

# MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 46

Thursday 13 February 2014

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## 1. MEETING

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

## 2. QUESTIONS

10.01 Ms Lawrie to Chief Minister

10.04 Mr Higgins to Chief Minister

**Paper Tabled:** Mr Giles (Chief Minister) laid upon the Table - Department of Business, Wholesale Alcohol Supply to June 2013 (Paper 714).

10.07 Ms Walker to Chief Minister

10.12 Ms Finocchiaro to Attorney-General and Minister for Justice

10.16 Mr Vatskalis to Chief Minister

10.20 Ms Lee to Minister for Sport, Recreation and Racing

10.23 Mr Wood to Chief Minister

10.26 Ms Manison to Chief Minister

10.30 Ms Anderson to Minister for Transport

10.33 Ms Fyles to Chief Minister

10.37 Mr Kurrupuwu to Minister for Education

10.41 Mr McCarthy to Chief Minister

10.45 Ms Lee to Minister for Parks and Wildlife

10.48 Mr Wood to Minister for Primary Industry and Fisheries

10.52 Mr Vowles to Minister for Parks and Wildlife

10.56 Ms Finocchiaro to Minister for Sport, Recreation and Racing

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

## 3. SUSPENSION OF STANDING ORDERS – MOTION NOT AGREED TO

Ms Lawrie (Leader of the Opposition) moved — That so much of standing orders be suspended as would prevent me from moving a motion to refer the Power and Water Corporation Legislation Amendment Bill, the Power Generation Corporation Bill and the Power Retail Corporation Bill to the Public Accounts Committee so that committee of this parliament may scrutinise those three bills, may speak to Territorians, hold public hearings throughout the Northern Territory and find out exactly the detail of this so-called expert evidence.

Mr Elferink (Leader of Government Business) moved - That the question now be put.

Question - put

The Assembly divided:

### **Ayes - 14**

Ms Anderson

Mr Chandler

Mr Conlan

Mr Elferink

Ms Finocchiaro

Mr Giles

Mr Higgins

Mr Kurrupuwu

Mrs Lambley

Ms Lee

Mrs Price

Mr Styles

### **Noes - 9**

Ms Fyles

Mr Gunner

Ms Lawrie

Mr McCarthy

Ms Manison

Mr Vatskalis

Mr Vowles

Ms Walker

Mr Wood

Mr Tollner  
Mr Westra van Holthe

Motion agreed to.

Madam Speaker put the question - That so much of standing orders be suspended as would prevent me from moving a motion to refer the Power and Water Corporation Legislation Amendment Bill, the Power Generation Corporation Bill and the Power Retail Corporation Bill to the Public Accounts Committee so that committee of this parliament may scrutinise those three bills, may speak to Territorians, hold public hearings throughout the Northern Territory and find out exactly the detail of this so-called expert evidence.

Question - put

The Assembly divided:

<b>Ayes - 9</b>	<b>Noes - 14</b>
Ms Fyles	Ms Anderson
Mr Gunner	Mr Chandler
Ms Lawrie	Mr Conlan
Mr McCarthy	Mr Elferink
Ms Manison	Ms Finocchiaro
Mr Vatskalis	Mr Giles
Mr Vowles	Mr Higgins
Ms Walker	Mr Kurrupuwu
Mr Wood	Mrs Lambley
	Ms Lee
	Mrs Price
	Mr Styles
	Mr Tollner
	Mr Westra van Holthe

Motion negated.

**4. POWER AND WATER CORPORATION LEGISLATION AMENDMENT BILL 2014 (SERIAL 63)**

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Power and Water Corporation 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 715).

On the motion of Ms Manison (Member for Wanguri) debate was adjourned.

**5. POWER GENERATION CORPORATION BILL 2014 (SERIAL 64 )**

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to establish the Power Generation Corporation 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 716).

On the motion of Ms Manison (Member for Wanguri) debate was adjourned.

**6. POWER RETAIL CORPORATION BILL 2014 (SERIAL 65)**

Mr Tollner (Treasurer), pursuant to notice, presented a Bill for an Act to establish the Power Retail Corporation 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 717).

On the motion of Ms Manison (Member for Wanguri) debate was adjourned.

**7. REORDER OF BUSINESS – MOTION AGREED TO**

Mr Elferink (Leader of Government Business) moved – That Government Business, Order of the Day No 3, be called on now.

Question – put and passed.

**8. CRIMINAL CODE AMENDMENT (CHILD ABUSE MATERIAL) BILL 2013 (SERIAL 44) – 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 Elferink (Attorney-General and Minister for Justice) by leave, the Bill was read a third time and was passed to be a proposed law.

**9. MINISTERIAL STATEMENT – THE NORTHERN TERRITORY'S GAS FUTURE**

Mr Westra van Holthe (Minister for Mines and Energy) made a statement regarding the rising levels of interest in exploring for and extracting gas in the Northern Territory.

Debate suspended.

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

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**10. SUSPENSION OF STANDING ORDERS – MOTION NOT AGREED TO**

Mr Wood (Member for Nelson) moved — Pursuant to Standing Order No 306, that so much of Standing Orders be suspended which would prevent me from moving a motion that the Power and Water Corporation Legislation Amendment Bill 2014 (Serial 63), the Power Generation Corporation Bill 2014 (Serial 64) and the Power Retail Corporation Bill 2014 (Serial 65) introduced today by the Treasurer, be referred by this Assembly to either the Public Accounts Committee or the Committee on the Territory's Energy Future for consideration and report back to the Assembly.

Debate ensued.

Question - put

The Assembly divided:

**Ayes - 9**

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

**Noes - 13**

Ms Anderson  
Mr Conlan  
Mr Elferink  
Ms Finocchiaro  
Mr Giles  
Mr Higgins  
Mr Kurrupuwu  
Mrs Lambley  
Ms Lee  
Mrs Price  
Mr Styles  
Mr Tollner  
Mr Westra van Holthe

Motion negatived.

**11. NOTICES**

The following notice was given:

Ms Lawrie (Member for Karama) to move on the next General Business Day – That the Legislative Assembly immediately refer the Power Water Corporation Legislation Amendment Bill 2014 (Serial 63); the Power Generation Corporation Bill 2014 (Serial 64) and the Power Retail Corporation Bill 2014 (Serial 65) to a committee of this Parliament;

That the committee investigate the Northern Territory Government's legislative and policy agenda to split Power Water Corporation into three separate entities;

That the committee call witnesses to provide evidence as to the fiscal and economic impact or Power Water Corporation being split into three separate entities;

That the committee hold public hearings throughout the Territory to consult the community and affected stakeholders on the proposal to split Power Water Corporation into three separate entities;

That the powers of the Legislative Assembly committees pertain fully to this investigation including the receipt of submissions; and

That the committee report back to Parliament at the earliest opportunity prior to any further consideration of the three Bills.

**12. MINISTERIAL STATEMENT – THE NORTHERN TERRITORY'S GAS FUTURE - MOTION TO NOTE AGREED TO**

Mr Westra van Holthe (Minister for Mines and Energy) continued from earlier this day making a statement regarding the rising levels of interest in exploring for and extracting gas in the Northern Territory.

Mr Westra van Holthe moved – That the Assembly take note of the Statement.

Debate ensued.

**Extension of Time:** On the motion of Mr Elferink (Member for Port Darwin), Mr Styles (Member for Sanderson) was granted an extension of time.

Debate continued.

**Withdrawal from Chamber:** The Deputy Speaker ordered Ms Walker (Member for Nhulunbuy) to withdraw from the Assembly for one hour pursuant to Standing Order 240A.

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**Extension of Time:** On the motion of Mr Styles (Member for Sanderson), Mr Westra van Holthe was granted an extension of time.

Debate continued.

Question – put and passed.

**13. PAPERS**

The Deputy Speaker laid upon the Table - Auditor-General for the Northern Territory, February 2014, Report to the Legislative Assembly (Paper 731).

Mr Elferink (Leader of Government Business) moved – That the report be printed

Motion agreed to.

Mr Elferink (Leader of Government Business) moved – That the Assembly take note of the Report.

Motion agreed to.

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

**14. ADJOURNMENT**

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

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**Visitor:** The Deputy Speaker advised Honourable Members of the presence in the gallery of the former Member for Blain, Mr Barry Coulter.

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

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Debate ensued.

And the Assembly adjourned at 6.35pm until Tuesday 18 February 2014 at 10.00am.

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**PAPERS**

The following papers were deemed to have been Tabled on 13 February 2014 -

**Local Government Act:**

Amendment of Guidelines, under section 258(1) of the *Local Government Act* dated 9 December 2013 (Paper 718)

**Subordinate Legislation 2013:**

No. 39, Police Administration (Fees) Amendment Regulations 2013 (Paper 719)

No. 40, Work Health and Safety (National Uniform Legislation) Amendment Regulations (No.2) 2013 (Paper 720)

No. 41, Liquor Amendment Regulations 2013 (Paper 721)

No. 42, Victim of Crime Assistance Amendment Regulations 2013 (Paper 722)

No. 43, Fines and Penalties (Recovery) Amendment (Charles Darwin University Site and Traffic By-laws) Regulations (Paper 723)

No. 44, Bail Amendment (Drug and Alcohol Testing) Regulations 2013 (Paper 724)

No. 45, Domestic and Family Violence Amendment (Drug and Alcohol Testing) Regulations 2013 (Paper 725)

No. 46, Building Amendment (Building Standards and Other Matters) Regulations 2013  
(Paper 726)

No. 47, Planning Amendment Regulations 2013 (Paper 727)

No. 48, Energy Pipelines Amendment (Fees) Regulations 2013 (Paper 728)

**Subordinate Legislation 2014:**

No.1, Traffic Amendment Regulations 2014 (Paper 729)

No. 2, Dangerous Goods Amendment (Shopgoods Fireworks) Regulations 2014 (Paper 730)

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**ATTENDANCE**

All Members attended the sittings, except Mr Mills.

MICHAEL TATHAM

Clerk of the Legislative Assembly