NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 86
Tuesday 29 August 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

Ms Lawler delivered the acknowledgement of country on behalf of the Assembly.

4. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from His Honour Professor the Honourable Hugh Heggie PSM, Administrator of the Northern Territory (Paper 916).

Message Number 29

Assent to Proposed Laws

I, HUGH HEGGIE 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:

17 August 2023

Police Legislation Further Amendment Act 2023 (Act No. 18 of 2023)
Health Care Decision Making Act 2023 (Act No. 19 of 2023)
Criminal Justice Legislation Amendment (Sexual Offences) Act 2023 (Act No. 20 of 2023)
Local Government Grants Commission Amendment Act 2023 (Act No. 21 of 2023)

Dated 22 August 2023.

5. SPEAKER'S STATEMENT

The Speaker announced that, pursuant to the resolution on remote participation passed by the Assembly on 26 July 2022, he considered it necessary for Members to participate in the Assembly's Meetings remotely this week.

The Speaker confirmed that Mr Burgoyne, attending via videoconference, will be voting with the Opposition during divisions.

6. SPEAKER'S STATEMENT

The Speaker expressed condolences on behalf of the Assembly on the passing of three U.S. Marines, and of 20 others who were injured, in an MV-22B Osprey crash on Sunday 27 August 2023 in the Tiwi Islands.

7. STATEMENTS ON THE PASSING OF UNITED STATES MARINES

Ms Fyles and Mrs Finocchiaro, by leave, made statements to the Assembly regarding the passing of Captain Eleanor V LeBeau, Corporal Spencer R Collart and Major Tobin J Lewis in the MV-22B Osprey crash.

As a mark of respect Members stood in their places in silence for one minute.

8. MOTION: LEAVE OF ABSENCE

Pursuant to Standing Order 224 Mr Paech moved that a leave of absence for this week be granted to Ms Uibo for personal reasons.

Question put and passed.

9. MOTION: LEAVE OF ABSENCE

Pursuant to Standing Order 224 Mr Paech moved that a leave of absence for this week be granted to Mrs Lambley for personal reasons.

Question put and passed.

10. SPEAKER'S STATEMENT

On behalf of all Members, the Speaker expressed condolences to Mrs Lambley on the passing of her sister.

11. VISITORS

On behalf of all Members, the Speaker welcomed Year 10 students and teachers from Palmerston College Special Education Centre present in the gallery.

12. SPEAKER'S STATEMENT

The Speaker advised Honourable Members of the presence of media in the Chamber.

13. VISITOR

On behalf of all Members, the Speaker welcomed Samara Laverty present in the Speaker's Gallery.

14. PAPER TABLED

The Speaker tabled a response from the Public Accounts Committee regarding Petition Number 25, dated 23 March 2022 (Paper 917).

The Clerk advised receipt of a report from the Public Accounts Committee regarding Petition Number 25 concerning Justice for Declan Laverty – Action Against Crime in the Northern Territory.

Mr Paech moved that the report be adopted.

Question put and passed.

15. MOTION: SUSPENSION OF STANDING AND SESSIONAL ORDERS

Ms Fyles, pursuant to Standing Order 59, moved that, notwithstanding anything to the contrary in the Standing and Sessional Orders, the Assembly's business today be conducted as follows:

1) The question that the Assembly note Petition Number 25 be moved and considered immediately,

2) There be no limit on the number of Members who can speak to that question and the time limit for each Member be 10 minutes; and

3) Should the debate not be concluded by the lunchtime suspension, the Debate on the question to note the petition to become Government Business Order of the Day Number Four.

Mrs Finocchiaro moved the following amendment:

That the Government's motion be amended to omit any reference to time limits and insert the words: debate on Petition 25, Justice for Declan Laverty – Action against Crime in the Northern Territory will proceed according to the ordinary time limits for 'Debates not otherwise provided for' under Standing Order 43.

The Assembly divided:

Ayes 10	**Noes 13**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mr Edgington	Mr Brown
Mrs Finocchiaro	Ms Fyles
Mr Guyula	Mr Kirby
Mrs Hersey	Ms Lawler
Mr Maley	Mrs Manison
Ms Purick	Mr Monaghan
Mr Turner	Ms Moss
Mr Yan	Mr Paech
	Mr Potter
	Mrs Worden
	Mr Young

Amendment not agreed to.

On the question that the suspension of Standing and Sessional Orders be agreed to.

Question put and passed with an absolute majority.

16. SPEAKER'S STATEMENT

The Speaker made a statement regarding respectful debate and behaviour.

17. MOTION: PETITION NUMBER 25 BE NOTED

Pursuant to the foregoing motion, Ms Fyles moved that the Assembly note Petition Number 25 regarding Justice for Declan Laverty – Action Against Crime in the Northern Territory.

Mrs Finocchiaro, Mrs Manison, Mr Maley, Mrs Worden, Ms Boothby, Ms Purick, Mr Bowden, Mr Yan.

Paper Tabled: Mr Yan, by leave, tabled: Flow chart – Police powers, hand held scanners (Paper 921).

Mr Guyula.

Debate suspended.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.57 and 14.00.

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18. VISITORS

On behalf of all Members, the Speaker welcomed Ms Lynne Walker, former Member for Nhulunbuy; and Clontarf Academy students and teachers from Driver Primary School, present in the gallery.

19. NOTICE

The following notice was given:

1. Ms Lawler (Minister for Education) will present on the next Meeting Day a Bill titled Education Legislation Amendment Bill (Serial 100).

20. MINISTERIAL ARRANGEMENTS

Mr Paech (Leader of Government Business) informed the Assembly that all matters standing in the name of the Minister for Housing and Homelands dealt with in the Assembly this week will be managed by Ms Ah Kit; Minister for Renewables and Energy by Ms Lawler; Minister for Essential Services by Mrs Manison; and Minister for Aboriginal Affairs by Mr Paech.

21. QUESTIONS

14.02 Mrs Finocchiaro to Ms Fyles
14.05 Mr Potter to Ms Fyles
14.08 Mr Maley to Ms Fyles
14.12 Mr Bowden to Mrs Manison
14.16 Mrs Hersey to Ms Fyles
14.20 Mr Potter to Ms Lawler
14.23 Mr Edgington to Ms Fyles
14.27 Mr Young to Ms Moss
14.31 Mr Yan to Ms Fyles
14.35 Mr Young to Mr Kirby
14.39 Ms Purick to Mrs Manison
14.42 Mr Brown to Ms Lawler
14.45 Ms Boothby to Ms Fyles
14.49 Mr Potter to Mr Paech
14.53 Mr Burgoyne to Ms Fyles
14.56 Mr Brown to Ms Ah Kit

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

22. FOOD AMENDMENT BILL 2023 (SERIAL 94)

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

Mr Edgington, Mr Kirby, Mr Guyula. Mr Yan, Ms Ah Kit, Ms Fyles (in reply).

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clause 1 considered.

Clause 1 stands as printed.

Clause 2 considered.

Clause 2 stands as printed.

Clauses 3 and 4 considered.

Clauses 3 and 4 stand as printed.

Clause 5 considered.

Clause 5 stands as printed.

Clause 6 considered.

Clause 6 stands as printed.

Clause 7 considered.

Clause 7 stands as printed.

Clause 8 considered.

Clause 8 stands as printed.

Clause 9 considered.

Clause 9 stands as printed.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill agreed to.

On the motion of Ms Fyles (Chief Minister), the Bill was read a third time.

23. MOTION: COGNATE SECOND READING DEBATE

Mr Paech (Leader of Government Business) moved, pursuant to Standing Order 59, that, notwithstanding anything to the contrary in the Standing or Sessional Orders, the consideration of the second reading of the Northern Territory Civil and Administrative Tribunal Amendment Bill 2023 (Serial 97) and the Statute Law Amendment (NTCAT Conferral of Jurisdiction) Bill 2023 (Serial 98) be taken together, with the Speaker to put the question on the second reading of each bill separately at the conclusion of the debate.

Question put and passed.

24. NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2023 (SERIAL 97) AND THE STATUTE LAW AMENDMENT (NTCAT CONFERRAL OF JURISDICTION) BILL 2023 (SERIAL 98)

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

Mr Edgington, Mr Potter, Mr Paech (in reply).

On the question that the Northern Territory Civil and Administrative Tribunal Amendment Bill 2023 (Serial 97) be read a second time.

Question put and passed.

By leave, on the motion of Mr Paech (Attorney-General and Minister for Justice), the Statute Law Amendment (NTCAT Conferral of Jurisdiction) Bill 2023 (Serial 98) was read a third time.

On the question that the Statute Law Amendment (NTCAT Conferral of Jurisdiction) Bill 2023 (Serial 98) Bill be read a second time.

Question put and passed.

Bill read a second time.

By leave, on the motion of Mr Paech (Attorney-General and Minister for Justice), the Statute Law Amendment (NTCAT Conferral of Jurisdiction) Bill 2023 (Serial 98) was read a third time.

25. MOTION: PETITION NUMBER 25 BE NOTED

Resumption of debate on the motion that the Assembly note Petition Number 25 regarding Justice for Declan Laverty – Action Against Crime in the Northern Territory.

Mr Potter, Mrs Hersey, Mr Turner, Mr Edgington, Mr Burgoyne, Mr Paech.

Question put and passed.

26. PAPER TABLED

The Speaker tabled: Auditor-General's August 2023 Report to the Legislative Assembly (Paper 922).

Mr Paech (Leader of Government Business) moved that the report be noted.

Question put and passed.

27. ADJOURNMENT

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

Question put and passed.

Ms Lawler, Mrs Finocchiaro, Mr Potter, Mr Kirby, Mr Paech, Ms Moss, Ms Ah Kit.

The Assembly adjourned at 19.11 until Wednesday 30 August 2023 at 10.00.

DEEMED PAPERS

Pursuant to Standing Order 239 the following papers were deemed tabled:

Subordinate Legislation 2023

No. 17 of 2023, City of Darwin By-laws 2023 (Paper 918)
No. 18 of 2023, Liquor Further Amendment Regulations 2023 (Paper 919)

Surveillance Devices Act 2007

Ombudsman NT, Report to Attorney-General and Minister for Justice, Compliance by Northern Territory Police Force with Surveillance Devices Act 2007, July 2023 (Paper 920)

ATTENDANCE

All Members attended the meeting, except Mrs Lambley and Ms Uibo on leave.

Mr Burgoyne attended via videoconference.

MATHEW BATES
Clerk of the Legislative Assembly