

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 68

Thursday 28 August 2014

1. MEETING

The Assembly met at 10am. The Speaker, the Honourable Kezia Purick took the Chair.

2. PRAYERS

3. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of two year 6 classes from Driver Primary School accompanied by Brianna Grazioli and Bryan Downing.

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

4. LEAVE OF ABSENCE – AGREED TO

Mr Gunner (Member for Fannie Bay) moved – That a leave of absence for today be granted to Ms Manison (Member for Wanguri) on account of personal reasons.

Motion agreed to.

5. LEAVE OF ABSENCE – AGREED TO

Ms Anderson (Member for Namatijira) moved – That a leave of absence for today be granted to Mr Kurrupuwu (Member for Arafura) on account of personal reasons.

Motion agreed to.

6. QUESTIONS

10.02 Ms Lawrie to Chief Minister

10.04 Mrs Finocchiaro to Chief Minister

Visitor: The Speaker advised Honourable Members of the presence in the gallery of the daughter-in-law of the Member for Barkly.

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

10.08 Mr Gunner to Chief Minister

10.12 Mr Higgins to Chief Minister

10.16 Mr Gunner to Attorney-General and Minister for Justice

10.20 Mr Tollner to Chief Minister

10.24 Mr Wood to Minister for Lands, Planning and the Environment

Visitors: The Speaker advised Honourable Members of the presence in the gallery of a year 5/6 class from Driver Primary School accompanied by Ruth Billeter and Carlene Blumberg.

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

10.29 Mr Barrett to Chief Minister

10.32 Mr Gunner to Attorney-General and Minister for Justice

10.37 Mrs Finocchiaro to Chief Minister

Paper Tabled: Mr Giles (Chief Minister) laid upon the Table – NT News Advertisement, Stella Maris Development Expression of Interest (Paper 1007).

Suspension of Standing Orders

Ms Lawrie (Leader of the Opposition) moved — That so much of Standing Orders be suspended as would prevent this house from censuring the Chief Minister and the Government.

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

7. CENSURE OF CHIEF MINISTER AND THE GOVERNMENT

Ms Lawrie (Leader of the Opposition) moved – That this house censures the Chief Minister and the CLP Government for: their lies, culture of cover up and failure to govern with the integrity and honesty Territorians require.

Debate ensued.

Debate suspended.

Suspension of sittings: The sitting of the Assembly was suspended between 12 noon and 2.00pm.

8. CENSURE OF CHIEF MINISTER AND THE GOVERNMENT – MOTION NOT AGREED TO

Resumption of debate on the question – that this house censures the Chief Minister and the CLP Government for: their lies, culture of cover up and failure to govern with the integrity and honesty Territorians require.

Debate resumed.

Question – put

The Assembly divided:

Ayes - 7

Ms Fyles
Mr Gunner
Ms Lawrie
Mr McCarthy
Mr Vatskalis
Mr Vowles
Ms Walker

Noes - 13

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mrs Finocchiaro
Mr Giles
Mr Higgins
Mrs Lambley
Mrs Price
Ms Purick
Mr Styles
Mr Tollner
Mr Westra van Holthe

Motion not agreed to.

9. ESTABLISHMENT OF THE GOVERNMENT OWNED CORPORATIONS SCRUTINY COMMITTEE– MOTION AGREED TO

Mr Elferink (Leader of Government Business) pursuant to notice, moved – This Assembly resolves to establish the Government Owned Corporations Scrutiny Committee pursuant to terms circulated.

TERMS OF REFERENCE

**ESTABLISHMENT OF THE GOVERNMENT OWNED CORPORATIONS SCRUTINY
COMMITTEE**

A. INTRODUCTION

1. Notwithstanding anything contained in Standing and Sessional Orders, there be appointed a Government Owned Corporations Scrutiny Committee (the Committee) for the purpose of examining and reporting on the 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 for 2014-15.

B. MEMBERSHIP

2. The members, Chair and Deputy Chair of the Government Owned Corporations Scrutiny Committee shall be the same as the Public Accounts Committee. The Deputy Chair will act as the Chair during the absence of the Chair during a meeting or during a vacancy in the position of Chair.
3. Members of the Assembly who are not members of the Committee may participate in public hearings of the Committee, provided that at any time participating Members are limited to six members comprising the Chair, two Government Members, two Opposition Members and one Independent Member.
4. Members of the Assembly who are not members of the Committee may not vote on any matters before the Committee.
5. The Committee may proceed with business despite a vacancy in its membership.
6. The Chair of the Committee shall have a deliberative and a casting vote.
7. The quorum of the Committee is three members of the Committee.
8. If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present, or adjourn the Committee until a time and date to be fixed.

C. HEARING TIMES

9. Unless otherwise ordered by the Committee, the Committee shall hold hearings on Wednesday, 15 October 2014.

D. HEARING PROCEDURE

10. All hearings of the Committee are open to the public unless the Committee orders otherwise.
11. Unless the Committee determines otherwise, a Board Chair may make an opening statement lasting up to five minutes, which may be extended with the leave of the Committee.
12. Members may ask questions relating to the activities, performance, practices and financial management of the relevant corporation.
13. Questions shall be directed to the Board Chair in the first instance. The Board Chair may refer a question to an officer, who may then be directly questioned on subsequent questions on the same subject, unless the Board Chair chooses to take the questions.
14. Officers shall not be required to comment on policy matters, including giving an opinion.

15. All questions should conform to Standing Orders 112, 113 and 114 (general rules for questions).

E. QUESTIONS TAKEN ON NOTICE AT HEARINGS AND ADDITIONAL INFORMATION

16. A Board Chair may advise the Committee that an answer to a question or part of a question will be provided later to the Committee. At that time the Chair shall note the question or that part of the question taken on notice and any clarification required. The text of questions on notice will be distributed to the Board Chairman by the Committee Secretariat.
17. A Board Chairman may give the Committee additional information about an answer given by them or on their behalf.
18. The answer or additional information is to be written and given to the Clerk Assistant – Committees by 29 October 2014, or other earlier time decided by the Committee, and the Chair may present it to the Assembly in accordance with Standing Order 280 by 30 October 2014. Additional information or answers so received are deemed to be documents presented to the Committee (see paragraph 20).

F. HANSARD REPORT AND OTHER TABLED DOCUMENTS

19. 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.
20. 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.

G. BROADCASTING AND TELEVISIONING OF PROCEEDINGS

21. Sound and vision of the hearings of the Committee may be broadcast and re-broadcast, subject to the same conditions which apply to the sittings of the Assembly and as determined by the Committee.

H. DISORDER

22. 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 withdraw from the Committee for a period of 1 hour.
23. A member ordered to withdraw by the Chair must immediately withdraw for the stated period.
24. If a Member persistently disrupts the business of the Committee, the Chair may name the Member and:
 - (a) If the Member named is a member of the Committee, suspend the sittings until the Chair has reported the offence to the Speaker; or
 - (b) If the Member named is not a member of the Committee, order that the Member withdraw from the sittings of the Committee until the Chair has reported the offence to the Speaker.
25. On the naming of a Member:
 - (a) The Chair shall advise the Speaker of the Naming of a Member as soon as practicable.
 - (b) If the Member named was a member of the Committee, the Speaker shall declare that the Member named is no longer a member of the Committee and give notice to that

effect to the Member, the Chief Minister, Leader of the Opposition and Chair of the Committee and:

- (i) if the named Member was a Government Member, ask the Chief Minister to nominate a Government Member to the Committee or,
 - (ii) if the Member was an Opposition Member, ask the Leader of the Opposition to nominate an Opposition Member to the Committee.
 - (c) Any such change to the Government Owned Corporations Committee does not affect the membership of the Public Accounts Committee.
 - (d) If the Member named was not a member of the Committee, the Speaker shall declare that the Member may no longer participate in the proceedings of the Committee and give notice to that effect to the Member, the Chief Minister, Leader of the Opposition and Chair of the Committee.
26. If any objection is taken to a ruling of the Chair:
- (a) the objection must be taken at once and stated in writing;
 - (b) the Chair, as soon as practicable, shall advise the Speaker who shall make a ruling on the matter; and
 - (c) the Committee may continue to meet but not further examine the matter then under consideration and which is the subject of the objection.

I. REPORT OF GOVERNMENT OWNED CORPORATIONS SCRUTINY COMMITTEE

27. The Committee will report by 30 October 2014.

Debate ensued.

Question – put and passed.

10. AMENDMENT TO THE SELECT COMMITTEE ON ACTION TO PREVENT FOETAL ALCOHOL SPECTRUM DISORDER – MOTION AGREED TO

Mr Elferink (Leader of Government Business) pursuant to notice, moved – That the Assembly amends its resolution of 26 March 2014 establishing the Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder by deleting “October” in paragraph 6 and inserting instead “November”.

Debate ensued.

Question – put and passed.

11. FIREARMS AMENDMENT BILL 2014 (SERIAL 94)

Mr Giles (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Firearms Act*, and for related purposes.

Bill read a first time.

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

Debate ensued.

Paper Tabled: Mr Giles laid upon the Table the Explanatory Statement (Paper 1010).

On the motion of Ms Lawrie (Member for Karama) debate was adjourned.

12. STATUTE LAW REVISION BILL 2014 (SERIAL 95)

Mr Elferink (Attorney-General), pursuant to notice, presented a Bill for an Act to make miscellaneous minor amendments to various laws.

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 1011).

On the motion of Ms Lawrie (Member for Karama) debate was adjourned.

13. PAROLE AMENDMENT BILL 2014 (SERIAL 96)

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

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 1012).

On the motion of Ms Fyles (Member for Nightcliff) debate was adjourned.

14. TABLED PAPER – STATEMENTS OF CORPORATE INTENT FOR THE POWER AND WATER ENTITIES

Mr Giles (Chief Minister) made a statement and laid on the Table –

1. Power and Water Corporation, Statement of Corporate Intent 2014-2015 (Paper 1013);
2. Territory Generation Power Generation Corporation (Trading as Territory Generation) 2014-2015 Interim Statement of Corporate Intent Public Version (Paper 1015); and
3. Interim Statement of Corporate Intent 2014-2015 Power Retail Corporation trading as *Jacana Energy* (Paper 1014).

15. TABLED PAPER – ENVIRONMENT PROTECTION (BEVERAGE CONTAINERS AND PLASTIC BAGS) REPORT

Mr Chandler (Minister for Lands, Planning and the Environment) made a statement and laid on the Table – Northern Territory Government, Northern Territory Plastic Bags Ban Review, Report - June 2014 (Paper 1016).

16. STELLA MARIS INQUIRY REPORT – MOTION TO NOTE AGREED TO

Mr Giles (Chief Minister) continued his remarks regarding the Stella Maris Inquiry Report.

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

Debate ensued.

Question – put and passed .

17. PAPERS

The Speaker laid upon the Table - Report on a visit by a Delegation from the Northern Territory to Niue, June 2014, with assistance from the Commonwealth Parliamentary Association, August 2014 (Paper 1017).

18. ADJOURNMENT

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

Visitors: The Speaker advised Honourable Members of the presence in the gallery of:

1. Hon Mrs Jane Aagaard, former Speaker, Ms Marion Scrymgour, former Deputy Chief Minister and Dr Chris Burns, former Member for Johnston;
2. Harry and Patrick Walker, the sons of the Member for Nhulunbuy;
3. Mrs Dawn McCarthy, the wife of the Member for Barkly; and
3. Darwin Pipes and Drums.

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

Paper Tabled: Mr Gunner (Member for Fannie Bay), by leave, laid upon the Table - Letter, to Mr Adam Giles, from Mr Norm McCleary, re pegging mining leases south of Alice Springs, Pamela and Angela uranium prospects, dated 20 May , Email to Peter Maley, from McCleary Investments P/L – No fallout for the CLP no matter what, dated 18 March 2013 (Paper 1018).

Debate resumed.

And the Assembly adjourned at 6.49pm until Tuesday 21 October 2014 at 10.00am.

PAPERS

The following papers were deemed to have been Tabled on 28 August 2014 -

Annual Report 2012/2013

Charles Darwin University 2013 (Paper 1008)

Charles Darwin University 2013 Financial Statements (1009)

ATTENDANCE

All Members attended the sittings, except Ms Manison and Mr Kurrupuwu, on leave.

MICHAEL TATHAM

Clerk of the Legislative Assembly