NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 80
Wednesday 17 May 2023

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Mark Monaghan, presided.

2. PRAYERS

Mr Bowden read the prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. SPEAKER'S STATEMENT

The Speaker made a statement regarding International Day Against Homophobia, Biphobia, Intersex-phobia, and Transphobia (IDAHOBIT) and a statement regarding WOW Day, acknowledging SES volunteers.

5. VISITORS

On behalf of all Members, the Speaker welcomed YouthWorX NT participants present in the gallery.

6. MOTION: APPOINTMENT OF ESTIMATES COMMITTEE 2023

Mr Paech (Leader of Government Business) moved:

That the 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:
    1. estimates of proposed expenditure contained in the Appropriation (2023-2024) Bill 2023 (the Appropriation Bill) and related budget documents,
    2. Stamp Duty Amendment Bill 2023, and
    3. 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 2023-24.
2. The membership of the Committee will be three Government Members, one Opposition Member and one non-party aligned Member to be nominated in writing to the Speaker by the relevant Whip or non-party aligned Member. Nominations to the Speaker should occur no later than Monday, 22 May 2023.
3. The Committee may hold hearings on the following days:

    Tuesday, 13 June 2023

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Wednesday, 14 June 2023

Thursday, 15 June 2023

Monday, 19 June 2023

Tuesday, 20 June 2023

Wednesday, 21 June 2023

Thursday, 22 June 2023

4. The total time for hearings of the Committee may not exceed 60 hours.

5. The maximum time of the appearance of the Chief Minister and the Treasurer shall not exceed 8 hours. For each other Minister and the Speaker the maximum time of their appearance shall not exceed 7 hours.

6. The Committee will publish a schedule of the days and times of hearings, and the times allotted for hearing from Ministers, the Speaker and Board Chairs by 26 May 2023. The Committee may only amend the published schedule with the consent of the Leader of Government Business.

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

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 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 17 July 2023. Answers or additional information so received are authorised for publication.

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 their second reading, the Appropriation Bill and the Stamp Duty Amendment Bill 2023 stand referred to the Committee for report by 22 June 2023.

14. The Assembly's Routine of Business for Thursday, 22 June 2023 is:

    1. 2.30pm
       Prayers and Acknowledgement of Country

    2. Report from Estimates Committee and consideration of the Appropriation Bill and the Stamp Duty Amendment Bill 2023.

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

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that the expenditure proposed in the Appropriation (2023-2024) Bill 2023 stand as printed and the clauses of the Stamp Duty Amendment Bill 2023 stand as printed, and the report of the Estimates Committee be noted.

16. The following time limits shall apply to the debate on this question:
    - 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 Bill and the clauses of the Stamp Duty Amendment Bill is agreed to, the following question is proposed and put immediately:

    that the remainder of the Bills stand as printed.
18. When the Bills have been agreed to by the Assembly, their third reading may be taken into consideration immediately.
19. This resolution shall have effect notwithstanding anything contained in Standing and Sessional Orders.

Mrs Finocchiaro, Mr Paech (in reply).

Question put and passed.

7. MOTION: APPOINTMENT OF A SELECT COMMITTEE TO INQUIRE INTO THE FUTURE OF THE NT POLICE FORCE

Mrs Finocchiaro moved:

That this Assembly:

Appoints a select parliamentary committee to inquire into the current and future organisational health of our Police Force. Given the recent departure of the Commissioner and the unacceptably high level of crime, the time is now to review the operational needs, leadership structure, resourcing and wellbeing of our police.

The committee is to be composed of three (3) members of the Government, two (2) members of the Opposition and one (1) Independent member to be nominated in writing to the Speaker by the relevant Whip or Independent Member.

The committee is to report to the Legislative Assembly within 60 days, with specific recommendations to address this issue of paramount importance to Territorians.

Visitor: On behalf of all Members the Speaker welcomed Year 3 and 4 students and teachers from Karama Primary School present in the gallery.

Mrs Worden.

Mrs Worden moved that the question be put.

The Assembly divided:

Ayes 14	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Brown	Mr Edgington
Ms Fyles	Mrs Finocchiaro

Mr Kirby	Mrs Hersey
Ms Lawler	Mr Maley
Mrs Manison	Ms Purick
Ms Moss	Mr Yan
Mr Paech	
Mr Potter	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Motion agreed to.

On the question that the motion be agreed to.

The Assembly divided:

Ayes 8	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mr Edgington	Mr Brown
Mrs Finocchiaro	Ms Fyles
Mrs Hersey	Mr Kirby
Mr Maley	Ms Lawler
Ms Purick	Mrs Manison
Mr Yan	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Potter
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Motion not agreed to.

8. APPROPRIATION (2023-2024) BILL 2023 (SERIAL 90) AND STAMP DUTY AMENDMENT BILL 2023 (SERIAL 89)

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

Ms Ah Kit.

Debate suspended.

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

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9. NOTICES

The following notices were given:

1. Mr Paech (Attorney-General and Minister for Justice) will present on the next Meeting Day a Bill titled Health Care Decision Making Bill 2023 (Serial 95).
2. Mr Paech (Minister for Local Government) will present on the next Meeting Day a Bill titled Local Government Grants Commission Amendment Bill 2023 (Serial 92).

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3. Mr Paech (Attorney-General and Minister for Justice) will present on the next Meeting Day a Bill titled Criminal Justice Legislation Amendment (Sexual Offences) Bill 2023 (Serial 93).
4. Ms Fyles (Health) will present on the next Meeting Day a Bill Food Amendment Bill 2023 (Serial 94).

10. PETITION

Ms Ah Kit presented Petition Number 24 from 1,771 petitioners requesting that the Government address the issue of community safety (Paper 867).

Petition read.

Ms Ah Kit moved that the petition be noted.

Question put and passed.

11. QUESTIONS

14.02 Mrs Finocchiaro to Ms Fyles
14.06 Mr Potter to Ms Fyles
14.09 Mr Maley to Ms Fyles
14.13 Mr Bowden to Ms Fyles

Exclusion from Chamber: The Speaker ordered Mr Maley to leave the Chamber for one hour pursuant to Standing Order 49.

14.16 Ms Boothby to Ms Fyles
14.20 Mr Potter to Mrs Manison

Visitors: On behalf of all Members the Speaker welcomed students from Charles Darwin University International College present in the gallery.

14.24 Mr Yan to Ms Fyles
14.28 Mr Young to Ms Lawler

Visitors: On behalf of all Members the Speaker welcomed the Foundations of Public Sector Governance Program participants present in the gallery.

14.32 Mr Burgoyne to Ms Fyles
14.35 Mr Bowden to Ms Moss
14.39 Mr Guyula to Mrs Manison
14.43 Mr Brown to Ms Uibo
14.46 Mrs Hersey to Ms Ah Kit
14.50 Mr Young to Mr Kirby
14.54 Mr Edgington to Ms Fyles
14.58 Mr Young to Ms Lawler

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

12. MOTION: SUSPENSION OF STANDING ORDERS

Mrs Finocchiaro (Leader of the Opposition) moved that so much of Standing Orders be suspended as would prevent the passage of the Bail Further Amendment Bill 2023 through all stages in General Business today, 17 May 2023.

Mr Paech moved that the question be put.

Speaker's Statement: The Speaker announced that, pursuant to the resolution on remote participation passed by the Assembly on 26 July 2022, Mrs Lambley, attending via videoconference, will indicate her vote at each division.

The Assembly divided:

Ayes 14	**Noes 9**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Brown	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Kirby	Mrs Hersey
Ms Lawler	Mrs Lambley
Mrs Manison	Mr Maley
Ms Moss	Ms Purick
Mr Paech	Mr Yan
Mr Potter	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Motion agreed to.

On the question that the suspension of standing orders be agreed to.

The Assembly divided:

Ayes 9	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mr Edgington	Mr Brown
Mrs Finocchiaro	Ms Fyles
Mrs Hersey	Mr Kirby
Mrs Lambley	Ms Lawler
Mr Maley	Mrs Manison
Ms Purick	Mr Monaghan
Mr Yan	Ms Moss
	Mr Paech
	Mr Potter
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Motion not agreed to.

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13. BAIL FURTHER AMENDMENT BILL 2023 (SERIAL 91)

Mrs Finocchiaro, pursuant to notice, presented a Bill for an Act to amend the *Bail Act 1982.*

Bill read a first time.

Mrs Finocchiaro moved that the Bill be read a second time, delivered a second reading speech and tabled an Explanatory Statement (Paper 868).

Mr Paech moved that the debate be adjourned.

Question put and passed.

14. MOTION: STATUTORY BODY FOR THE REVIEW OF LEGISLATION TO EVALUATE IMPACT ON FIRST NATIONS TERRITORIANS

Mr Guyula, by leave, moved the motion he gave notice of on 17 February 2022 in the following amended form:

> That the Assembly refers to the Legal and Constitutional Affairs Committee, for inquiry and report back to the Assembly by May 2024, a process to review bills introduced into the Assembly for their impact on First Nations Territorians.
>
> The inquiry should consider, but not be limited to:
>
> - The preferred body to conduct such a review, such as a statutory body composed of First Nations Territorians, or an Assembly committee advised by First Nations Territorians, and
> - A requirement for a Statement of Compatibility against prescribed measures of self-determination, that will indicate the degree to which the Bill:
>   - Affirms and enhances the right of the First Nations peoples of the Northern Territory to enjoy, practice and benefit from their traditional law, culture and autonomy.
>   - Is based on consultation, according to First Nation law and custom, and reflects the principle of free, prior and informed consent;
>   - Is consistent with the principles underlying the Northern Territory Government's Local Decision Making (LDM) Policy Framework for communities to have control over their own affairs in order to enhance First Nation peoples rights of self-governance,
>   - Is consistent with the Northern Territory Government's commitments to Closing the Gap,
>   - Is compatible with the United Nations Declaration on the Rights of Indigenous Peoples; and other international instruments to which Australia is a party, including the right of self-determination in Article 1 of the International Covenant on Civil and Political Rights; and Article 1 of the International Covenant on Economic, Social and Cultural Rights.

Mr Paech, Mr Edgington, Ms Fyles, Ms Uibo, Mr Young, Mr Brown, Ms Ah Kit, Mrs Manison, Mr Bowden, Mr Guyula (in reply).

Question put and passed.

15. PAPERS TABLED

Mr Monaghan (Chair of Standing Orders Committee) tabled:

1. Standing Orders Committee Report on the Review of Standing Orders 26, 61, 110 and 200 (Paper 869);
2. Associated Minutes of Proceedings, Standing Orders Committee Report on the Review of Standing Orders 26, 61, 110 and 200 (Paper 870); and

3. Related submissions, Standing Orders Committee Report on the Review of Standing Orders 26, 61, 110 and 200 (Paper 871).

Mr Monaghan made a tabling statement and moved that the report be adopted.

Mr Burgoyne moved that the debate be adjourned.

Question put and passed.

16. ADJOURNMENT

Mr Paech (Leader of Government Business) moved that the Assembly adjourn.

Question put and passed.

Mrs Manison, Ms Moss, Mrs Finocchiaro, Ms Ah Kit, Ms Uibo.

The Assembly adjourned at 19.50 until Thursday 18 May 2023 at 10.00.

ATTENDANCE

All Members attended the meeting.

Mrs Lambley attended via videoconference.



MATHEW BATES
Clerk of the Legislative Assembly