NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 70
Tuesday 21 March 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 Yan delivered the acknowledgement of country on behalf of the Assembly.

4. MOTION: ONE MINUTE'S SILENCE FOR DECLAN LAVERTY

Mrs Finocchiaro moved, without notice, that the Assembly observe one minute's silence to acknowledge the passing of Declan Laverty.

Question put and passed.

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

5. MESSAGES FROM THE ADMINISTRATOR

The Speaker advised Members of the following Messages from His Honour Professor the Honourable Hugh Heggie PSM, Administrator of the Northern Territory.

Message Number 22

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:

2 March 2023
Police Legislation Amendment Act 2023 (Act No. 2 of 2023)
Land Legislation Amendment Act 2023 (Act No. 3 of 2023)
Statute Law Revision Act (Act No. 4 of 2023)

Dated 3 March 2023.

(Paper 793)

Message Number 24

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*

NWS

(Self-Government) Act 1978 of the Commonwealth, of the assent to the following proposed laws:

15 February 2023
Liquor Amendment Act 2023 (Act No.1 of 2023)

Dated 20 March 2023.

(Paper 794)

Message Number 23

Judicial and Other Officers' Entitlements Legislation Amendment Bill 2023

I, Hugh Crosbie Heggie, Administrator of the Northern Territory of Australia, under section 11 of the *Northern Territory (Self-Government) Act 1978* (Cth), recommend to the Legislative Assembly a Bill for an Act that authorises amounts to be paid from the Central Holding Authority for the purpose of paying pensions under the *Supreme Court (Judges Pensions) Act 1980.*

Dated 15 March 2023.

(Paper 795)

6. PAPER TABLED
The Speaker announced the receipt from His Honour the Administrator of a commission to administer oaths and affirmations of allegiance and of office, dated 2 March 2023, which was laid upon the Table (Paper 796).

7. SPEAKER'S STATEMENT
The Speaker reported to the Assembly, in accordance with Standing Order 181, that on 20 March 2023 Mrs Manison and Mr Potter replaced Mr Paech and Mrs Worden on the Select Committee on the ICAC.

8. VISITORS
On behalf of all Members, the Speaker welcomed Years 5 and 6 students and teachers from St Francis of Assisi Catholic Primary School present in the gallery.

9. SPEAKER'S STATEMENT
The Speaker advised the Assembly that media will be present in the Chamber for the swearing-in of the new Member for Arafura.

10. PAPER TABLED
The Clerk of the Legislative Assembly tabled the writ for the election of the Member for Arafura elected on 18 March 2023, dated 23 February 2023 and returned to His Honour the Administrator on 20 March 2023 (Paper 797).

11. SWEARING-IN OF MEMBER
The Member for Arafura, Mr Manuel Brown, was admitted to the Chamber, made and subscribed the affirmation of allegiance and of office, and was conducted by his sponsors Ms Fyles and Mrs Manison to his place in the Chamber (Paper 798).

Suspension of Meeting: The meeting of the Assembly was suspended between 10.09 and 10.17.

MCJS

12. SPEAKER'S STATEMENT

The Speaker made a statement regarding Harmony Day.

13. MOTION: MOTION OF NO CONFIDENCE

Mrs Finocchiaro (Leader of the Opposition) moved:

> That the Assembly, pursuant to section 24(1)(a) of the *Electoral Act 2004*, expresses that the Government no longer possesses the confidence of the Assembly.
>
> The Northern Territory Government has systematically failed in its responsibilities to secure the safety, prosperity and future of the Territory. This includes:
>
> (1) continued failure to protect Territorians from escalating crime or support victims;
>
> (2) systematic failure over many years to support basic frontline services and address the police, health and education crises we currently face; and
>
> (3) persistent inability to manage the budget responsibility or deliver cost of living relief.

Mr Paech.

Mr Paech moved that the question be put.

The Assembly divided:

Ayes 13	**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
Mr Paech	Ms Purick
Mr Potter	Mr Yan
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Motion agreed to.

On the question that the motion of no confidence be agreed to.

The Assembly divided.

Ayes 9	**Noes 14**
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	Mr Paech
	Mr Potter
	Mr Turner
	Ms Uibo

MCB

Mrs Worden
Mr Young

Motion not agreed to.

14. PETROLEUM ROYALTY BILL 2023 (SERIAL 82)

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

Mr Yan, Mrs Manison, Ms Uibo.

Debate suspended.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.58 and 14.00.

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15. SPEAKER'S STATEMENT

The Speaker made a statement regarding World Down Syndrome Day.

16. VISITORS

On behalf of all Members, the Speaker welcomed students and support workers from the Down Syndrome Association of the Northern Territory with Rachel Kores, Executive Officer, present in the gallery.

17. NOTICES

The following notices were given:

1. Mr Paech (Leader of Government Business) will move on the next Meeting Day
    1. that a Select Committee on Electronic Cigarettes and Personal Vaporisers (Vaping) be appointed;
    2. that the Member for Fannie Bay be appointed Chair of the Committee;
    3. that the remainder of the Committee membership comprise the Member for Daly, one (1) Opposition Member and one (1) independent Member to be nominated in writing to the Speaker by the relevant Whip or non-party aligned Member by 27 March 2023;
    4. that the Committee is to report its findings back to the Assembly by 30 October 2023; and
    5. that the terms of reference for the Committee be to inquire into:
        i. the current scale and trends of e-cigarette and personal vaporiser use in the Northern Territory, including amongst children and young people;
        ii. the health impacts of the use of e-cigarettes and personal vaporisers;
        iii. the efficacy of e-cigarettes and personal vaporisers in helping people to quit smoking;
        iv. the approaches being taken to discourage uptake and the use of e-cigarettes and personal vaporisers, including but not limited to, in Northern Territory Schools; and
        v. best practice national and international regulatory responses to e-cigarettes and personal vaporisers.

MCP

2. Mrs Finocchiaro will move on the next Meeting Day that this Assembly:

   Appoints a select parliamentary committee to urgently inquire into the ongoing, worsening crisis within the Northern Territory Police. The NT Police Association Survey shows that the deteriorating situation cannot be allowed to continue when:

   - 97.6 percent of Police do not believe there are enough police to do what is asked of them;
   - 80.7 percent of Police rated morale as low, or very low;
   - 96.7 percent of Police do not feel supported by the NT Government; and
   - 85.3 percent have considered an exit strategy from the NT Police Force in the last six to twelve months.

   Specifically, the committee will inquire into police resources, executive leadership, mental health and wellbeing, and safety.

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

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

18. MOTION: LEAVE OF ABSENCE

Pursuant to Standing Order 224 Mr Paech moved that a leave of absence for this week be granted to Ms Moss to attend the United Nations 2023 Water Conference.

Question put and passed.

19. QUESTIONS

14.04 Mrs Finocchiaro to Ms Fyles
14.08 Mrs Finocchiaro to Ms Fyles – Supplementary
14.09 Mr Young to Ms Fyles
14.13 Mr Maley to Ms Fyles
14.14 Mr Potter to Mrs Manison
14.18 Mrs Hersey to Ms Fyles
14.23 Mr Bowden to Ms Lawler
14.27 Ms Boothby to Ms Fyles
14.30 Mr Young to Ms Uibo
14.34 Mr Burgoyne to Ms Fyles
14.38 Mr Potter to Ms Ah Kit
14.41 Mrs Lambley to Ms Fyles
14.44 Mr Bowden to Mr Kirby
14.48 Mr Yan to Mrs Worden
14.52 Mr Young to Mrs Worden
14.56 Mr Edgington to Ms Fyles
15.00 Mr Potter to Mr Paech

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

20. PETROLEUM ROYALTY BILL 2023 (SERIAL 82)

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

Mr Potter, Ms Lawler (in reply).

Question put and passed.

MLCB

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 3 considered.

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.

Clause 7 considered.

Clause 7 stands as printed.

Clause 8 considered.

Clause 8 stands as printed.

Clause 9 considered.

Clause 9 stands as printed.

Clause 10 considered.

Clause 10 stands as printed.

Clause 11 considered.

Clause 11 stands as printed.

Clause 12 considered.

Clause 12 stands as printed.

Clause 13 considered.

Clause 13 stands as printed.

Clause 14 considered.

Clause 14 stands as printed.

Clause 15 considered.

Clause 15 stands as printed.

Clauses 16 and 17 considered.

Clauses 16 and 17 stand as printed.

Clause 18 considered.

Clause 18 stands as printed.

Clauses 19 to 25 considered.

Clauses 19 to 25 stand as printed.

Clause 26 considered.

Clause 26 stands as printed.

Clause 27 considered.

WCB

Clause 27 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 and passed to be a proposed law.

21. MINISTERIAL POLICY STATEMENT: BUILDING A BETTER TERRITORY

Resumption of debate on the question that the Assembly take note of the statement.

Ms Uibo, Mr Guyula, Mrs Manison.

Mr Paech moved that the debate be adjourned.

Question put and passed.

22. PAPER TABLED

The Acting Deputy Speaker, Mr Potter, tabled: Satellite Phone Report 2022 (Paper 810).

23. MATTER OF PUBLIC IMPORTANCE: PUBLIC SAFETY

The Speaker advised the Assembly that Mrs Finocchiaro had proposed a Matter of Public Importance in the following terms:

> The Northern Territory Government's complete failure to address crime and alcohol-related violence has led to Territorians no longer feeling safe in their homes or in their workplaces.

Having received the necessary support, discussion ensued.

Mrs Finocchiaro, Mrs Worden, Mr Maley, Mr Kirby, Mrs Hersey, Ms Purick, Ms Lawler, Mrs Lambley.

Discussion concluded.

24. ADJOURNMENT

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

Question put and passed.

Mr Brown, Mrs Finocchiaro, Ms Ah Kit, Mrs Hersey, Ms Uibo, Mr Paech, Mr Monaghan.

The Assembly adjourned at 19.52 until Wednesday 22 March 2023 at 10.00.

DEEMED PAPERS

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

Erratum

Northern Territory of Australia Remuneration Tribunal Report and Determination No. 1 of 2022, Salaries and Other Entitlements of Assembly Members (Paper 799)

Annual Reports 2021–2022

Board of the Australian Criminal Intelligence Commission (Paper 804)
Museum and Art Gallery of the Northern Territory (Paper 809)
Public Trustee for the Northern Territory (Paper 807)

MCB

Gaming Control Act 1993

Agreement pursuant to Section 47C *Gaming Control Act 1993*, Conduct of Internet Gaming Business, between the Minister for Racing, Gaming and Licensing for the Northern Territory of Australia and the Treasurer for the Northern Territory of Australia and Annexio Australia PTY LTD (ACN 616 833 008) (Paper 808)

Government Owned Corporations Act 2001

Direction, Jacana Energy, Government Owned Corporation Corporate Governance and Reporting Framework (Paper 801)

Direction, Power and Water Corporation, Government Owned Corporation Corporate Governance and Reporting Framework (Paper 802)

Direction, Territory Generation, Government Owned Corporation Corporate Governance and Reporting Framework (Paper 803)

Subordinate Legislation 2023

No. 3 of 2023, Territory Parks and Wildlife Conservation Amendment By-laws 2023 (Paper 800)

No. 4 of 2023, Work Health and Safety (National Uniform Legislation) Amendment Regulations 2023 (Paper 805)

No. 5 of 2023, Legal Profession Amendment Regulations 2023 (Paper 806)

ATTENDANCE

All Members attended the meeting, except Ms Moss on leave.

MATHEW BATES
Clerk of the Legislative Assembly