of debate on the question that the Assembly take note of the Report.

Ms Fyles.

Question put and passed.

21. ADJOURNMENT

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

Mr Gunner, Mrs Finocchiaro, Ms Purick, Ms Wakefield, Ms Ah Kit, Mr Sievers, Mrs Worden.

The Assembly adjourned at 20.38 until 22 June 2017 at 10.00.

DEEMED PAPERS

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

Government Owned Corporations Act:

Letter, to Mr Ken Clarke, Power Water Corporation Board, Issuing a Direction to adopt and comply with the Corporate Governance and Reporting Framework for Government Owned Corporations, from Ms Nicole Manison, dated 10 April 2017 (Paper 297).

Letter, to Mr Noel Faulkner, Jacana Energy Board Issuing a Direction to adopt and comply with the Corporate Governance and Reporting Framework for Government Owned Corporations, from Ms Nicole Manison, dated 10 April 2017 (Paper 298).

Letter, to Mr David De Silva, Territory Generation Board, Issuing a Direction to adopt and comply with the Corporate Governance and Reporting Framework for Government Owned Corporations, from Ms Nicole Manison, dated 10 April 2017 (Paper 299).

Statement of Corporate Intent 2017-18:

Power and Water Corporation, Statement of Corporate of Intent 2017-18 (Paper 300)

Power Retail Corporation (Trading as Jacana Energy), Statement of Corporate Intent 2017-18, Public Version (Paper 301).

Territory Generation, Statement of Corporate Intent 2017-18 (Paper 302).

ATTENDANCE

All Members attended the meeting, except Mr McConnell on leave.

MICHAEL TATHAM
Clerk of the Legislative Assembly