NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 113
Friday 24 April 2020

1. MEETING

The Assembly met at 8.30. The Speaker, the Honourable Kezia Purick, presided.

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from Her Honour the Administrator (Paper 1617):

Message Number 32

Assent to Proposed Laws

I, VICKI O'HALLORAN AO, 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:

25 March 2020
Emergency Legislation Amendment Act 2020 (Act No. 8 of 2020)
Fiscal Integrity and Transparency Amendment Act 2020 (Act No. 9 of 2020)
Supply (2020-2021) Act 2020 (Act No. 10 of 2020)

26 March 2020
Liquor Amendment Act 2020 (Act No. 11 of 2020)

30 March 2020
Petroleum Legislation Miscellaneous Amendments Act 2020 (Act No. 12 of 2020)

Dated 14 April 2020.

5. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from Her Honour the Administrator (Paper 1618):

Message Number 33

Assent to Proposed Laws

I, VICKI O'HALLORAN AO, 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:

16 April 2020
Residential Tenancies Legislation Amendment Act 2020 (Act No. 13 of 2020)

Dated 20 April 2020.

6. SPEAKER'S STATEMENT

The Speaker made a statement regarding the closure of the public galleries and alternative arrangements for divisions.

7. MOTION: ROUTINE OF BUSINESS RE-ORDER AGREED TO

Ms Fyles (Leader of Government Business), pursuant to Standing Order 59, moved:

That the Routine of Business for today consists of 1. Assembly Business and 2. Government Business, followed by the adjournment of the Assembly to a date and time to be fixed pursuant to Standing Order 4.

Mrs Finocchiaro.

Ms Fyles moved that the question be put.

The Assembly divided:

Ayes 11	**Noes 7**
Mr Bowden	Mr Collins
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mr Higgins
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Ms Manison	Mr Wood
Ms Moss	
Ms Nelson	
Mr Sievers	
Mrs Worden	

Question agreed to.

On the question that the motion be agreed to.

Question put and passed.

8. MOTION: ATTENDANCE BY MEMBERS BY TELECONFERENCE OR VIDEO LINK AGREED TO

Ms Fyles (Leader of Government Business), by leave, moved:

That the Assembly notes a public Health Emergency is now in existence in the Northern Territory as a consequence of the presence of COVID-19 and, as a consequence, the Assembly orders:

1. For the duration of the Assembly meeting on 24 April 2020 only, the Assembly agrees to permit the conduct of Assembly meetings by audio visual or audio link, where available.

2. When the Speaker advises a meeting of the Assembly is to occur pursuant to this order, Assembly Members who are not physically present may participate in proceedings of the Assembly as per clause one (1) above.

3. For such meetings of the Assembly, the Speaker, or Member presiding for the time being, will be present and conduct the proceedings as per the Standing Orders and Sessional Orders.

4. Members attending by electronic means will verify their presence at the commencement of proceedings by stating their name and the electorate they represent and their presence will be recorded by the Clerk.

5. The Speaker or Member presiding has all necessary discretion and power to make rulings to temporarily adjust procedural aspects of the Standing and Sessional Orders as required to suit the circumstances of managing Assembly meetings using audio visual or audio links.

6. Subject to Clause five (5) above, any votes by division will occur in accordance with the rules in Chapter 11 of Standing Orders.

7. For all votes by division the Speaker will ask each Member participating to state their vote and their votes will be recorded one by one by the Clerks at the Table and published in the Minutes of Proceedings.

8. For the purposes of such meetings of the Assembly, the location of the meeting and the Speaker or Member presiding may be in either the Assembly Chamber or in the Litchfield Room at Parliament House in Darwin depending on convenience and access to required equipment.

9. Any equipment failures will require a vote on a matter to be delayed until the equipment is working again or the Speaker orders otherwise.

10. Proxy votes may be used by participating Members who wish to attend by remote audio or video link but have their votes recorded by prearranged proxy pursuant to a separate Order of the Assembly where in existence.

11. A Member attending by audio visual or audio link may advise the Speaker that they are exercising their vote on all questions and in all divisions in the Legislative Assembly for the period this motion applies in accordance with their respective whip.

12. Members may attend in person subject to their ability to do so and so long as personal attendance is not contrary to the public health advice issued by the Government and their attendance in person is not a risk to other Members attending or any others who may be present.

Ms Fyles moved that the question be put.

Question put and passed.

Motion agreed to.

9. SPEAKER'S STATEMENT

The Speaker made a statement regarding arrangements for Members participating via teleconference for today's Meeting.

The Speaker confirmed the attendance via teleconference of Ms Uibo, Mr McCarthy, Ms Wakefield, Ms Ah Kit, Mr Paech and Mr Guyula.

Ms Uibo, Mr McCarthy, Ms Wakefield, Ms Ah Kit and Mr Paech advised they would be exercising their votes, in accordance with Clause 11 of the motion, with the Government on all questions and divisions for today's Meeting.

10. PAPER TABLED: PUBLIC ACCOUNTS COMMITTEE – REPORT OF MINISTERIAL CORRESPONDENCE ON SUBORDINATE LEGISLATION JULY 2019 – MARCH 2020 NOTED

Mrs Worden (Chair of Public Accounts Committee) tabled the Committee's Report of Ministerial Correspondence on Subordinate Legislation July 2019 – March 2020 (Paper 1615) and Minutes of Proceedings (Paper 1616) and made a statement.

Mrs Worden moved that the Assembly take note of the report.

Question put and passed.

11. BILLS PRESENTED WITHOUT NOTICE

Ms Fyles (Leader of Government Business) sought leave for the following Government Bills to be presented without notice:

1. Tenancies Legislation Amendment Bill 2020 (Serial 130).
2. Public and Environmental Health Legislation Amendment Bill 2020 (Serial 129).
3. Utilities Legislation Amendment Bill 2020 (Serial 131).

Leave not granted.

12. MOTION: SUSPENSION OF STANDING AND SESSIONAL ORDERS AGREED TO

Ms Fyles (Leader of Government Business) moved that so much of Standing and Sessional Orders be suspended as would prevent the following Government Bills being presented without notice:

1. Tenancies Legislation Amendment Bill 2020 (Serial 130).
2. Public and Environmental Health Legislation Amendment Bill 2020 (Serial 129).
3. Utilities Legislation Amendment Bill 2020 (Serial 131).

Ms Fyles moved that the question be put.

Question put and passed.

13. TENANCIES LEGISLATION AMENDMENT BILL 2020 (SERIAL 130): BILL AGREED TO

Ms Fyles (Attorney-General and Minister for Justice), pursuant to the foregoing motion, presented a Bill for an Act to amend the *Business Tenancies (Fair Dealings) Act 2003* and the *Residential Tenancies Act 1999* and tabled the Explanatory Statement (Paper 1619) and the Human Rights Compatibility Statement (Paper 1620).

Ms Fyles moved that the Bill be read a first time and delivered an explanatory speech.

Bill read a first time.

Ms Fyles moved that the Bill be declared urgent.

Mrs Finocchiaro.

Question put and passed.

Ms Fyles moved that the Bill be read a second time.

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

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 10 considered together.

Clauses 1 to 10 stand as printed.

New Clause after Clause 10 considered.

Mrs Finocchiaro moved the following amendment:

After clause 10

insert

Part 3A Amendment of Residential Tenancies Legislation Amendment Act 2020

10A Act amended

This Part amends the Residential Tenancies Legislation Amendment Act 2020.

10B Section 6 repealed (Sections 65A and 65B inserted)

Section 6

repeal

10C Section 21 repealed (Part 18, Division 6 inserted)

Section 21

repeal

Question, that the amendment be agreed to, put.

The Assembly divided:

Ayes 7	**Noes 15**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Mr Bowden
Mr Higgins	Mr Costa
Mrs Lambley	Ms Fyles
Mr McConnell	Mr Kirby
Mr Mills	Ms Lawler
Mr Wood	Mr McCarthy
	Ms Manison
	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers
	Ms Uibo
	Ms Wakefield
	Mrs Worden

Amendment not agreed to.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill stands as printed.

On the motion of Ms Fyles (Attorney-General and Minister for Justice), the Bill was read a third time and passed to be a proposed law.

14. LEAVE TO PRESENT A PETITION NOT GRANTED

Mrs Finocchiaro sought leave to present a petition.

Leave not granted.

15. MOTION: SUSPENSION OF STANDING AND SESSIONAL ORDERS NOT AGREED TO

Mrs Finocchiaro moved that so much of Standing and Sessional Orders be suspended as would prevent the presentation of a petition.

Ms Fyles, Mrs Lambley, Mr McConnell, Mrs Finocchiaro.

Question put.

The Assembly divided:

Ayes 9	**Noes 15**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Mr Bowden
Mr Guyula	Mr Costa
Mr Higgins	Ms Fyles
Mrs Lambley	Mr Kirby
Mr McConnell	Ms Lawler
Mr Mills	Mr McCarthy
Ms Purick	Ms Manison
Mr Wood	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers
	Ms Uibo
	Ms Wakefield
	Mrs Worden

Question not agreed to.

16. LEAVE TO PRESENT A PETITION NOT GRANTED

Mrs Lambley sought leave to present a petition.

Leave not granted.

17. MOTION: SUSPENSION OF STANDING AND SESSIONAL ORDERS NOT AGREED TO

Mrs Lambley moved that so much of Standing Orders be suspended as would prevent the presentation of a petition.

Mr McConnell, Ms Fyles, Mrs Finocchiaro.

Question put.

The Assembly divided:

Ayes 9	**Noes 16**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Mr Bowden
Mr Guyula	Mr Costa
Mr Higgins	Ms Fyles
Mrs Lambley	Mr Gunner
Mr McConnell	Mr Kirby
Mr Mills	Ms Lawler
Ms Purick	Mr McCarthy
Mr Wood	Ms Manison
	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers

Ms Uibo
Ms Wakefield
Mrs Worden

Question not agreed to.

18. PUBLIC AND ENVIRONMENTAL HEALTH LEGISLATION AMENDMENT BILL 2020 (SERIAL 129): BILL AGREED TO

Ms Fyles (Minister for Health), pursuant to motion, presented a Bill for an Act to amend the *Public and Environmental Health Act 2011* and the *Public and Environmental Health Regulations 2014* and tabled the Explanatory Statement (Paper 1621) and the Human Rights Compatibility Statement (Paper 1622).

Ms Fyles moved that the Bill be read a first time and delivered an explanatory speech.

Bill read a first time.

Ms Fyles moved that the Bill be declared urgent.

Question put and passed.

Ms Fyles moved that the Bill be read a second time.

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

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 3 considered together.

Clauses 1 to 3 stand as printed.

Clause 4 considered.

Clause 4 stands as printed.

Clause 5 considered.

Clause 5 stands as printed.

Clause 6 considered.

Clause 6 stands as printed.

Remainder of the Bill considered together.

Remainder of the Bill stands as printed.

Bill stands as printed.

On the motion of Ms Fyles (Minister for Health), the Bill was read a third time and passed to be a proposed law.

19. UTILITIES LEGISLATION AMENDMENT BILL 2020 (SERIAL 131): BILL AGREED TO

Ms Manison (Treasurer), pursuant to motion, presented a Bill for an Act to amend the *Electricity Reform Act 2000* and the *Water Supply and Sewerage Services Act 2000* and tabled the Explanatory Statement (Paper 1623) and the Human Rights Compatibility Statement (Paper 1624).

Ms Manison moved that the Bill be read a first time and delivered an explanatory speech.

Bill read a first time.

Ms Manison moved that the Bill be declared urgent.

Question put and passed.

Ms Manison moved that the Bill be read a second time.

Mrs Finocchiaro, Mr Wood, Mrs Lambley, Ms Manison.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 3 considered together.

Clauses 1 to 3 stand as printed.

Clause 4 considered.

Clause 4 stands as printed.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill stands as printed.

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

20. MOTION: PUBLIC ACCOUNTS COMMITTEE – CORONAVIRUS HEARINGS AGREED TO

Ms Fyles (Leader of Government Business), by leave, moved:

This Assembly resolves under Sessional Order 14(2)(d)(i) as a consequence of the presence of COVID-19 in Australia, the delay of a Federal Budget and by extension the delay of the NT Budget and to give Territorians confidence into Coronavirus related expenditure that:

1. The Public Accounts Committee (the Committee) will convene on the last Thursday of each month to hold a hearing with the Security and Emergency Management Sub Committee of Cabinet in attendance.
2. In addition to those mentioned in point 1, the Under Treasurer will also be in attendance at this hearing.
3. The time for the hearing should be two (2) hours with an additional hour for a deliberative meeting of the Committee.
4. The hearing will be open to the public unless the Committee orders otherwise.
5. In line with physical distancing guidelines, the hearing will have a limit of 20 persons in the room at any given time. The Chief Minister, Chief Executive of Department of Chief Minister and the Police Commissioner, as the Territory Controller, will be seated at the front of the hearing at the beginning of proceedings. Other members of the Security and Emergency Management Sub Committee of Cabinet will join them where the need arises.
6. To ensure access to media outlets, the Elsey Room will be made available with the broadcast to screen in there, noting that physical distancing guidelines must be adhered to.
7. All questions should be directed to the Chief Minister, conform to Standing Order 109 and answers will be concise and directly relevant to the question asked. The Chief Minister can refer questions to other members of the Security and Emergency Management Sub Committee of Cabinet, Ministers or Chief Executives in attendance where required.
8. Standing Order 109(4) will not apply to these hearings.

9. The Committee may request the attendance of a Minister or Chief Executive who is not a member of the Security and Emergency Management Sub Committee of Cabinet, giving no less than 3 days' notice.
10. Answers to questions taken on notice during the hearings, or additional information about an answer given or on behalf of a Minister, are to be written and given to the First Clerk Assistant by close of business the day before the next hearing.
11. 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.
12. 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.

Ms Fyles moved that the question be put.

Question put and passed.

On the question that the motion be agreed to.

The Assembly divided:

Ayes 16	**Noes 7**
Ms Ah Kit	Mr Collins
Mr Bowden	Mrs Finocchiaro
Mr Costa	Mr Higgins
Ms Fyles	Mrs Lambley
Mr Gunner	Mr McConnell
Mr Kirby	Mr Mills
Ms Lawler	Mr Wood
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Question agreed to.

21. ADJOURNMENT

Ms Fyles (Leader of Government Business) moved that the Assembly adjourn pursuant to Standing Order 4, and that the question be immediately put.

Question agreed to.

On the question that the Assembly adjourn pursuant to Standing Order 4.

Question put and passed.

The Assembly adjourned at 15.17 until a date and time to be fixed by the Speaker.

ATTENDANCE
All Members attended the meeting.



MICHAEL TATHAM
Clerk of the Legislative Assembly