NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 110
Tuesday 21 May 2024

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Dheran Young, presided.

2. PRAYERS

Mr Bowden read the prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

Mrs Worden delivered the acknowledgement of country on behalf of the Assembly.

4. SPEAKER'S STATEMENTS

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 Ms Moss, attending via videoconference, will be voting with the Government during divisions.

The Speaker reported to the Assembly that, pursuant to the resolution passed by the Assembly on 16 May 2024, the following Members were appointed to the Estimates Committee: the Members for Namatjira and Araluen on 16 May 2024; and the Members for Nightcliff, Port Darwin and Wanguri on 20 May 2024.

5. VISITORS

On behalf of all Members, the Speaker welcomed Year 5 and 6 students and teachers from Woodroffe Primary School present in the gallery.

6. PAPER TABLED

The Speaker tabled a response from the Public Accounts Committee regarding Petition Number 28, dated 16 May 2024 (Paper 1143).

7. MOTION: ADOPT PUBLIC ACCOUNTS COMMITTEE REPORT ON PETITION NUMBER 28

The Clerk advised receipt of a report from the Public Accounts Committee regarding Petition Number 28 requesting that the Government tackle the increase in crime in the town of Alice Springs.

Mrs Lambley moved the report be adopted.

Question put and passed.

8. PAPER TABLED

The Speaker tabled a response from the Public Accounts Committee regarding Petition Number 31, dated 16 May 2024 (Paper 1144).

9. MOTION: ADOPT PUBLIC ACCOUNTS COMMITTEE REPORT ON PETITION NUMBER 31

The Clerk advised receipt of a report from the Public Accounts Committee regarding Petition Number 31 concerning immediate action to address rising crime in the NT.

Mr Edgington moved the report be adopted.

Question put and passed.

10. PAPER TABLED

The Speaker tabled a response from the Public Accounts Committee regarding Petition Number 32, dated 16 May 2024 (Paper 1145).

11. MOTION: ADOPT PUBLIC ACCOUNTS COMMITTEE REPORT ON PETITION NUMBER 32

The Clerk advised receipt of a report from the Public Accounts Committee regarding Petition Number 32 concerning the location for the new Youth Centre in Casuarina.

Ms Boothby moved the report be adopted.

12. MOTION: SUSPENSION OF STANDING AND SESSIONAL ORDERS

Mr Paech (Leader of Government Business) moved, without notice, that so much of Standing and Sessional Orders be suspended which would prevent the passage of the Police Administration Legislation Amendment Bill 2024 (Serial 129) through all stages in this sittings week.

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

Question put and passed. With an absolute majority.

13. POLICE ADMINISTRATION LEGISLATION AMENDMENT BILL 2024 (SERIAL 129)

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

Mrs Finocchiaro, Ms Lawler, Mrs Lambley.

Visitors: On behalf of all Members the Speaker welcomed Year 5 and 6 students and teachers from Woodroffe Primary School present in the gallery.

Ms Ah Kit, Mr Burgoyne, Mrs Worden.

Debate suspended.

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

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14. NOTICE

The following notice was given:

Mr Paech (Leader of Government Business) will move on the next Meeting Day that this Assembly, pursuant to section 4(3) of the Audit Act 1995, recommends to His Honour the Administrator that he appoint Mr Jara Dean to hold the office of the Northern Territory Auditor-General.

15. PETITION

Ms Uibo presented Petition Number 33 from 524 petitioners opposing the Middle Arm Sustainable Development Precinct (Paper 1154).

Petition read.

16. QUESTIONS

14.02 Mrs Finocchiaro to Mr Paech
14.05 Mr Kirby to Ms Lawler
14.09 Mr Maley to Mr Paech, redirected to Mr Potter
14.14 Ms Moss to Mr Potter
14.18 Mr Edgington to Mr Paech
14.21 Mr Edgington to Mr Paech – Supplementary
14.22 Ms Fyles to Ms Ah Kit
14.26 Mrs Hersey to Mr Paech, redirected to Mr Potter
14.30 Mrs Manison to Ms Lawler
14.34 Mrs Lambley to Ms Lawler
14.38 Mr Brown to Mr Bowden
14.41 Mr Burgoyne to Mr Paech
14.44 Mrs Manison to Mr Monaghan
14.48 Ms Boothby to Mr Paech
14.52 Mr Brown to Ms Uibo
14.56 Mr Yan to Mr Paech
14.59 Ms Fyles to Mrs Worden

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

17. POLICE ADMINISTRATION LEGISLATION AMENDMENT BILL 2024 (SERIAL 129)

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

Mrs Worden (continuation of remarks), Mr Guyula, Mr Edgington, Mr Turner, Mr Potter (in reply).

Paper Tabled: Mr Potter (Minister for Police) tabled: Statistics, Released Prisoners Returning to Prison, dated 13 May 2024 (Paper 1155).

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.

Mr Turner moved the following amendment:

Clause 2

Omit, insert

2 Commencement

(1) This Act (except Part 3A) commences on the day after the day on which the Administrator's assent to this Act is declared.

(2) Part 3A commences 2 years after the day on which section 6 commences.

Question put and negatived.

MWB

Amendment not agreed to.

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.

Mr Turner moved the following amendment:

Clause 6, proposed section 135E(1)(c), after "person"

insert

intentionally

Question put and negatived.

Amendment not agreed to.

Pursuant to Standing Order 125, Mr Turner requested that his dissent be recorded.

Mr Turner moved the following amendment:

Clause 6, proposed section 135E(2)

omit, insert

(2) Strict liability applies to subsection (1)(a) and (b).

Question put and negatived.

Amendment not agreed to.

Pursuant to Standing Order 125, Mr Turner requested that his dissent be recorded.

Mr Turner moved the following amendment:

Clause 6, proposed section 135G(1), after "The"

insert

Minister or the

Question put and negatived.

Amendment not agreed to.

Pursuant to Standing Order 125, Mr Turner requested that his dissent be recorded.

Mr Turner moved the following amendments:

Clause 6, after proposed section 135G

insert

135GA Appeal against decision relating to public disorder declaration

(1) A person whose interests are affected by any of the following decisions may appeal to the Local Court against the decision:

(a) a decision of the Commissioner to make a public disorder declaration under section 135B(1);

(b) a decision of the Minister to extend a public disorder declaration under section 135F(2).

MeaS

(2) The appeal must be lodged within one business day after the decision is made.

135GB Conduct of appeal

(1) At the hearing of an appeal under section 135GA, fresh evidence or evidence in addition to or in substitution for the evidence before the person who made the decision appealed against may be given on the appeal.

(2) In deciding the appeal, the Local Court may, by order:

(a) confirm the decision; or

(b) vary the decision; or

(c) set aside the decision; or

(d) substitute its own decision for the decision; or

(e) refer the matter to which the appeal relates to the Minister or Commissioner for reconsideration, either generally or in relation to stated matters, and for substitution of another decision.

(3) In referring the matter to the Minister or Commissioner, the Court must:

(a) advise the Minister or Commissioner of its reasons for doing so; and

(b) give to the Minister or Commissioner the directions it considers appropriate for the reconsideration of the whole or any part of the matter being remitted.

(4) In addition to any order made under subsection (2), the Court may make any consequential or ancillary orders that the Court considers appropriate in the circumstances, including an order as to the costs of the appeal.

(5) A decision of the Court under subsection (2)(b) or (d) is taken for this Act to be the decision of the person who made the decision appealed against.

(6) Despite subsection (5), the decision of the Court cannot be appealed by a person under section 135GA.

135GC Operation and implementation of decision pending appeal

(1) Subject to subsection (2), an appeal under section 135GA against a decision does not affect the operation or implementation of the decision.

(2) The Local Court may make an order staying or otherwise affecting the operation or implementation of so much of the decision as the Court considers appropriate to effectively hear and decide the appeal.

(3) The order:

(a) is subject to the conditions stated in the order; and

(b) has effect:

(i) for the period stated in the order; or

(ii) if no period is stated – until the Court has decided the appeal.

Clause 6, proposed section 135K

omit

within 6 sitting days

insert

on the next sitting day

NLWS

The Assembly divided:

Ayes 3	**Noes 21**
Mr Guyula	Ms Ah Kit
Ms Purick	Ms Boothby
Mr Turner	Mr Bowden
	Mr Brown
	Mr Burgoyne
	Mr Edgington
	Mrs Finocchiaro
	Ms Fyles
	Mrs Hersey
	Mr Kirby
	Ms Lawler
	Mr Maley
	Mrs Manison
	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Potter
	Ms Uibo
	Mrs Worden
	Mr Yan
	Mr Young

Amendments not agreed to.

Clause 6 stands as printed.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill agreed to.

On the motion of Mr Potter (Minister for Police), the Bill was read a third time.

18. MINERAL ROYALTIES BILL 2024 (SERIAL 122)

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

Mr Yan, Mr Guyula, Mr Monaghan, Ms Lawler (in reply).

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 9 considered.

Clauses 1 to 9 stand as printed.

Clause 10 considered.

Clause 10 stands as printed.

Clauses 11 and 12 considered.

Clauses 11 and 12 stand as printed.

Clause 13 considered.

Clause 13 stands as printed.

Clauses 14 to 23 considered.

Clauses 14 to 23 stand as printed.

Clause 24 considered.

Clause 24 stands as printed.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill agreed to.

On the motion of Ms Lawler (Treasurer), the Bill was read a third time.

19. PAPERS TABLED

The Deputy Speaker tabled:

1. Quarterly Members' Fuel Transaction Report, Quarter 1, January to March 2024 (Paper 1157).
2. Letter to Ms Lawler, Chief Minister, sharing correspondence with the Assembly from His Majesty, the King relating to the 2023-2024 bushfire season (Paper 1158).

20. PAPERS TABLED

Mr Young (Chair of the Legal and Constitutional Affairs Committee) tabled the following papers:

1. Legal and Constitutional Affairs Committee, Report of Ministerial Correspondence on Subordinate Legislation and Publications, August 2023–May 2024 (Paper 1159).
2. Associated Minutes of Proceedings, Legal and Constitutional Affairs Committee, Report of Ministerial Correspondence on Subordinate Legislation and Publications, August 2023–May 2024 (Paper 1160).

Mr Young moved that the Assembly note the report.

Question put and passed.

21. PAPERS TABLED

Ms Fyles (Chair of the Public Accounts Committee) tabled the following papers:

1. Annual Report 2023–2024, Public Accounts Committee (Paper 1161).
2. Associated Minutes of Proceedings, Annual Report 2023–2024, Public Accounts Committee (Paper 1162).

Ms Fyles moved that the Assembly note the report.

Question put and passed.

22. ADJOURNMENT

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

Question put and passed.

Ms Lawler, Mrs Manison, Mrs Hersey, Ms Uibo, Mrs Worden, Mr Monaghan, Mr Paech, Ms Ah Kit.

The Assembly adjourned at 20.27 until Wednesday 22 May 2024 at 10.00.

DEEMED PAPERS

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

Annual Report 2022–2023

Education and Care Services Ombudsman and National Education and Care Services Freedom of Information & Privacy Commissioner (Paper 1153)

Northern Territory Aboriginal Justice Agreement (Paper 1150)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006

Northern Territory of Australia Remuneration Tribunal Report and Determination No.1 of 2024 Salaries and Other Entitlements of Assembly Members (Paper 1146)

Northern Territory of Australia Remuneration Tribunal Report and Determination No.2 of 2024 Entitlements of Assembly Members – Electoral Redistribution (Paper 1147)

Northern Territory of Australia Remuneration Tribunal Report and Determination No.1 of 2024 On the Entitlements of Local Court Judges (Paper 1148)

Financial Management Act 1995

Investment Determination, dated 9 May 2024, *Financial Management Act 1995* (Paper 1149)

Subordinate Legislation

Subordinate Legislation No.6 of 2024, Firearms Amendment Regulations 2024 (Paper 1151)

Subordinate Legislation No.7 of 2024, Motor Vehicles (Fees and Charges) Amendment Regulations 2024 (Paper 1152)

ATTENDANCE

All Members attended the meeting.

Ms Moss attended via videoconference.

MATHEW BATES
Clerk of the Legislative Assembly