Northern Territory of Australia
Legislative Assembly

Minutes of Proceedings

Meeting Number 13
Tuesday 18 March 2025

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1. MEETING OF THE ASSEMBLY

The Assembly met at 10.00 am. The Speaker, the Honourable Robyn Lambley, took the Chair, read the prayer and delivered the acknowledgement of country on behalf of the Assembly.

2. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised members of the following message from His Honour Professor the Honourable Hugh Heggie AO PSM, Administrator of the Northern Territory (Paper 215).

Message Number 3

Assent to Proposed Laws

I, HUGH HEGGIE AO PSM, 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:

18 February 2025
Payroll Tax Amendment Act 2025 (Act No. 1 of 2025)
Liquor Legislation Amendment (Repeal of Minimum Pricing) Act 2025 (Act No. 2 of 2025)
Correctional Services Legislation Amendment Act 2025 (Act No. 3 of 2025)

Dated 18 February 2025.

3. SPEAKER'S STATEMENTS

The Speaker advised of the nominations of the members for Blain, Fannie Bay and Wanguri, pursuant to Standing Order 219, as Acting Deputy Speakers on 14 March 2025.

The Speaker congratulated Kim Cowcher on her 25 years of service with the Department of the Legislative Assembly.

The Speaker advised members of the procedure regarding the introduction and passage of Bills.

4. LEADER OF GOVERNMENT BUSINESS STATEMENT

The Leader of Government Business advised the Assembly that, pursuant to Standing Order 80, Government Business will be interrupted at 6.00 pm for a condolence motion for the Honourable Austin Asche AO KC.

Papers Tabled: Mrs Finocchiaro (Chief Minister) tabled:

1. Investigation Report, Operation Apollo, Office of the Independent Commissioner Against Corruption NT, pursuant to section 50(1) of the *Independent Commissioner Against Corruption Act 2017*, February 2025 (Paper 216).
2. Correspondence to the Chief Minister, dated 17 March 2025, from Bruce McClintock SC, ICAC Inspector (Paper 217), and gave a statement by leave.

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5. REPORT FROM THE LEGISLATIVE SCRUTINY COMMITTEE

Mrs Carlson (Chair of the Legislative Scrutiny Committee) tabled the Report, Inquiry into the Territory Coordinator Bill 2025, Legislative Scrutiny Committee, March 2025 (Paper 218) and Associated Minutes of Proceedings (Paper 219) and made a statement.

Mr Edgington (Leader of Government Business) moved that the Territory Coordinator Bill 2025 (Serial 17) be made the first order of the day at the commencement of Government Business.

Question put and passed.

6. REPORT FROM THE LEGISLATIVE SCRUTINY COMMITTEE

Mrs Carlson (Chair of the Legislative Scrutiny Committee) tabled the Report, Inquiry into the Defamation Legislation Amendment Bill 2025, Legislative Scrutiny Committee, March 2025 (Paper 220) and Associated Minutes of Proceedings (Paper 221) and made a statement.

7. TERRITORY COORDINATOR BILL 2025 (SERIAL 17)

Order of the day read for moving the second reading of the Territory Coordinator Bill 2025 (Serial 17).

Mr Edgington (Leader of Government Business) moved that the Bill be now read a second time.

Ms Uibo, Mr Maley, Mr Guyula, Mr Yan.

Debate interrupted.

Suspension of Meeting: The meeting of the Assembly was suspended between 12 noon and 2.00 pm.

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8. NOTICES

The following notices were given:

1. Ms Boothby (Attorney-General) will present on the next meeting day a Bill titled Attorney-General Legislation Amendment Bill 2025 (Serial 19).
2. Mr Edgington (Minister for Housing, Local Government and Community Development) will present on the next meeting day a Bill titled Local Government Legislation Amendment Bill 2025 (Serial 20).
3. Mrs Hersey (Minister for Public Service) will present on the next meeting day a Bill titled Portable Long Service Leave (Community Services Sector) Repeal Bill 2025 (Serial 18).

9. QUESTIONS

2.00 Ms Uibo to Mrs Finocchiaro
2.04 Mrs Zio to Mrs Finocchiaro
2.07 Mr Paech to Mrs Finocchiaro
2.12 Dr Rahman to Mr Yan
2.16 Mr Young to Mrs Finocchiaro
2.17 Mr Mackay to Mr Burgoyne
2.20 Ms Uibo to Mrs Finocchiaro
2.24 Mr Howe to Mr Yan
2.28 Mr Paech to Ms Boothby
2.30 K McNamara to Mrs Hersey
2.35 Mr Kerle to Mr Maley
2.39 Mr Guyula to Mrs Finocchiaro
2.42 Mr Patel to Ms Cahill
2.45 Mr O'Gallagher to Mr Edgington
2.49 Mr Brown to Mrs Finocchiaro, redirected to Ms Boothby
2.53 Mr Brown to Ms Boothby – Supplementary
2.54 Mrs Carlson to Mrs Hersey
2.58 J Davis to Mrs Finocchiaro
2.59 Mr Brown to Mrs Finocchiaro
3.03 Mrs Zio to Mr Charls

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

Ms Boothby (Attorney-General) gave a supplementary answer to a question asked earlier during question time from Mr Brown.

10. TERRITORY COORDINATOR BILL 2025 (SERIAL 17)

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

Dr Rahman, Mr Patel, Mr Paech, Mr O'Gallagher, K McNamara, Mr Howe, Mr Kerle, Mrs Zio, Mr Young, Mr Mackay, Mr Brown, J Davis, Mr Charls, Ms Boothby.

Debate interrupted.

11. CONDOLENCE MOTION: HONOURABLE KEITH JOHN AUSTIN ASCHE AC KC

The Speaker drew the Assembly's attention to the passing of the Honourable Keith John Austin Asche AC KC, former Administrator and Chief Justice of the Northern Territory.

Mrs Finocchiaro (Chief Minister) moved that this Assembly expresses its deep condolences to the family and friends of the Honourable Austin Asche AC KC.

Mrs Finocchiaro, Ms Uibo, Dr Rahman, J Davis, Ms Cahill, Mr Paech, Ms Boothby, Mr Howe.

Question put and passed.

As a mark of respect members stood in silence for one minute.

12. TERRITORY COORDINATOR BILL 2025 (SERIAL 17)

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

Ms Boothby (continuation of remarks), Mr Burgoyne, Mr Edgington, Mrs Finocchiaro (in reply).

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 and 2 stand as printed.

Clause 3.

Ms Uibo moved the following amendment:

Clause 3, definition *exemption notice*

omit

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	K McNamara	Mr Paech
Ms Uibo	Mr Young		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 3

insert (in alphabetical order)

affected person, see section 95(2).

reviewable decision, see section 95(1).

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

J Davis moved the following amendment:

Clause 3

insert (in alphabetical order)

economic development includes programs, policies, projects and developments that aim to improve the economic well-being and quality of life for a community.

excluded area, see section 7A.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

J Davis moved the following amendment:

Clause 3, definition eligible person

omit

section 11(2)

insert

section 11A

Amendment not agreed to.

Mrs Finocchiaro moved the following amendment:

Clause 3, definition Scheduled law, paragraph (b)

Omit

Amendment agreed to.

Mrs Finocchiaro moved the following amendment:

Clause 3, definition Scheduled law, paragraph (c)

omit

or (b)

Amendment agreed to.

Clause 3 stands as amended.

Clause 4.

J Davis moved the following amendment:

After clause 4(d)

insert

(e) public sector investment.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 4 stands as printed.

Clauses 5 to 7 stand as printed.

J Davis moved the following amendment:

After clause 7

insert

7A Meaning of excluded area

(1) Each of the following is an ***excluded area***:

(a) a park, reserve or sanctuary declared under the *Territory Parks and Wildlife Conservation Act 1976*;

(b) the Park as defined in section 3(1) of the *Nitmiluk (Katherine Gorge) National Park Act 1989*;

(c) a sanctuary as defined in section 3 of the *Cobourg Peninsula Aboriginal Land, Sanctuary and Marine Park Act 1981*;

(d) a Commonwealth reserve as defined in section 528 of *the Environment Protection and Biodiversity Conservation Act 1999* (Cth), including a park or reserve proclaimed under the *National Parks and Wildlife Conservation Act 1975* (Cth) that, under section 3 of the *Environmental Reform (Consequential Provisions) Act 1990* (Cth) was declared as a Commonwealth reserve;

(e) an area of land or water known as an indigenous protected area that is the subject of an agreement with the traditional owners or custodians of the area that is recognised by the Commonwealth as part of Australia's National Reserve System;

(f) special reserved land or general reserved land under the *Mineral Titles Act 2010*;

(g) land or water that is reserved under section 9(1) of the *Petroleum Act 1984*;

(h) an area of land or water declared under subsection (2).

(2) The Minister may, on application under subsection (3), declare by Gazette notice Aboriginal land or exclusive possession native title land to be an excluded area.

(3) The following may apply to the Minister for a declaration under subsection (2):

(a) if the land is Aboriginal land – the Land Trust for the land;

(b) if the land is exclusive possession native title land – the registered native title body corporate, as defined in section 253 of the *Native Title Act 1993* (Cth), for the land.

(4) The Minister must, after receiving an application under subsection (3), carry out public consultation in relation to the request.

(5) In this section:

exclusive possession native title land means land in relation to which a determination of native title has been made under the *Native Title Act 1993* (Cth) determining that native title rights and interests comprising rights of possession, occupation, use and enjoyment of the land to the exclusion of all others exists.

Land Trust, see section 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 8.

J Davis moved the following amendment:

Clause 8(1)(a)

omit

the primary objective of driving

insert

practising sustainable

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

J Davis moved the following amendment:

Clause 8(2)

omit

all words from "Act but," to "prevail."

insert

Act.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 8 stands as printed.

Clauses 9 and 10 stand as printed.

Clause 11.

J Davis moved the following amendment:

Clause 11

omit, insert

11 Appointment of Territory Coordinator

(1) Subject to subsection (2), the Administrator may, in writing, appoint an eligible person to be the Territory Coordinator.

(2) The appointment of a person as the Territory Coordinator may be made only after receiving a recommendation of the Legislative Assembly.

(3) The Minister must table a copy of the appointment in the Legislative Assembly within 6 sitting days after the appointment is made.

(4) Notice of the appointment must be published in the Gazette as soon as practicable after it is made.

Amendment not agreed to.

Clause 11 stands as printed.

J Davis moved the following amendment:

After clause 11

Insert

11A Eligibility for appointment

(1) A person is an **eligible person** for appointment as the Territory Coordinator if:

(a) the person has suitable qualifications or experience relating to the Territory Coordinator's functions; and

(b) the person is not:

(ii) a judicial officer; or

(iii) a member of an Australian parliament; or

(iv) a member of a local government council or of an equivalent body in a State or another Territory; or

(v) a member of a political party; or

(vi) an officer of a Territory controlled entity; and

(c) the person does not have a recent political affiliation.

(2) For subsection (1)(c), a person has a recent political affiliation if, at any time during the previous 3 years, the person:

(a) was a member of the Legislative Assembly or a local government council; or

(b) was an office holder or elected representative of a political party in the Territory or elsewhere in Australia; or

(c) was a member of staff of a minister; or

(d) made a reportable donation to a political party, or an associated entity of a political party, in the Territory or elsewhere in Australia.

(3) For subsection (2)(d), a person made a reportable donation if it was made by the person or by a body corporate of which the person was an office holder or majority shareholder at the time the donation was made.

(4) In this section:

associated entity, see section 176 of the *Electoral Act 2004*.

judicial officer, see section 4 of the *Independent Commissioner Against Corruption Act 2017*.

political party, see section 3 of the *Electoral Act 2004*.

reportable donation means a gift or loan that is required to be disclosed or reported under Part 10 of the *Electoral Act 2004* or under a similar law in force in the Commonwealth or in a State or another Territory.

Territory controlled entity, see section 3(1) of the *Audit Act 1995*.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 12.

Ms Uibo moved the following amendment:

Clause 12, at the end

insert

(4) The Territory Coordinator must not engage in lobbying activities on behalf of any private sector entity or industry for 5 years after the Coordinator leaves office.

(5) In this section:

lobbying activities means communications with a Minister or public sector employee in an effort to influence government decision-making, including the development or amendment of legislation, government policy or a government program, the awarding of a government contract or grant or the allocation of funding, but does not include any of the following:

(a) communications with a committee of the Legislative Assembly;

(b) communications with a person who is a Minister in that person's capacity as a member of the Legislative Assembly in relation to non-ministerial responsibilities;

(c) communications in response to a call for submissions;

(d) petitions or communications in the nature of a grassroots campaign attempting to influence a government policy or decision;

(e) communications in response to a request for tender;

(f) statements made in a public forum;

(g) responses to requests by government representatives for information.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	K McNamara	Mr Paech
Ms Uibo	Mr Young		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 12 stands as printed.

Clauses 13 to 17 stand as printed.

Clause 18.

Mrs Finocchiaro moved the following amendment:

Clause 18(1), after "may"

insert

, in writing,

Amendment agreed to.

Clause 18 stands as amended.

Clause 19 stands as printed.

Clause 20.

Mrs Finocchiaro moved the following amendment:

Clause 20(2)(c)

omit

regarding a proposed ICP or proposed TDA plan

Amendment agreed to.

Clause 20 stands as amended.

Clause 21 and 22 stand as printed.

Ms Uibo moved the following amendment:

After clause 22, in Part 2

insert

22A Conflicts of interest

If the Territory Coordinator becomes aware that the Coordinator has or may have a direct or indirect pecuniary interest in a matter to be considered by the Coordinator under this Act, the Coordinator:

(a) must publicly declare, as soon as possible on the Territory Coordinator or Agency website, the nature of the interest or possible interest; and

(b) must not exercise any powers or perform any functions under this Act in relation to the matter.

22B Public disclosure of certain meetings

If the Territory Coordinator holds or attends a meeting with a representative of a private sector entity, the Coordinator must, within 5 business days after the meeting takes place, publicly disclose on the Territory Coordinator or Agency website:

(a) the time and date of the meeting; and

(b) each attendee of the meeting.

Amendment not agreed to.

Clauses 23 to 24 stand as printed.

Clause 25.

Ms Uibo moved the following amendment:

After clause 25(1)

insert

(1A) The Minister must not declare any part of land or water under subsection (1) that is:

(a) Aboriginal land; or

(b) land that is the subject of native title as defined in section 223 of the Native Title Act 1993 (Cth); or

(c) a park or reserve declared under section 12 of the Territory Parks and Wildlife Conservation *Act 1976*.

Amendment not agreed to.

J Davis moved the following amendment:

After clause 25(1)

insert

(1A) An area of land or water that is an excluded area must not be declared as an ICA.

Amendment not agreed to.

Clause 25 stands as printed.

Clause 26 stands as printed.

Clause 27.

Mrs Finocchiaro moved the following amendment:

Clause 27, after "does"

insert

all

Amendment agreed to.

Clause 27 stands as amended.

Clause 28 stands as printed.

Clause 29.

J Davis moved the following amendment:

Clause 29(b)

omit

the regulations.

insert

section 94A.

Amendment not agreed to.

Clause 29 stands as printed.

Clause 30.

Mrs Finocchiaro moved the following amendment:

Clause 30(1)

omit, insert

(1) The Territory Coordinator must give to the Minister:

(a) the proposed ICP for the Minister's approval; and

(b) a summary of any submissions received during the public consultation required by section 29(b).

Amendment agreed to.

Clause 30 stands as amended.

Clause 31 stands as printed.

Clause 32.

Mrs Finocchiaro moved the following amendment:

Clause 32(2)(b), after "Coordinator"

insert

or the Minister

Amendment agreed to.

Clause 32 stands as amended.

Clause 33.

J Davis moved the following amendment:

Clause 33(b)

omit

a summary of the submissions

insert

copies, and a summary, of the submissions

Amendment not agreed to.

Clause 33 stands as printed.

Clause 34.

J Davis moved the following amendment:

Clause 34

omit

any summary of submissions

insert

each submission

Amendment not agreed to.

Clause 34 stands as printed.

Clauses 35 to 38 stand as printed.

J Davis moved the following amendment:

After clause 38

insert

38A Excluded areas

A program of works must not include works to be undertaken in an excluded area.

Amendment not agreed to.

Clauses 39 and 40 stand as printed.

J Davis moved the following amendment:

After clause 40

insert

40A Public consultation

After preparing a proposed program of works, the Territory Coordinator must:

(a) publish the proposed program on the Territory Coordinator or Agency website; and

(b) undertake public consultation on the proposed program in accordance with section 94A.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clauses 41 and 42 stand as printed.

Clause 43.

Ms Uibo moved the following amendment:

After clause 43(1)

insert

(1A) The Minister must not designate any part of land or water under subsection (1) that is:

(a) Aboriginal land; or

(b) land that is the subject of native title as defined in section 223 of the Native Title Act 1993 (Cth); or

(c) a park or reserve declared under section 12 of the Territory Parks and Wildlife Conservation *Act 1976*.

Amendment not agreed to.

J Davis moved the following amendment:

Clause 43(1), after "subsections"

insert

(1A), (1B),

Amendment not agreed to.

Clause 43 stands as printed.

Clause 44.

J Davis moved the following amendment:

Clause 44(c)

omit

Amendment not agreed to.

Clause 44 stands as printed.

Clauses 45 to 47 stand as printed.

Clause 48.

J Davis moved the following amendment:

Clause 48(b)

omit

the regulations.

insert

section 94A.

Amendment not agreed to.

Clause 48 stands as printed.

Clause 49.

J Davis moved the following amendment:

Clause 49(b)

omit

a summary of the submissions

insert

copies, and a summary, of the submissions

Amendment not agreed to.

Clause 49 stands as printed.

Clause 50.

J Davis moved the following amendment:

Clause 50

omit

the summary of submissions

insert

each submission

Amendment not agreed to.

Clause 50 stands as printed.

Clauses 51 to 54 stand as printed.

Clause 55.

Mrs Finocchiaro moved the following amendment:

Clause 55(2)(b), after "Coordinator"

insert

or the Minister

Amendment agreed to.

Clause 55 stands as amended.

Clause 56.

J Davis moved the following amendment:

Clause 56(b)

omit

a summary of the submissions

insert

copies, and a summary, of the submissions

Amendment not agreed to

Clause 56 stands as printed.

Clause 57.

J Davis moved the following amendment:

Clause 57

omit

any summary of submissions

insert

each submission

Amendment not agreed to.

Clause 57 stands as printed.

Clauses 58 to 62 stand as printed.

Clause 63.

Mrs Finocchiaro moved the following amendment:

Clause 63(2)

omit

85(2).

insert

86(2).

Amendment agreed to.

Clause 63 stands as amended.

J Davis moved the following amendment:

After clause 63, in Part 7, Division 1

insert

63A Application of Part in relation to excluded area

To avoid doubt, a request or notice under this Part must not be made or given in relation to a statutory process or statutory decision that relates, either whole or in part, to an activity, project or area that is on or relates to an excluded area.

Amendment not agreed to.

Clause 64 stands as printed.

Clause 65.

J Davis moved the following amendment:

Clause 65(1)

omit, insert

(1) Subject to subsection (2) and section 67, the Territory Coordinator may, by written notice (a ***progression-related request***) given to the responsible entity for a statutory process, request the entity to pause, or to continue to undertake, the process in relation to a significant project, a works project, an IC activity or a TDA activity for the period specified in the request.

Amendment not agreed to.

Clause 65 stands as printed.

Clause 66 to 69 stand as printed.

Clause 70.

J Davis moved the following amendment:

Clause 70

omit, insert

70 When step-in notice may be given

The Territory Coordinator may only give a step-in notice for a statutory decision or statutory process if the responsible entity for the decision or process agrees to the step-in notice

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	K McNamara	Mr Paech
Ms Uibo	Mr Young		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 70 stands as printed.

Clauses 71 and 72 stand as printed.

Clause 73.

J Davis moved the following amendment:

Clause 73(2)

omit

principle.

insert

principle, provided that the conditions are consistent with the relevant law.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 73 stands as printed.

Clauses 74 to 76 stand as printed.

Clause 77.

Ms Uibo moved the following amendment:

After clause 77(2)

insert

(3) An exemption notice cannot be given if it would solely or primarily benefit a private corporation.

Amendment not agreed to.

Clause 77 stands as printed.

Clause 78.

J Davis moved the following amendment:

Clause 78

omit, insert

78 Ground for giving exemption notice

An exemption notice may only be given under this Division if modifying or excluding the law, or part of the law, would achieve efficient and effective regulation because the law substantially duplicates a statutory process or part of a statutory process that is completed or will be completed in relation to the relevant project or activity.

Amendment not agreed to.

Clause 78 stands as printed.

Clause 79.

J Davis moved the following amendment:

Clause 79(2)(b)

omit

may

insert

must

Amendment not agreed to.

J Davis moved the following amendment:

Clause 79(3)(a)

omit, insert

(a) why the Territory Coordinator is satisfied the ground to issue the exemption notice exists; and

Amendment not agreed to.

Clause 79 stands as printed.

Clause 80.

J Davis moved the following amendment:

Clause 80(2)(b)

omit

may

insert

must

Amendment not agreed to.

Clause 80 stands as printed.

Clause 81.

Ms Uibo moved the following amendment:

After clause 81(2)

insert

(3) This section is subject to section 82.

Amendment not agreed to.

Clause 81 stands as printed.

Clause 82.

Ms Uibo moved the following amendment:

Clause 82(1)

omit

on the next sitting day after it is made.

insert

before it takes effect.

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 82(2)

omit

, whether or not it has been tabled

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 82(3), all words after "given"

omit, insert

within 6 sitting days after it is tabled.

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 82(4) and (5)

omit, insert

(4) An exemption notice does not take effect until the earlier of the following:

(a) the day on which the resolution mentioned in subsection (2) is considered and disposed of by the Legislative Assembly;

(b) the expiry of the period mentioned in subsection (3).

Amendment not agreed to

Clause 82 stands as printed.

Clauses 83 to 85 stand as printed.

Clause 86.

J Davis moved the following amendment:

After clause 86(3)

insert

(4) A condition variation notice takes effect as provided for in section 87A(5).

Amendment not agreed to.

Clause 86 stands as printed.

Clause 87 stands as printed.

J Davis moved the following amendment:

After clause 87, in Part 7, Division 5

insert

87A Tabling and disallowance

(1) The Minister must table a copy of a condition variation notice in the Legislative Assembly before it takes effect.

(2) The Legislative Assembly may pass a resolution disallowing a condition variation notice, or a specified provision of the notice.

(3) Notice of a resolution under subsection (2) must be given within 6 sitting days after it is tabled.

(4) If a resolution disallows a condition variation notice or provisions of it, the disallowance has the same effect as a revocation of the notice or provisions.

(5) A condition variation notice takes effect on the earlier of the following:

(a) the day on which a resolution mentioned in subsection (2) is considered and disposed of by the Legislative Assembly;

(b) if notice of a resolution is not given within the period specified in subsection (3) – the expiry of that period.

Amendment not agreed to.

Clause 88.

Mrs Finocchiaro moved the following amendment:

Clause 88

omit, insert

88 Publication of requests and notices

(1) Within 5 business days after giving one of the following requests or notices, the Territory Coordinator or Minister must publish a copy of the request or notice on the Territory Coordinator or Agency website:

(a) a prioritisation request;

(b) a progression-related request;

(c) a decision request;

(d) a step-in notice;

(e) a notice of completion under section 74;

(f) an exemption notice;

(g) a condition variation notice;

(h) a notice of revocation of a condition under section 86(3).

(2) For a notice mentioned in subsection (1)(d), (f), (g) or (h), the Territory Coordinator or Minister must also publish a statement of reasons for giving the notice.

Amendment agreed to.

Clause 88 stands as amended.

Clauses 89 and 90 stand as printed.

Clause 91.

Mrs Finocchiaro moved the following amendment:

Clause 91

omit, insert

91 Tabling of reports

The Minister must table a copy of each of the following reports or notices in the Legislative Assembly within 6 sitting days after receiving or preparing the report or notice:

(a) a report given to the Minister under section 90(1);

(b) a notice given to the Minister under section 90(2);

(c) a report prepared under section 90(3).

Amendment agreed to.

Clause 91 stands as amended.

Clause 92 stands as printed.

Clause 93.

Ms Uibo moved the following amendment:

After clause 93(2)

insert

(3) Nothing in this section authorises a person to enter onto or disturb a sacred site within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).

Amendment not agreed to.

Clause 93 stands as printed.

Clause 94.

J Davis moved the following amendment:

Clause 94(1)

omit

Territory Coordinator

insert

Minister or an independent third party appointed by the Minister

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 94 stands as printed.

J Davis moved the following amendment:

Before clause 95, in Part 9

Insert

94A Public consultation requirements

(1) This section sets out the minimum requirements for public consultation required in relation to each of the following proposals:

(a) a proposed ICP under section 29(b);

(b) a proposed variation to an ICP under section 32(2)(b);

(c) a proposed program of works under section 40A(b);

(d) a proposed TDA plan under section 48(b);

(e) a proposed variation of a TDA plan under section 55(2)(b).

(2) The Territory Coordinator must, when publishing a proposal as required under this Act, publish a notice on the Territory Coordinator or Agency website including the following information:

(a) a statement that the proposal has been published on the Territory Coordinator or Agency website, as the case may be;

(b) the consultation period for the proposal, which must be at least 60 days from the date the notice is published;

(c) that any person may, within the consultation period, make submissions in relation to the proposal;

(d) that submissions may be made in writing or in an audio, visual or audio-visual format;

(e) the address where submissions may be given.

(3) During the consultation period the Territory Coordinator must carry out public, in person information sessions about the proposal.

(4) The Territory Coordinator must, if requested to do so by an interested party for the proposal, and so far as is reasonably practicable, for the purpose of enabling interested parties to understand the proposal:

(a) provide information about the proposal in languages other than English; and

(b) arrange for public, in person information sessions about the proposal to be carried out in languages other than English.

(5) As soon as reasonably practicable after a consultation period finishes, the Territory Coordinator must publish all submissions received by the Territory Coordinator on the Territory Coordinator or Agency website.

Amendment not agreed to.

Clause 95.

Ms Uibo moved the following amendment:

Clause 95

omit, insert

95 Review by NTCAT

(1) NTCAT has jurisdiction to review a decision (**a *reviewable decision***) specified in Schedule 2.

(2) An ***affected person***, for a reviewable decision, is a person specified in Schedule 2 for the decision.

(3) An affected person for a reviewable decision may apply to NTCAT for review of the decision.

Note for section 95

The Northern Territory Civil and Administrative Tribunal Act 2014 sets out the procedure for applying to NTCAT for review and other relevant matters in relation to reviews.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 95 stands as printed.

Clause 96.

Ms Uibo moved the following amendment:

After clause 96(1)(g)

insert

(h) a justification of any decision supported by an economic or environmental impact assessment.

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 96(3)

omit

make reasonable endeavours to ensure the register is kept updated.

insert

ensure the register is updated within 24 hours of a new entry or change to an entry required by subsection (1).

Amendment not agreed to.

Ms Uibo moved the following amendment:

Clause 96(4)

omit, insert

(4) The register must be:

(a) published on the Territory Coordinator or Agency website; and

(b) searchable, or indexed, by project, industry and type of document.

Amendment not agreed to.

Clause 96 stands as printed.

Clauses 97 and 98 stand as printed.

Clause 99.

Ms Uibo moved the following amendment:

Clause 99(2)

omit

, exemption notice

Amendment not agreed to.

Clause 99 stands as printed.

Clause 100.

J Davis moved the following amendment:

Clause 100(1)

omit

conduct

insert

arrange for an appropriately qualified independent third party to conduct

Amendment not agreed to.

Clause 100 stands as printed.

Clause 101 stands as printed.

Mrs Finocchiaro moved the following amendment:

After clause 101

Insert

101A Review of Act

(1) The Minister must arrange for an independent review of this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

(2) The review is to be undertaken as soon as possible after 5 years after this Act commences.

(3) A report on the outcome of the review is to be tabled in the Legislative Assembly within 12 months after the end of the period of 5 years.

Amendment agreed to.

Clauses 102 to 105 stand as printed.

Schedule.

Ms Uibo moved the following amendment:

Schedule, item 10

Omit

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

J Davis moved the following amendment:

Schedule, item 14

Omit

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Schedule stands as printed.

Ms Uibo moved the following amendment:

After the Schedule

insert

Schedule 2 Reviewable decisions

Section 95

Item	Reviewable decision	Affected person
1.	A declaration of an ICA under section 25	A local government council for a Council area covered by the ICA A public body that has functions in the ICA The owner or occupier of land in the ICA A Land Council for lands covered by the ICA Traditional owners or holders of native title rights and interests in the ICA land The owner of an affected business operating in the ICA
2.	A designation of a Territory development area under section 43	A local government council for a Council area covered by the designated area A public body that has functions in the designated area The owner or occupier of affected land in the designated area A Land Council for lands covered by the designated area Traditional owners or holders of native title rights and interests in the designated area The owner of an affected business operating in the designated area
3.	A grant by the Territory Coordinator of a development approval in a Territory development area	A local government council for a Council area covered by the Territory development area The owner or occupier of land in the Territory development area A Land Council for lands covered by the Territory development area Traditional owners or holders of native title rights and interests in the Territory development area The owner of an affected business operating in the Territory development area
4.	A decision to give a step-in notice	A public body with functions that were stepped into by the notice
5.	A decision to give an exemption notice	Any person, business, Land Council, Traditional Owner, holder of native title rights and interests or public body affected by the decision to issue the notice

6.	A refusal by the Territory Coordinator of any request or application by a proponent under this Act	The proponent
7.	A decision by a person authorised under section 92 to enter land under section 93	The owner or occupier of the land
8.	A determination by the Territory Coordinator of an amount of compensation for damage to land under section 94	The owner or occupier of the land
9.	Any other decision by the Territory Coordinator not referred to in items 1 to 8 that materially affects private property rights, land use, environmental management or local governance	Any person, business, Land Council, Traditional Owner, holder of native title rights and interests or public body affected by the decision

Amendment not agreed to.

On the question that the remainder of the Bill stand as printed, the Assembly divided:

Ayes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Noes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Question agreed to.

On the question that the Bill, as amended, be agreed to, the Assembly divided:

Ayes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Noes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Question agreed to.

Mrs Finocchiaro moved the Bill be now read a third time.

Question put and the Assembly divided:

Ayes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Noes 6

Mr Brown	J Davis	Mr Young	K McNamara
Mr Paech	Ms Uibo		

Motion passed.

Bill read a third time.

13. PAPER TABLED

The Speaker tabled: Auditor-General's Report No. 3: 2024-2025, Public Information Referrals, Northern Territory Auditor-General's Office, *Public Information Act 2010* (Paper 222).

14. ADJOURNMENT

Mr Edgington (Leader of Government Business) moved that the Assembly do now adjourn.

Question put and passed.

The Assembly adjourned on Wednesday 19 March 2025 at 1.33 am until Wednesday 19 March 2025 at 10.00 am.

ATTENDANCE

All members attended the meeting

RUSSELL KEITH
Clerk of the Legislative Assembly