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Debates and Questions



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Madam Speaker Lambley took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR
Message No 3 – Assent to Bills Passed in February 2025

Madam SPEAKER: Honourable members, I have received Message Number 3 from His Honour the Administrator notifying assent to the Bills passed in the February meetings of the Assembly. The message is dated 18 February 2025.

SPEAKER'S STATEMENTS
Appointment of Acting Deputy Speakers

Madam SPEAKER: Honourable members, pursuant to Standing Order 219, on 14 March 2025 I nominated the Members for Blain, Fannie Bay and Wanguri as Acting Deputy Speakers. I thank them for doing so.

Kim Cowcher – 25 Years of Service

Madam SPEAKER: Honourable members, it is my great pleasure to congratulate Kim Cowcher on her 25 years of service with the Department of the Legislative Assembly, working in the Committees office. Thank you, Kim.

Members: Hear, hear!

Introduction and Passage of Bills

Madam SPEAKER: Honourable members, I will clarify a procedural matter arising from the Assembly's sessional order on the introduction and passage of Bills. Under the sessional order, the minister gives their speech explaining the Bill on the Bill's introduction before the first reading. Although previously the debate on the merits of the Bill commenced on the resumption of the adjourned second reading debate, the debate now commences with the moving of the motion for the second reading.

Unless something has occurred that the minister considers needs responding to since giving their explanatory speech, the minister will not speak when moving the second reading. Moving the motion for the second reading is therefore entirely procedural and does not require the attendance of the minister in charge of the Bill. It has long been the practice in the Assembly that a minister may move a motion on behalf of another minister. Given the procedural nature of moving the second reading under the sessional order, I will not count a minister simply moving a motion on behalf of another minister as that minister speaking to the debate. The minister will therefore be able to speak at a later time during the debate.

REORDER OF BUSINESS
Condolence Motion – Hon Austin Asche

Mr EDGINGTON (Leader of Government Business): Madam Speaker, thank you for clarifying that.

I advise the Assembly that pursuant to Standing Order 80, Government Business will be interrupted at 6 pm for a condolence motion for Hon Austin Asche and will resume at the point it was interrupted at the conclusion of that motion.

PAPERS TABLED
Investigation Report – Operation Apollo

Mrs FINOCCHIARO (Chief Minister): Madam Speaker, I table the Investigation Report – Operation Apollo from the Office of the Independent Commissioner Against Corruption Northern Territory and seek leave to address the Assembly.

Leave granted.

Mrs FINOCCHIARO: I received a briefing from the Acting Independent Commissioner Against Corruption and the Deputy Independent Commissioner Against Corruption on Thursday 27 February 2025. They provided me with a copy of the Operation Apollo investigation report and advised that the ICAC delegate would be putting out an anonymised public statement the following day.

Members should review the ICAC's Operation Apollo investigation report at their convenience.

I note the ICAC delegate accepts that Police Commissioner Murphy's conduct does not constitute either illegality or impropriety. The delegate found that the conflict management conduct of Police Commissioner Murphy with the recruitment process of an assistant commissioner was incompetent and negligent.

The investigation report made two recommendations to the public body—namely, Northern Territory Police—as follows:

1. *There should be a clear policy position developed in the Northern Territory Police Force on how recruitment processes are to be conducted. The policy should be formalised in a written policy.*

2. *The Commissioner develop an education and training program for all members which focuses on identification, disclosure and management of conflicts of interest.*

The delegate notes her approval that Police Commissioner Murphy had already committed to implementing those recommendations.

The ICAC also made it explicitly clear in my briefing that as the receiving minister I was constrained in what I could say publicly to only the material in the public statement and I could not take action that could lead to the disclosure of any information beyond that public statement.

On Friday 28 February the ICAC delegate released the public statement on Operation Apollo. It remains available on the ICAC website.

Upon release of the public statement, as Minister for Police I wrote to Police Commissioner Murphy and informed him that I found his behaviour disappointing and falling well short of the expectations of the community that it places on the public service, especially leaders within our public service. I asked him to outline what action he was taking to address the findings and recommendations of the ICAC's Operation Apollo report.

I also wrote to the Chief Executive of the Department of the Chief Minister and Cabinet and asked that he outline, working with the Commissioner for Public Employment, what action is being taken to ensure that all leaders of public sector agencies are fully aware of their obligations to ensure appropriate conflict management and recruitment practices are occurring throughout their agencies.

Throughout this time, understandably, there was public speculation as to who the Operation Apollo public statement referred to. The inability to set the record straight was undermining trust and confidence in all senior executive public officers, the ICAC and the government.

On Thursday 6 March Police Commissioner Murphy issued a public statement confirming he was the senior executive public officer mentioned in the public statement of Operation Apollo. In Police Commissioner Murphy's statement he mentions the appointments of the deputy commissioner, three assistant commissioners, five commanders and 18 superintendents.

Late Thursday night the Northern Territory Police Association issued a statement. I quote:

> *We are calling out the Commissioner's integrity with his involvement in not only this Executive appointment, but for all of the other executive appointments referred to in the Commissioner's broadcast of today.*

It went on:

> *… the entire Executive board of the Northern Territory Police Association is unanimously calling upon the Commissioner to tender his resignation.*

On Friday 7 March I met with members of the NT Police Association executive and listened to their concerns. The association outlined the concerned feedback it was receiving from police. The association made clear its view that this was having an ongoing detrimental impact on the morale, wellbeing and confidence of the police force.

On Saturday 8 March I informed the Police Commissioner that his position was untenable and that he had lost the trust and confidence of the government. He then went on leave. I gave Police Commissioner Murphy the opportunity to resign.

On Saturday 8 March I commenced a process to terminate the Police Commissioner's employment. This process requires natural justice to Police Commissioner Murphy and involves Cabinet, Executive Council and advice to the Administrator on termination.

On Saturday I spoke to the Northern Territory Police Association President and informed him of the government's action. I notified him that Deputy Commissioner Dole would be the acting commissioner as is standard practice and has happened numerous times before. I understand that the NT Police Association President then called Acting Commissioner Dole.

On Sunday 9 March the Deputy Chief Minister and I held a press conference to notify the public of the actions that had been taken. At no time did the Northern Territory Police Association indicate any concerns with the suitability of the acting commissioner arrangements or notify me that Deputy Commissioner Dole was on the recruitment panel for the assistant commissioner.

On Monday 10 March the NTPA President said on radio that Deputy Commissioner Dole was on the recruitment panel. As Members of the Legislative Assembly can now see from the ICAC delegate's investigation report there is no confirmation of who the other panel members were, nor any findings of impropriety about their actions.

Uncertainty and question marks continued to be raised by the NTPA over other police executive positions. To end the speculation and give certainty to our police, on Wednesday 12 March I announced an independent inquiry into recent recruitment processes of senior executive police officers.

The inquiry will be facilitated through the Office of the Commissioner for Public Employment and led by Hon Acting Justice Blow AO. The terms of reference of that independent inquiry are as follows:

1. examine recruitment processes relating to appointment of officers in the Northern Territory Police Force since August 2023 to the rank of deputy commissioner, assistant commissioner, commander and superintendent, having consideration of:

    (a) whether panel processes were conducted in line with the Northern Territory Police recruitment standards and the General Order: Code of Conduct and Ethics

    (b) whether evidence that merit to undertake the role as required under section 15A of the *Police Administration Act* has been demonstrated by the successful candidate in each process

2. determine what remedial action may be required on the above and whether there are other recruitment matters, outside of these terms of reference, that may require remedy or further investigation and recommend the course of action to pursue or respond to them.

The final report will be provided by the Office of the Commissioner for Public Employment to me, as the Police minister, as soon as practicable for tabling in this parliament.

Hon Alan Michael Blow AO was appointed as an acting justice of the Northern Territory Supreme Court in January 2025. Previously, Acting Justice Blow was the Chief Justice of the Supreme Court of Tasmania and has been the Lieutenant Governor of Tasmania. Acting Justice Blow has been appointed as an Officer of the Order of Australia for his distinguished service to the judiciary and law, particularly as Chief Justice of the Supreme Court of Tasmania, and his contribution to legal education and professional standards and to the community.

On behalf of the Northern Territory community, I thank Justice Blow for committing to undertake this important work, which began immediately.

The Northern Territory Police Force does a great job, and the best way we can support it is by delivering certainty. Police have an important job to do in keeping Territorians safe, and I need them focused on law and order and not distracted by these recent events.

In my interactions I have found the Northern Territory Police to be exemplary, but my government is not shying away from transparency and accountability. The independent inquiry will give certainty to the police, the community and, of course, the officers involved.

Members will note in the last paragraph of the investigation report that the delegate left it to the Minister for Police to consider whether the report ought to be tabled in the Legislative Assembly, citing the fact that the delegate was engaged partway through the investigation.

Under section 140(3) of the *Independent Commissioner Against Corruption Act 2017* I table correspondence and a report from the Inspector of the ICAC, Mr Bruce McClintock SC, that I received and which is dated yesterday, 17 March.

The ICAC Inspector confirms that it is in the public interest that I table the Operation Apollo investigation report and, pursuant to sections 145(3)(d) and 146(3)(e) of the ICAC Act, authorises the disclosure on condition that paragraphs 24, 25 and 26 of the investigation report be redacted.

Paragraphs 24 to 26 of the investigation report contained evidence of Police Commissioner Murphy and has been redacted by the ICAC from the document tabled on the basis that the ICAC Inspector has determined that there is no legitimate public interest in their disclosure.

Throughout this process I have worked methodically in the best interests of Territorians. The approach I have taken was to ensure disclosure of information was done within the framework, and I took considered and appropriate action. Others are free to judge, but I stand by the decisions and the processes that have been undertaken.

I am conscious of the impact that this issue had on the Northern Territory Police Force and of the impact it will continue to have whilst the independent inquiry runs its course. My team's focus remains squarely on supporting the police through and beyond this so that they can continue to do their important work of keeping our community safe. Law and order remains our number one priority, and certainty for the hardworking men and women of our police force has been front of mind for me from the moment I was notified.

Legislative Scrutiny Committee Report on
Inquiry into the Territory Coordinator Bill 2025

Mrs CARLSON (Chair of Legislative Scrutiny Committee): Madam Speaker, I table the Legislative Scrutiny Committee report, Inquiry into the Territory Coordinator Bill 2025, and associated minutes of proceedings.

Pursuant to Standing Order 200(4), the report was sent to the Speaker and made public on 12 March 2025.

This Bill establishes the Territory Coordinator and grants the Territory Coordinator and the responsible minister a range of powers to coordinate and consolidate regulatory processes for projects and developments of economic significance to the Territory.

The committee received 302 submissions to its inquiry and held two days of public hearings, with 41 witnesses appearing before the committee. The majority of submissions either opposed the Bill entirely or opposed the Bill as introduced, with only two submissions supporting passage of the Bill as introduced. Although there was general support for streamlining regulatory processes and developing the Territory's economy there was significant opposition to the nature and extent of the powers the Bill confers on the Territory Coordinator and responsible minister.

Following its examination of the Bill and consideration of the evidence received the majority view of the committee is that the Assembly should pass the Bill with proposed amendments as set out in recommendations 1 to 8, 10 to 22, 24 and 25.

The amendments proposed by the committee seek to address the concerns regarding transparency and accountability and ensure the Bill is unambiguous and drafted in a sufficiently clear and precise way. For example, recommendations 4 and 5 propose amendments to the appointment provisions for the Territory Coordinator to align them with those pertaining to other statutory officers in the Northern Territory. Recommendation 15 proposes that clause 73(2) be amended to clarify the intended operation of the Bill with regard to making a statutory decision under a step-in notice.

In relation to ensuring the Bill has sufficient regard to the institution of parliament, the committee formed the view that prescribing Acts as relevant laws for the purposes of the Territory Coordinator Act should be by notice of motion to amend the Act in the Legislative Assembly rather than by regulation, and has proposed an amendment to the definition of 'Scheduled law' in clause 3 at recommendation 18 accordingly.

Recognising local government as a distinct and essential sphere of government, at recommendation 24 the committee has proposed that the *Local Government Act 2019* be removed from the Schedule of Acts that are currently nominated as scheduled laws in favour of a partnership approach between the two spheres of government.

The committee has also proposed a number of minor amendments relating to consultation provisions within the Bill. Given the concerns raised regarding consultation processes and noting that the Bill provides that public consultation is to be undertaken in accordance with the regulations, at recommendation 23 the committee has proposed that a number of factors that were raised in submissions and evidence received by the committee be taken into consideration when developing the associated regulations.

On behalf of the committee I thank all those who provided submissions or appeared before the committee. The committee also thanks Professor Ned Aughterson for his advice.

I thank my fellow committee members for their bipartisan commitment to the legislative review process.

I commend the report to the Assembly.

Mr PAECH (Gwoja): Madam Speaker, I seek leave to speak on my dissenting report.

Leave not granted.

Mr PAECH: Division.

Madam SPEAKER: It is not a question before the Assembly, so a division cannot be called.

MOTION
Reorder of Business – Territory Coordinator Bill

Mr EDGINGTON (Leader of Government Business): Madam Speaker …

Mr Paech: So you are gagging the debate; good on you, mate.

Mr EDGINGTON: There will be plenty of time for debate today.

I move that the second reading of the Bill be made the first order of the day at the commencement of Government Business. That will allow the Member for Gwoja sufficient time to address his report and the Bill.

Motion agreed to.

DISTINGUISHED VISITOR
Hon Willem Westra van Holthe

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of the former Member for Katherine Hon Willem Westra van Holthe. Welcome to parliament.

Members: Hear, hear!

PAPER TABLED
Legislative Scrutiny Committee Report on
Inquiry into the Defamation Legislation Amendment Bill 2025

Mrs CARLSON (Chair of Legislative Scrutiny Committee): Madam Speaker, I table the Legislative Scrutiny Committee report, Inquiry into the Defamation Legislation Amendment Bill 2025, and associated minutes of proceedings.

Pursuant to Standing Order 200(4), the report was sent to the Speaker and made public on 5 March 2025.

The Defamation Legislation Amendment Bill 2025 amends the Criminal Code, the *Defamation Act 2006*, the *Limitation Act 1981* and the *Local Court (Criminal Procedure) Act 1928* to implement nationally agreed changes to the law of defamation.

The committee called for submissions on 13 February 2025 to be received by 20 February 2025. As no submissions were received, the committee had no matters to bring to attention. The committee recommends that the Assembly pass the Bill.

I commend the report to the Assembly.

TERRITORY COORDINATOR BILL
Serial 17

Continued from 12 February 2025.

Mr EDGINGTON (Health): Madam Speaker, I move that the Bill be now read a second time.

Ms UIBO (Opposition Leader): Madam Speaker, a strong, prosperous economy is critical to the Territory's future and ensures that Territorians have an opportunity to thrive in business or a career, can support their families and loved ones and can enjoy a good quality of life. It means that the government can invest in better health, education, roads and infrastructure as well as essential services.

Private sector investment in projects and new developments is critical to ensuring the future of a strong economy, but Territorians expect that this will be done in a sustainable way that ensures our natural assets, culture, communities and beautiful environment are maintained and supported in any economic process.

Strong, workable laws and good regulation are a critical part of the legislative framework in the Territory to protect what we all love and value. Our laws are guardrails for ensuring we do things well in the Territory. As Members of the Northern Territory Legislative Assembly we have a responsibility to ensure that all of this operates in the best interests of Territorians.

Over the past six months our Territory Labor opposition has spent time with businesses, community members, organisations, land councils, regional councils, municipal councils and industry leaders across the Northern Territory. They have generously spoken to us about projects they have underway in their regions, communities and on their properties, and their plans for the future in the Territory.

They also have spoken about frustrations they experienced when doing business in the Territory. Many of those frustrations stem from dealings with government agencies, including stringent regulatory requirements and lengthy approval processes.

I have no doubt that there are similar concerns in other jurisdictions across the country. This is no criticism of our hardworking public servants who do an incredible job of delivering the government of the day's agenda and supporting the growth and prosperity of the Northern Territory.

Implementing and operating laws and regulations with a great deal of complexity across the Territory is a big task. The Territory Coordinator Bill in its current form will not resolve those complexities. It could potentially do the opposite and make things more difficult and make it more unworkable to do business in the Territory.

We have many questions that remain unanswered. We believe that the Bill is deeply flawed legislation that hands sweeping powers to an unelected official. It weakens transparency across the Northern Territory. It reduces community input and the ability to have decisions reviewed. We heard from organisations across the Territory about the threats to Indigenous land rights, environmental protections and the local government tier of authority when it comes to project and land management. It is a risk, and we believe it is starting to look like it is adding another layer of confusion to the processes, regulations and laws that affect us all, particularly in the cost of doing business in the Territory.

It creates questions about the current legal and regulatory environment and the processes afoot by the CLP government. What comes as a replacement for scrutiny of any of those important decisions that affect us in those areas? The Bill does little to streamline or build efficiencies into current systems and processes. It has the potential, we believe, to undermine the rule of law when it comes to property rights and regulatory consistency in the Northern Territory.

The government has failed to justify this legislation, which is not fit for purpose in its current form. It has become clear to us that the real goal is not economic growth; rather, it is political control over development and approvals.

From the conversations I had with Territorians across industry and businesses, I know that they think the jury is still out about whether this Bill is the great economic saviour that the CLP is trying to convince everyone it is.

For these reasons our Labor opposition is circulating amendments to this Bill through the Table Office, which we believe will try to address the many concerns that have been raised with us directly, with our teams in our electorates, through the public hearings and the consultation process. The hearings of the scrutiny committee were held only weeks ago. We believe these amendments will address some of the key issues raised by Territorians and will go further to respect Territorians' rights in regard to governance principles and the decisions made in the Northern Territory.

If the CLP government insists on pushing ahead with the Bill in its current form we believe that amendments will be required to restore transparency, accountability and fairness in the Territory.

You just need to read the transcripts from those who provided evidence and gave their time, thoughts and hard work to the scrutiny committee process and the public hearings to see how this Bill misses the mark. Witnesses raised a range of issues about internal bureaucratic processes. No-one could give a specific example of how this Bill would fix the issues raised during the committee hearings.

We hope the government will provide answers today, but that information may be a bit too late for Territorians as a whole.

No-one is saying that the government cannot do business effectively and efficiently, but it should focus on identifying and addressing specific issues—bottlenecks that are blocking pipelines and issues that proponents have raised with government—in the current systems and processes rather than ramming through a large, convoluted piece of legislation that may not actually address the concerns raised by hundreds of Territorians through the scrutiny process.

As well as failing to take the time to fully understand issues from the point of view of proponents across the Northern Territory, the CLP government also failed to conduct any review or analysis after the committee delivered its report. It is pushing this Bill through today.

On one hand the CLP refuses to roll out desperately needed funding to the domestic violence sector because it says a comprehensive audit of services is needed to see what is working well and what is not, but on the other hand the CLP is taking a different view with the Territory Coordinator Bill. Apparently, when it comes to the Territory economy there is no need for any kind of audit or analysis to properly understand what is happening for industry and businesses, proponents, statutory authorities or government agencies. It is an irresponsible approach from a government that said it would be open and transparent. This leaves CLP members looking like they are desperately trying to give the impression they are doing something.

This Bill not only likely misses the mark on the issues that those in the government claim it will address but also recklessly overrides at least 32 pieces of Territory legislation that have been installed through this parliament to provide critical safeguards—protections—underpinning a wide range of activities across the Northern Territory community.

In her first speech to parliament Chief Minister Lia Finocchiaro talked about the importance of our Westminster system as the foundation of everything we do as representatives of the people of the Northern Territory. This Bill flies in the face of the very system that the Chief Minister claims to uphold, handing an unprecedented amount of power to one unelected public servant.

That public servant, the Territory Coordinator, will have unilateral power to fast-track major projects by bypassing planning, environmental and heritage protections. The Territory Coordinator—he or she—will have step-in powers, allowing them to override local councils, regulatory agencies and exemption notices, which would enable projects to bypass legal requirements in the Northern Territory. The most alarming provisions include:

- the removal of appeal rights, leaving communities, businesses and landholders unable to challenge a decision

- the broad exemption powers of allowing the Territory Coordinator to bypass 32 laws, including environmental, planning and heritage protections that Territorians expect to be in place

- the ability to enter private and Aboriginal land without a warrant, raising serious property rights and native title concerns by traditional owners

- a lack of legal oversight, making decisions vulnerable to court challenges and perhaps creating lengthy delays—the very problem that this Bill claims to seek to resolve.

This approach will see the CLP government take on a significant amount of risk when it comes to the legality or integrity of decisions made by the Territory Coordinator. It will put at risk protections in the Territory for our environment, our way of life and our communities.

In its current form this Bill does not have the support of many Territorians, businesses and industry stakeholders.

Last year the CLP government attempted to sneak through a discussion paper on an early iteration of the Bill to just a handful of industry representatives, hoping to avoid public scrutiny. The CLP's action was to deny the majority of Territorians any say on this Bill. Frankly, the CLP did not care what the majority of Territorians thought about what it says is the most significant legislation that it will ever introduce to this parliament.

The CLP took the vague idea of this Bill to the election in August 2024. As far as the CLP was concerned, that was all anyone needed to know of the Bill, rather than doing its job and properly following the processes to create law in the Territory.

Luckily the government was caught out. It was forced to pull together a few token information sessions in a blink-and-you-will-miss-it submission papers process over the Christmas break. The Chief Minister, when she was in opposition for many years, always criticised the timing of any public process of consultation or feedback to happen over the Christmas and new year period. However, for her signature law she put forward with her team, she did just that.

Shockingly, the CLP government did not even have Darwin or Palmerston on the list of public submission consultations. Half of the Northern Territory's population was cut out of the process until the opposition made a big fuss. We were getting feedback that the CLP government was not providing the opportunity for Territorians who live in the two largest cities in the Northern Territory—Darwin and Palmerston—to have their say regarding this legislation. I was gobsmacked, considering that a majority of CLP government members live in Darwin and Palmerston. I wonder what kind of conversations went on with each of the members in the Top End regarding their constituents and why they did not think their own constituents deserved a say on the CLP government's signature Bill.

Luckily, the pressure from the opposition meant that a last-minute Darwin/Palmerston session was put on. Apparently, the online process of enabling people to comment went awry; people were muted and could not ask their questions in the sessions. I am not sure how an open and transparent government can defend that. I would love to hear the CLP members defend that process and say that it was open, transparent and well thought out. I would love to be proved wrong on that one.

There was no consultation outside of the major towns. Some major population centres were afforded the ability to have an open public process in regard to the Bill, particularly about the changes to planning and environmental procedures, but not our remote communities off the highway and not our homelands out on country. Apparently, the CLP government thought they did not deserve a say on this important Bill and that they have nothing to do with the future economy of the Northern Territory. Not one member of the CLP government went to the electorates of Arnhem, Daly, Gwoja and Arafura to talk with any of the constituents about this Bill. I would love to hear from CLP members how they can justify the lack of care, regard and respect for remote Territorians.

The Member for Gwoja is a committee member. Questions were asked about language and materials. How do we ensure that the majority of Territorians who are interested can engage with this material and understand the Territory Coordinator Bill? How can they provide feedback, ask questions and raise concerns or ideas about this Bill? There were no processes and public consultation. There was no ability to have sessions conducted in, or provide materials that were printed in, the Territory's First Nations languages. One-third of the Territory's population are Aboriginal Territorians, and 40% of Aboriginal people are young and live in our remote communities, so how can the CLP government say that it has consulted all Territorians and provided the opportunity for them to have their say, be respected and provide input to the Bill? It is an appalling process.

The CLP government is desperate to show that it is doing something, and doing it fast—not necessarily in the right way, but to tick a box. Someone said, 'This is all you need to do. Get it done in the first 12 months, Chief Minister, because you probably will be rolled by the end of it. Get your signature on this, your legacy. When you are axed by your team you can say, "Look what I did in my 12 months as Chief Minister".'

The government does not respect the proper processes. Territorians expect all Territorians to be represented, regardless of whether the government holds the seats they live in. Territorians have not had the respect of getting an explanation of this signature landmark Bill that the CLP claims it is providing for Territorians. The NT Government has not provided instruction for engagement with Territorians outside the five major urban centres, which is appalling.

Despite the CLP government's efforts to minimise public scrutiny, it has received a huge community response to the Bill. Many people, organisations and businesses expressed genuine concern and asked questions about the details of the Bill. Some of these questions remain unanswered.

All up, the CLP government received 559 submissions. What did all those submissions say? We do not know because the CLP refused to publish them, making them available on the public record. That was a big shame job. Instead, the CLP released a short, vaguely worded consultation summary that did little to reflect on or do justice to the views of Territorians who spent time on their submissions. This lack of respect for Territorians by the CLP government is a recurring theme.

To its credit the CLP put the Bill through the Legislative Scrutiny Committee process. The government has not done that for many other Bills; this is one of only two Bills that have been referred to the committee. The government made a big fuss and a song and dance about bringing back the scrutiny committee, but like most CLP actions it was empty, hollow—smoke and mirrors—and of no substance. The government continues to block Bills from going to the scrutiny committee, despite repeated requests from opposition and crossbench members to have this process fully installed.

Although the Territory Coordinator Bill was sent to the scrutiny committee, the committee was given only three weeks to consider it. We are talking about lasting effects on the Northern Territory, but there were only three weeks for the scrutiny committee to consider the Bill so that the government could jam it in and get it ready for the March sittings.

I recognise the work of the scrutiny committee in pulling together the submissions. As the Chair said, more than 300 submissions were received. That shows the huge interest of Territorians in wanting to have their questions answered, put in their own ideas and raise their concerns through this parliamentary process.

Territorians had a short time in which to do that; I think it was about a week. I did not see any openly published material provided. I definitely did not see anything go to my electorate to encourage people, so we dug around and found the little notices of the scrutiny committee timeframes. We sent it out to our stakeholders, constituents and businesses who were interested so that they could provide their submissions to the scrutiny committee.

Of the 330-plus submissions that were received by the committee, the overwhelming majority either did not support the Bill or did not support certain parts of the Bill. Many suggested amendments to improve the Bill. Some of that has been captured in the committee's report that was tabled today.

Similarly, a range of witnesses generously gave their time to the public hearings process of the committee to talk about this Bill. The majority of those 23 witnesses—including representatives from industry, local government, land councils and environment groups, as well as traditional owners and community members—expressed deep concerns about the Bill.

I make it clear that our Territory Labor opposition will support good development and projects that will grow the Territory's economy. We also believe that when Territorians are clearly saying they have concerns about something, the government should listen. The Chief Minister and her CLP government members do not support that view of listening. They steadfastly ignored the feedback from a large number of community members and are trying to rush this ill-conceived legislation through the Northern Territory parliament.

The CLP government has tinkered around the edges, and we heard some of the committee's recommendations this morning. However, our Labor opposition does not believe that these minor amendments go to the heart of the major concerns raised by Territorians.

When Territorians expressed their genuine concerns about the Bill, rather than listening the response from the government was to double down and include the *Heritage Act* in the long list of laws that the Bill can override. There are significant community concerns about the impact of this Bill and the broad nature of the Territory Coordinator's powers on the environment and our legal and regulatory frameworks.

We still do not have satisfactory answers from the government on the critical questions that Territorians have asked. Apart from ducking scrutiny, a reason for this is perhaps that the CLP government simply does not know the answers. It has not adequately tested or even considered the consequences, unintended or otherwise, of handing unprecedented powers to an unelected public servant.

It is also unclear whether the CLP has received advice from the Solicitor-General about any potential legal implications of handing the coordinator sweeping powers. If the government has received advice, that is great. The government should table that advice, speak about it and share it with the parliament and the many Territorians who have been asking about this, so we can all understand the legal basis for this Bill. After all, that is our job as members of parliament who have to vote on this Bill. Where is the advice about this Bill?

It would be incredibly irresponsible not to seek legal advice on something as consequential as this Bill, leaving decisions open to judicial review and creating a system that sees development perhaps locked up in and blocked by legal challenges rather than—as the legislation intends—being streamlined. In her wrap speech can the Chief Minister provide information regarding legal advice on the Bill and how it interacts with other legislation? If she tables that advice we can provide it to the people who have come to us with their concerns, and it will be on the *Parliamentary Record*.

Does the Chief Minister have any independent economic analysis of how this Bill will reach its intended goals? If so, it would be helpful if she tabled it so that we can understand that advice on planning the growth of the Territory.

In the interests of transparency and accountability Territorians deserve the right to see the advice and analysis this legislation has been based on, other than an idea someone had many years ago and now finally has the chance to whip it up. Territorians deserve the right to know that this is not ill-informed politically motivated legislation that could gamble with the things Territorians respect in their communities and in the landscape and perhaps cause more problems than it solves.

If the government is intent on pushing through this Bill today, perhaps tonight, and in the absence of any assurance it has been rigorously assessed, we will move a number of amendments that have been circulated through the Table Office. The Territory Labor opposition wants to ensure that community expectations are kept to the forefront. We will try to be constructive to minimise any potential negative impacts we believe the Bill has.

For example, the legislation needs to explicitly exclude Aboriginal land, native title areas, parks and reserves, sacred sites, marine parks and protected areas from designated Territory development areas and infrastructure coordination areas. These should be clearly identified in the legislation as no-go zones to ensure they remain protected from inappropriate development.

The power of the Territory Coordinator to issue exemption notices blatantly overrides protections and safeguards inherent in Territory legislation and in line with community expectations. Concerns about this power were raised time and again by Territorians and organisations throughout the consultation on this Bill, and it should be removed.

Much greater transparency and accountability needs to be built into the legislation so that Territorians have visibility over what is before the Territory Coordinator at any point. This should be reported publicly in real time—not after the fact—so that Territorians and people wanting to do business in the Territory are aware when the coordinator is considering an exemption notice or variation and the economic and environmental impacts or reports on which the Territory Coordinator is basing their decision.

We believe the CLP government is ripping out Territorians' rights to seek review of decisions made under the *Planning Act, Water Act* and *Petroleum Act*. We strongly urge the CLP government to include third-party merits review in this Bill. This will provide Territorians some assurance that there will be a level of accountability and transparency in the system.

Speaking of transparency and accountability, this Bill needs amendments that require the Territory Coordinator to declare all financial and corporate interests as a public servant at that high level with step-in powers. This position should have its own lobbyist register so that Territorians know who is meeting with the

Territory Coordinator. This will give some confidence that decisions are being made in the best interests of Territorians and not favouring any vested interests, given that this is not an elected position and therefore does not come with the same scrutiny as members of parliament have.

In line with the community feedback we received we believe that the *Heritage Act* should be removed from the Schedule of prescribed legislation that the Territory Coordinator can override. The Act was not included in the initial draft of the Bill, and it is extremely concerning that it has been included in the final iteration of the Bill against community expectations.

The Bill in its current form lacks community support, and its legal, economic and ethical integrity is untested. We strongly urge the review period for this legislation to be no longer than three years after commencement of the legislation. Given how much confidence the CLP government is placing on these untested laws and powers there is no reason it should not be happy for a review in that timeframe.

An important transparency measure—motion of the Legislative Assembly—will ensure that parliament sees any CLP attempts to add to the list of legislation that the coordinator can override. My colleagues will talk more about that in the debate.

Our Territory Labor opposition strongly urges the CLP government to listen to the community concerns that we have heard and reconsider many aspects of this Bill through the amendments process. These amendments can potentially mitigate risks to the environmental, social and cultural protections that Territorians are concerned about. We want to ensure there is a guarantee of those protections.

The processes laid out in this Bill do not provide a guarantee that the streamlining of and red-tape cutting for the Territory's economic development will come into effect.

This is more than legislative overreach by the CLP; it is an erosion of the fundamental principles of governance, accountability, consultation and fairness which Territorians expect. A sole bureaucrat who is allowed to exercise sweeping powers with little transparency or oversight should be of concern to anyone who values the legal and regulatory system being free of political or corporate influence. That is why we do not support the Bill in its current form. We believe the Bill is deeply flawed, and we urge the government to consider the amendments we have put forward.

I acknowledge the many public servants who have worked hard developing this legislation and bringing it together in a short time. I thank the Department of the Legislative Assembly staff for creating swift mechanisms to hold public hearings and consultation for the scrutiny committee members, linking people from across the Northern Territory by video and in person to have their say. My criticism of the Bill is in no way any reflection on the people who have worked hard on it, and I know there were complex pieces to pull together in such a short time over the last few months. I commend them all for their efforts.

I look forward to hearing the government's response to the amendments put forward by the Territory Labor opposition.

I thank the scrutiny committee Chair and members for providing the report today. We are already in debate, but hopefully the government will look at adopting the committee's recommendations. I look forward to seeing which ones the government responds to in a positive way.

Mr MALEY (Agriculture and Fisheries): Madam Speaker, I commend this Bill to the Assembly.

I will correct a few things that the Leader of the Opposition spoke about. She said that the opposition spoke to people in industry and that the cost of doing business in the Territory is too high. Labor had eight years to listen to industry and do something about the cost of doing business, and it failed. The former Labor government did nothing. In fact, our economy ranked last, people were leaving the Territory and crime went through the roof. If the Leader of the Opposition listened to industry and talked to the people she spoke about, she would understand that there was a change of government in August last year because the cost of doing business in the Territory was going through the roof; it was too high.

There has been a lot of misinformation about this legislation. The Leader of the Opposition added to that misinformation. She spoke a lot about the exemption power and how an unelected official will have this overarching power to reach in and exempt projects from all sorts of legislation, but it appears that she may not have read the legislation.

I draw the Assembly's attention to Division 4, particularly section 79, which is about exemption notices. That is one of the most topical powers the Territory Coordinator will have. There has been a lot of misinformation that this unelected bureaucrat will be able to exempt projects, just as the Leader of the Opposition said in the last 15 minutes or so. That is clearly misinformation; it is not correct. I will back that up by reading proposed section 79(1):

> *Subject to subsection (2), the Territory Coordinator may recommend to the Minister that the Minister gives an exemption notice in relation to a statutory decision …*

The misinformation we heard 10 minutes ago and the commentary in the media is exactly that: misinformation. The legislation is clear that the minister gives the exemption notice.

It goes further than that. The minister must then table the exemption notice as soon as possible, essentially. The next time the parliament sits, the exemption notice must be brought into the Chamber and debated. The Bill goes on to say that the resolution can disallow the exemption notice.

The Leader of the Opposition spread misinformation; it was incorrect because only the minister may issue an exemption notice. Anyone listening can read proposed section 79(1). After the minister makes that decision they must bring it to the House for debate. This legislation allows for the Assembly to reverse or disallow that exemption notice.

The misinformation in the public is upsetting because the legislation is clear. I am interested to hear what the crossbenchers have to say about this exemption power now that I have brought this to their attention. There is time to read Division 4, sections 77 to 82, if you want to learn about it. That is the part of the Bill that deals with the exemption power.

It is clear that the minister must table it. The coordinator may recommend that the minister give an exemption notice and the minister may do so. We are saying 'may', so it is not absolute. It is the minister and then this Assembly makes a decision about an exemption. That is how serious and high level it has to be for that power to come into play.

Misinformation was given to the Assembly by the Leader of the Opposition. I am sure she did not mean to mislead the Assembly. I am worried about the misinformation she might have talked about with people in her electorate. She just gave incorrect information, in my view; I backed it up by reading out the legislation.

The Leader of the Opposition said hundreds of people spoke about the Bill. This was a cornerstone of our election policy. This Bill was taken to electorates across the Northern Territory, including by the candidates in crossbench seats. This is no surprise to Territorians. It was put out there, advertised and spoken about by all 25 CLP candidates at the time. The Leader of the Opposition said, 'No-one came to my electorate and spoke about it', but the candidates spoke about it.

For the Member for Daly, I remember being with the CLP candidate talking about this legislation prior to the election. It is incorrect for anyone to say, 'No-one spoke to my electorate about that'. The CLP and the now Chief Minister, Lia Finocchiaro, brought this to the election. It was a cornerstone, and it was widely advertised. I have been in this parliament for only four-and-a-bit years, but I have not seen any legislation that has been put out to the public more than this Bill.

The Leader of the Opposition said that the scrutiny committee did not have any time and rushed to do it. You cannot rewrite history. The previous Labor government scrapped the scrutiny committee. When opposition members talk about lack of public consultation, taking the Bill to the committee and the legislation being rushed and not put out there, they forget that they had scrapped the committee. Those opposite got rid of the committee because that is how they deal with consultation. They think they know it all, but they do not.

Clearly, there was an overwhelming victory by the Lia Finocchiaro government. This was a cornerstone to our election campaign and our eventual win to take office. Lots of people have spoken about this legislation.

It is shameful that the opposition talks about how the scrutiny committee did not do a good job or rushed it—or whatever the exact words were—because those opposite got rid of the scrutiny committee when they were in government.

It is shameful that the opposition is dismissing a key recommendation from two of its own taxpayer-funded reports to kickstart private sector investment. This is a history lesson. The Territory Economic Reconstruction Commission (TERC) report and Langoulant's A Plan for Budget Repair were commissioned under the former

government. Both reports identified the need to overhaul the major projects system and establish a single point of coordination for major project investment in the Northern Territory.

The reports commissioned by the previous government talked about having a single point of coordination, and the Territory Coordinator is exactly that—a single point whereby if something falls into the category of a significant project or development area, proponents can use the Territory Coordinator to help them move their project forward to make an economic benefit for the Territory. The previous government failed to do that. There was report after report of how badly the Northern Territory economy was doing under the previous Labor government.

I have a law background. I can go back to more evidence. The previous government did not listen to its own reports and did nothing to change things. There are various reports saying that our economy was bad as well as evidence that the Labor government left an $11bn black hole, which was created over the past eight years. I am not rewriting history. When the previous government came to power, the debt was about $1.8bn. In eight years it went up to $11bn—over $1bn a year. That is a lot of zeros.

This Bill is critical to fulfilling our government's cornerstone commitment to rebooting the Territory economy after Labor's economic failures. The Territory Coordinator represents a shift in how we facilitate and develop major projects in the Northern Territory. It will provide oversight and coordination previously unavailable, speeding up significant projects and delivering tangible benefits to the Northern Territory—namely, a growing population, a growing economy and more jobs.

This legislation sends a clear message that the Territory is ready to do business; we want your business in the Territory. We want the local mechanic, hairdresser and service centre to have more people coming to their businesses because people are coming to the Territory to work in the mining, gas, Defence, agriculture and tourism industries, which are the five key pillars we need to grow the economy. Unlike the Labor government that just wanted to tax and spend, the CLP government has a plan to rebuild the economy.

The Territory Coordinator role is designed to give us the competitive edge we sorely need to attract investment that would otherwise go interstate. There has been a range of comparisons about how long it takes to get a mining licence in the Territory versus Queensland and WA. Unfortunately we failed, so the Territory Coordinator will help us facilitate bringing business to the Northern Territory.

In developing the Territory Coordinator model we had the benefit of learning from previous experiences interstate such as Queensland and South Australia. Other states like Western Australia have adopted approaches that will help develop Australia. That is what we need.

We want the Territory to be the best place to do business. A central coordination point across government with the powers to drive processes through is badly needed to see our major projects go from desktop to delivery. Our government will not repeat Labor's legacy of albatrosses, white elephants and major projects that never eventuated such as Project Sea Dragon in my electorate.

I note that the Legislative Scrutiny Committee heard of several examples of past projects that would have benefited from a Territory Coordinator such as the Chandler salt mine and Santos Barossa projects. We know what happened with the Santos Barossa project and how bad that was.

The Territory is unique amongst Australian jurisdictions with challenges that require unique and creative solutions.

Mr PAECH: A point of order, Madam Speaker! Standing Order 1; the Deputy Chief Minister is misleading. The Barossa project is a federal government project and has nothing to do with the Territory Coordinator.

Madam SPEAKER: Sit down, please, Member for Gwoja. We do not use points of order to debate. What is Standing Order 1 about?

Mr PAECH: It is about your ruling.

Madam SPEAKER: My ruling is sit down.

Mr MALEY: We looked closely at the interstate examples and developed a framework that is best suited for the Northern Territory. We have world-class resources in a world-class location which provides world-class opportunities that we must capture for the benefit of future generations.

The Territory Coordinator role is designed to harness our capability and capacity across key areas; enhance energy security through gas production, particularly from the Beetaloo; facilitate a new energy and manufacturing opportunity at Middle Arm; and advance mineral resource development and downstream processing, agricultural production and food security, Defence project delivery and, of course, tourism. As the Minister for Agriculture and Fisheries and for Mining and Energy, I look forward to working closely with the Office of the Territory Coordinator to see such projects go from desktop to delivery, which unfortunately the previous Labor government failed to do.

This means that the coordinator can embed a priority of economic development throughout the decision-making process. The Minister for Territory Coordinator will have the power to designate Territory development areas being suitable for a particular industry. The Territory Coordinator will be able to target and unlock certain geographical areas, providing more confidence for investors and industry in our Northern Territory.

Establishing the Territory Coordinator is not about cutting corners; existing legislation is in place for a reason. This Bill is a product of an extensive consultation process, ensuring the law will be a game changer and a turning point for our Northern Territory economy.

The previous government had eight years, and the evidence speaks for itself: we had the worst-performing economy.

Many industries and local businesses have indicated they are excited about the Territory Coordinator and look forward to seeing what it will mean for their businesses.

On behalf of the Chief Minister I thank the Legislative Scrutiny Committee for its careful consideration of this Bill and its report received on Wednesday 12 March 2025. I note the work of the Chair of that committee, the Member for Wanguri; the Deputy Chair, the Member for Goyder; and the Members for Drysdale, Johnston and Gwoja.

The government carefully considered the recommendations of the Legislative Scrutiny Committee and has accepted eight recommendations, being recommendations 7, 9, 11, 18, 19, 22, 23 and 25; accepted two recommendations in part, being recommendations 6 and 10; and not accepted 15 recommendations, being recommendations 1 to 5, 8, 12 to 17, 20, 21 and 24. Amendments to the Territory Coordinator Bill have been circulated, proposing that the Assembly give effect to these changes and the recommendations we have accepted in full or part. The recommendations not accepted by the government either did not align with the objectives of the Bill and our focus on driving economic development for the Territory or are appropriately managed by existing provisions in the Bill.

The passage of this Bill will allow us to build a vibrant and powerful economy for tomorrow on behalf of all Territorians.

I commend the Bill to the Assembly.

Mr GUYULA (Mulka): Madam Speaker, Aboriginal people know what a land grab looks like. We know what no consultation and disempowerment look like. Everyone can see that this Bill is about a land and water grab at the cost of landowners' rights, the environment and the entire Northern Territory community.

The original consultation on the draft Bill accepted more than 500 submissions; the Legislative Scrutiny Committee accepted more than 300 submissions on this Bill. Many of those submissions commented that none of their recommendations for the draft Bill were included in the current Bill. Once again we stand in front of a Bill that has not incorporated most of the concerns that have been outlined by the people of the NT.

Consultation seems to be a difficult word and action for all governments. There is no point doing consultation if it has no impact on the government's course of action. If the government has no intention of listening to community concerns, advice and recommendations, do not waste everybody's time asking for them.

I will refer to some of the submissions for the purpose of having our voices heard.

Larrakia Nation Aboriginal Corporation has spoken out strongly on this Bill. It asked for the Bill to be withdrawn. Its submission states that the Territory Coordinator Bill 2025 threatens to override the Larrakia people's ability to make decisions about their own country. It does not acknowledge the Larrakia people as the traditional custodians of Darwin, nor does it ensure their voices are heard when decisions about their land are made. This Bill, as it stands, is an unacceptable step backward in recognising Indigenous rights.

The Larrakia people and the Larrakia Nation urged the NT Government to respect the voices of First Nations people and ensure that any legislative changes uphold Indigenous sovereignty, cultural preservation and environmental protection. They stated:

> *No development should proceed on Larrakia land without formal agreement from the Larrakia people. This Bill, as drafted, does not sufficiently recognise the authority of the Larrakia governance structures in decision-making. We demand that any development, planning, or coordination efforts respect Larrakia law and governance, ensuring our rightful place in determining the future of our country.*

The Larrakia Development Corporation stated:

> *The Territory Coordinator will have the authority to override current legislative protections and our genuine concerns. The well-worn principles of Free, Prior and Informed Consent will also be further eroded. This position is unacceptable and immoral.*

The NLC stated that it does not support the Bill. The NLC states in its submission:

> *Most of the Northern Territory's land and seas are either Aboriginal Land or land affected by native title. Without mandatory consultation requirements, the Northern Territory Government … is likely to prioritise expediency over processes that are* optional*. There is a risk to the land rights of Traditional Owners, which could lead to irreversible damage of their economic, social and spiritual wellbeing. We are particularly concerned that Aboriginal Land and Exclusive Native Title Land is able to be declared a TDA or ICA without any prior consent or even consultation.*
>
> *…*
>
> *While the Heritage Act may be a* perceived *barrier to economic activity, in practice, it does not impose a significant burden on proponents. The Heritage Act serves an important deterrence role and signals to proponents that cultural heritage is valued in the Northern Territory. There is little benefit to economic development by adding the Heritage Act to the Schedule. There is immeasurable social and cultural value in keeping it excluded.*

The CLC makes it clear that parliament should not pass this Bill. It states:

> *The Bill, if enacted in its current form, will result in adverse social, environmental and cultural outcomes. It will erode transparency and accountability in the Northern Territory.*
>
> *…*
>
> *The Bill would need to be extensively amended for it to be acceptable to CLC and its constituents.*
>
> *…*
>
> *The Bill does not have sufficient regard to the rights and liberties of Aboriginal Territorians. On the contrary, the Bill threatens to dilute and undermine the rights and interests of Aboriginal Territorians.*

The Aboriginal Peak Organisations NT submission states:

> *… the legislation to instil a Territory Coordinator for the purpose of fast-tracking development and investment of prospective NT projects jeopardises the commitments made by the Northern Territory Government (NTG) in the National Agreement on Closing the Gap.*
>
> *The priority reforms under the National Agreement seek to enact: formal partnerships and shared decision making with Aboriginal people; build the Aboriginal community-controlled sector; transform government organisations; and share access to data and information at a regional level. This is underpinned by the principle of Aboriginal self-determination. Enacting centralised government decision making, through the implementation of a Territory Coordinator … appears contradictory …*

Further to this submission, following the Legislative Scrutiny Committee report, AP ONT stated that this Bill must be scrapped:

> *When the Country Liberal Party came to power, they said they would govern for all Territorians; this Bill represents a worrying direction for the Finocchiaro government.*

In our submissions we called for greater and clearer safeguards, but given this has been ignored, we cannot support this legislation.

Our work is underpinned by the principle of Aboriginal self-determination. We will not stand by as unchecked powers to overrule existing laws threaten our people, our sacred sites, our culture and our rights. We call on the Government to listen to the community and take our concerns seriously.

However, this government is not speaking to anyone.

The Heritage Council Northern Territory submission states:

Were the functions and powers of the Territory Coordinator to extend over all or any aspect of the Heritage Act, the risk of irreversible damage to the diverse range of places significant to Aboriginal peoples in the Territory would be high.

Following recent high profile national incidents such as the damage to Gunlom Falls here in the Territory and the destruction of Juukan Gorge in Western Australia, the Council believes the application of the powers of the Territory Coordinator to the Heritage Act would expose the Territory to legal action which may create project delays and present an unacceptable risk to the Territory's reputation.

Voices from my electorate also provided many submissions. A family from Nhulunbuy states:

We are a family living and working in Nhulunbuy with two young kids. Having made our home here, we feel extremely lucky to be living on spectacular Yolngu country and love this part of the Territory very much …

We strongly reject the Territory Coordinator Bill 2025 …

…

… we are particularly concerned that the new draft Bill has removed the section that said the Territory Coordinator could not interfere with Commonwealth laws, or the Sacred Sites Act, Native Title Act, Heritage Act or Aboriginal Land Act. We can only assume this means that the Territory Coordinator Bill will impact the legal rights of Aboriginal land holders, result in reduced protections for Sacred Sites and heritage places, and remove protections for the outstanding biodiversity significance of this region.

That was from Allana Brown and Dr Scott Price.

The Nhulunbuy and Yirrkala No New Gas Group asked me to make this statement today:

'We are a local volunteer action group from Yirrkala and Nhulunbuy. We want the government to know that we strongly oppose the Territory Coordinator Bill. This new law will give two people—the Chief Minister and Territory Coordinator—an extreme overreach of power and give industry unrestricted access to exploit the Territory and undermine the rights of Yolngu people on Yolngu lands. We completely oppose this Bill, and the government has no community support or social licence to pass it.'

The Nurrdalinji Native Title Aboriginal Corporation submission states:

We would also like to note that this consultation paper raises questions about how the Northern Territory Government will implement the findings of The Independent Scientific Inquiry into Hydraulic Fracturing of Onshore Unconventional Reservoirs in the Northern Territory (Pepper inquiry)*, which explicitly recommends better transparency, accountability and processes for engaging with Traditional Owners in relation to onshore gas developments.*

In a more recent statement the Chair of the Nurrdalinji corporation, Samuel Janama Sandy, stated:

We told the committee that our old people fought long and hard for their rights so that we can make decisions about what happens on our country, and it looks like they are trying to undo all of that.

It's wrong that the government is trying to sidestep laws. It's all Traditional Owners have to protect our country, our heritage and our water.

As the NLC said in the hearing:

'Aboriginal people are not against economic development, but we don't want it steamrolled over the top of us. We want to be part of economic development. We want to be part of the decision-making and ownership. We have business ideas for development on our country.'

The APO NT submission talked about Closing the Gap. Closing the Gap is about saving lives. The First Nations people in this Chamber and outside it are not supposed to live as long as the rest of you. That is because the physical, mental and emotional health issues that we experience are due to the ongoing effects of colonisation. It is because of poverty, but mostly it is because of disempowerment. This is why the Closing the Gap report has the first benchmark about sharing decision-making.

This Bill undermines the relationship that the government has with all Territorians, but it is significantly damaging for the self-determination process that must underpin the relationship that government has with Aboriginal Territorians. We are sovereign people who never ceded our rights, so all governments need to start by respecting our sovereignty.

Today this government is creating a pathway so that it can break the law. This government is saying that it is tough on crime, but it is also looking for ways that it can break laws. There is much discussion of break-ins and robbery in Darwin and elsewhere, and we all agree this is a crime, but coming onto country uninvited is the same crime. That will happen. This law will allow the government to break the laws that are created in this parliament and the laws of Aboriginal people on our land across the NT. That is a crime. It cheats everybody in the NT of our right to proper processes for lawmaking and shared decision-making. We see it. The people of the NT see what is happening here.

This is dangerous legislation that shows clear disregard for all the people of the NT, and it should be withdrawn from the parliament.

Mr YAN (Treasurer): Madam Speaker, I support the Territory Coordinator Bill.

This morning I was proud to stand with the Minerals Council and unveil our Rebuilding the Economy strategy. This strategy sums up the work we are already doing and builds upon our government's focus as we work towards making the Territory the best place to do business in Australia and globally. We have already commenced some of that work.

Our payroll tax reform is lifting the threshold from $1.5m to $2.5m, which is assisting our small to medium businesses to do their business better and reinvest in their workforce. We are making apprentice and trainee wages tax free for all businesses across the Territory.

In addition we introduced housing grants to stimulate the building industry, as we need to provide work in that industry.

Another of our strategies is to build a bigger and better workforce. To grow the Territory's economy we need to increase our workforce capability.

We also need to create the economic and investment environment to get investment into the Territory to drive our economic growth. As a small jurisdiction the Territory should be one of the easiest places in Australia to do business. Being small makes us agile, but that agility is not there.

The Territory can be a challenging place to do business, with high logistical costs, workforce shortages and projects stalling for years as proponents try to manoeuvre through a complex regulatory environment. That environment was created by the previous government. The previous Labor government focused on announcements rather than delivering for Territorians. That is why we are in the financial situation we are in now. Eight years of an economically inept Labor government has not helped us; it made the Territory an even more unattractive place to do business. This is what we are trying to turn around.

We only have to look at the major project status enacted by the previous government. A potential mine was offered major project status by Labor, and the project was shuffled between different departments. The proponents said that their time was wasted talking to public servants and there was no action. This is what the Territory Coordinator is about addressing.

I pick up on the Leader of the Opposition's comment about ramming through this legislation. We talked about it before the 2020 election. We brought the legislation before this House in 2021, but we were shouted down.

After getting the TERC report Labor moved on and created three positions to try to do the job of one. All that did was create more bureaucracy.

Luckily we have seen an increase in private investment under the CLP, which is great. The numbers are starting to creep up, which is heartening. It is no wonder that private sector investment in the Territory remains well below the 10-year average. The issue we face is that the Territory is competing against other state and global economies for investment. We need to maintain our status as a highly competitive tax environment and increase our attractiveness as an investment destination. We have the ability to do that, but we need to unlock it.

It should not have to be this way. The Territory has always punched well above its weight. We hold a competitive advantage in industries such as Defence, energy, agriculture, mining and tourism due to our strategic geographic location and abundant natural resources. As the Territory recovers from years of Labor, our full economic potential is still yet to be realised. We have the same resources as Western Australia. We can be the powerhouse of this country if we unlock investment and create an environment where investors want to come to the Territory to do business. For too long the Territory has not been that place.

Passing this legislation and making the Territory Coordinator a statutory officer is crucial to becoming a serious investment destination so that we can unlock our key industries. With the Territory Coordinator in place we can rebuild the economy by cutting unnecessary red tape and reducing approval timeframes.

As we renew our relationship with our Asian neighbours we want to become a serious investment partner for them because when they invest in the Territory they are investing in Territorians and Territorians' futures. We know that the Territory Coordinator is the sign our potential partners and investors are looking for to show them that we are open for business. That is what our economy needs and what we must do if we are serious about rebuilding it.

As the Treasurer I am particularly interested and invested in making the Territory Coordinator a reality. Our budget is a mess and our debt is sky high. Over the past months we have been working to deal with the difficult legacy issues left by Labor. Through the establishment of the Territory Coordinator we can prioritise projects that will grow our own-source revenue and get us on the path to achieving a budget surplus. The Territory Coordinator is key to enacting our fiscal strategy.

I recognise the Territory Coordinator's importance not only as the Treasurer but also as the Member for Namatjira. By legislating to have the Territory Coordinator, large-scale projects in regional and remote areas in my electorate will be made a reality. We are only now looking at the opportunity of a Tivan fluorite mine near Atitjere, which will have great benefit to the people out there on the edge of the Plenty Highway.

Next door—which is not in my electorate unfortunately; I wish it was—is the Nolans rare-earth deposit. There is a commitment between our government and the federal government to develop those rare-earth capabilities at Nolans.

The Tellus agreed to invest in the Titjikala community. It got the runaround from the previous government, so Tellus packed up and went to Western Australia where, in 18 months, Tellus had its project over the line. I am glad to hear that Tellus is looking to come back to the Territory and invest in our communities.

I do not want my constituents to keep missing out on the economic development that the Territory could have realised years ago if Labor had taken action to remove complex regulatory hurdles and inefficient government processes.

The Territory Coordinator will play a key role in ensuring efficient, coordinated and timely assessment and approvals that drive major projects forward. This will benefit not just my community in Central Australia but also the whole Northern Territory.

I support this Bill because the CLP is committed to making the Territory the best place to do business. The signal that we will send to Australia and the world is: we are the place to do business; we are the place to bring your money; and we are the place to come and invest. We can be the powerhouse of Australia. We can equal or surpass Western Australia through our natural resources. Those benefits will flow to the people of the Northern Territory. This investment will help grow the Territory and help us to do all those things that we want to do for our communities because, sadly, we are beholden somewhat to the federal government for our GST revenue and the current meagre revenue from our mines and taxation. To do the other things we want to do requires more money.

We will work hard with the federal government to make sure that we get our fair share of GST revenue and we are supported, but the easier way to do it is to get projects off the ground and moving. This will start to raise the revenue that we can then use to develop the Territory and benefit all Territorians.

Once established the Territory Coordinator and the minister will have the unique capacity to set strategic directions through the designation of significant projects, programs of works and Territory development areas. Some of these areas are the infrastructure corridors to support the Beetaloo and the gas that will come out of that field. It is great to have the Beetaloo gas coming out of the ground, but unless we can move it to where it is needed and can be exported to generate more revenue for the Territory, we will be only spinning our wheels. This is one of the specific Territory development areas that we are considering.

Peripheral to those Territory development areas and infrastructure coordination plans is a suite of requests and notices to coordinate and streamline complex regulatory processes. Over many years it has been difficult to get projects off the ground because the Northern Territory regulatory system is complex and convoluted. Time and again we have seen that proponents find it extremely difficult to drive investment and get their projects moving.

The CLP took this legislation to the 2020 election and brought it to the House in 2021 because we know about the need for investment in the Northern Territory and we understand the Territory's potential and that our unique our environment can generate that all-important income through our natural resources.

It is not just our natural resources; we should not forget the resources we have in our agriculture, cattle, tourism and, specifically, Defence sectors. We are a strategic location for Australia.

Investment through the US and Japan is coming to the Northern Territory; they are taking part and putting investment for Defence within our location. That shows the commitment of our Asian and overseas neighbours and how they understand the significance of Darwin and the Northern Territory as a strategic priority in Defence longer term.

Defence Australia is the same; you only have to look at its investment over the past years into Defence in the Northern Territory to understand how it views our strategic priority. The investment in Coonawarra, Robertson Barracks and in Katherine at Tindal is of great benefit, which helps our development.

The Territory Coordinator will be crucial in driving investment and our economy forward by prioritising projects that are of economic benefit to all Territorians and ensuring that those projects are front and centre, getting the voice they need to progress, and are not left on the backburner or sitting on a shelf somewhere.

Proponents need the ability to cut through the red tape to get surety so that their investors know there is capacity in the system. They need to trust the Northern Territory Government to bring their money here and deliver those all-important projects that will benefit everyone in the Northern Territory, not just for a few years but into the outer years. That is when we will see the long-term projects developing our economy, bringing new families to the Territory to put down roots and call the Territory home and growing this place into what we know it can be, which is a powerhouse within Australia and an economic driver for Australia. The people of the Territory will reap those rewards in the future.

Debate suspended.

The Assembly suspended.

NOTICES

Ms BOOTHBY (Attorney-General): Madam Speaker, I give notice that on the next meeting day I shall present a Bill titled the Attorney-General Legislation Amendment Bill 2025, Serial 19.

Mr EDGINGTON (Housing, Local Government and Community Development): Madam Speaker, I give notice that on the next meeting day I shall present a Bill titled the Local Government Legislation Amendment Bill 2025, Serial 20.

Mrs HERSEY (Public Service): Madam Speaker, I give notice that on the next meeting day I shall present a Bill titled the Portable Long Service Leave (Community Services Sector) Repeal Bill 2025, Serial 18.

QUESTION TIME

Operation Apollo Report – Tabling

Ms UIBO to MINISTER for POLICE

On 27 February 2025 you were briefed by the ICAC on its Operation Apollo report which found incompetent and negligent conduct by a senior public servant. On multiple occasions you had advice from the ICAC and the Solicitor-General saying that you could not release anything from the report, including a week later when you stated you had been advised by the ICAC that you could not take any steps that could identify the individual or any detail beyond a public statement intended to be issued the next day.

We now know that the ICAC delegate, Patricia Kelly SC, provided the following advice in paragraph 48 of the Operation Apollo report which you received on 27 February:

> *… I consider it appropriate, in this particular instance, to leave it to the discretion of the Minister for Police as to whether she considers this report ought to be tabled in the Legislative Assembly of the Northern Territory.*

Why have you spent the past three weeks deliberately misleading Territorians about your ability to release the report?

ANSWER

Madam Speaker, boy, they must be more confused on the other side of the House than I originally thought. Opposition Leader, you are correct. Today I made an important statement in the parliament off the back of advice I received from the ICAC Inspector yesterday. I tabled his advice which is in the form of a letter. He also prepared a report for me which I also tabled. I tabled the Operation Apollo report with three paragraphs redacted, as per the conditions that the ICAC Inspector asked me to comply with.

I drew the Assembly's attention to paragraph 48 of the Operation Apollo report which clearly showed that Patricia Kelly, the delegate of the ICAC, said—as you just read out—that it is a matter for me whether I table it in parliament.

I sought that appropriate advice. It is clearly stated throughout the ICAC Inspector's report that he has provided—which, Opposition Leader, I assume you have read—and he clearly said it in the letter. Last time I checked today is the first day of parliament since the Operation Apollo statement was made.

While those opposite want to play politics with this issue, my focus has been on methodically stepping through the right thing to do on behalf of Territorians. I have to say—if I have said it a thousand times I will say it again—my greatest concern in all this is what it is doing to our front line. Community safety is, without a doubt, the single biggest issue that Territorians care deeply about. This has been a destabilising time; there has been much uncertainty about this.

I responded quickly in making sure we have the independent inquiry with Justice Blow. That work will run its course. We had the opportunity on the first day of parliament, just after 10 am, which is when I made everything available to the parliament, as transparency would dictate.

It has been a frustrating process for everyone. Undoubtedly, Opposition Leader, you and I have been frustrated and the community has been frustrated.

This is what we inherited from the Labor government. Everything in this report happened under a Labor government. The way in which the ICAC Act operates happened under a Labor government.

We have worked through this issue. Ultimately, my focus is on making sure that we create certainty and confidence for our frontline police so that they can continue to pull on their blue uniforms and leave their families to protect ours. That is our greatest priority and the priority of Territorians. The police have our full support.

Rebuilding the Economy Strategy

Mrs ZIO to CHIEF MINISTER

This morning it was great to join you and members of the business community to launch our government's new economic strategy. We heard from the Minerals Council and other industry bodies at this event about how critical it is to rebuild our economy. As the assistant minister for People, Sport and Culture, I am pleased to see how growing our economy and population is a key priority for this strategy. Can you outline further priorities of the new economic strategy and explain why it is important to every Territorian?

ANSWER

Madam Speaker, the Member for Fannie Bay works tirelessly in her electorate where there are fantastic businesses and Territorians eager to see the Territory grow.

We inherited from Labor an economy and a population going backwards. People had no hope or aspiration for the future. We have talked before about the number of people we would speak to who were packing up and leaving. It is heartbreaking.

We are proud to have made so much reform just six or seven months into our new government. It was fantastic to be with the team this morning to announce our Rebuilding the Economy: Northern Territory Economic Strategy 2025.

I said at the start of this year that it would be a year of action, delivering certainty and security for Territorians. That is exactly what we are doing. We are not just talking about it like Labor would, with all its major projects it never delivered and all its budget blowouts; it was all talk. We are delivering the action on the ground because action speaks louder than words. That is why this year is a year of action.

We are focused on having clear targets. We have to reset the entire economic narrative of the Territory in the wake of the devastation Labor left behind. Projects are being built that have no money attached to them to finish the job and no operational funding going forward. We have not seen any major projects. It is a disaster. The Territory has opportunity, but we need it to be a reality so that all Territorians benefit.

The key aims of our strategy relate to outpacing the nation. The Territory can consistently outpace the nation and grow faster than anywhere else. That is our key aim. We will play to our natural strengths and get back to basics on what the Territory is fundamentally good at and what our competitive advantages are.

This will benefit all Territorians because when our economy is strong the Territory is strong. It increases our opportunity to support police, build more prisons and support the justice system, which were all left broken and dismantled by a Labor government that had lost its way.

This new approach is required. It is tangible and aspirational, which is important, but it has to be based in reality. That is why we are excited about our Rebuilding the Economy strategy for 2025–2028. We look forward to achieving these targets. So much reform has already happened, but you are as keen as I am, Member for Fannie Bay, to get the job done.

Operation Apollo Report – Solicitor-General's Advice

Mr PAECH to CHIEF MINISTER

Over the past three weeks you have claimed that the ICAC Act has bound you to secrecy. That is not true. You told Territorians that the Solicitor-General gave you advice that you could not speak about the Operation Apollo findings. That is not true. The ICAC Inspector has made it clear that nothing in the ICAC Act has ever prevented you from speaking.

Will you table the Solicitor-General's advice? Will you apologise to Territorians for misleading them over the last three weeks? Will you apologise for causing chaos in the Northern Territory Police Force?

ANSWER

Madam Speaker, the hypocrisy is running hot today. Someone get out the thermometer; they are getting a little hot over there. I do not know where to start to answer that ridiculous question.

Mr Paech: Because you are lying.

Mrs FINOCCHIARO: You show me, Member for Gwoja, where it says that. How ridiculous.

Mr Paech: Read the report.

Mrs FINOCCHIARO: We got the advice from the ICAC Inspector yesterday. He clearly steps out—it is quite a few pages and maybe you have not had time over the lunchbreak to read all six pages, Member for Gwoja. You used to be the Attorney-General, and you were not very good at that. That is probably why you have not grasped it.

Mr PAECH: A point of order, Madam Speaker! Standing Order 20; I am not misleading. Also, Standing Order 110; relevance. It is in black and white. The ICAC Inspector has put it out. You had nothing preventing you from speaking. You are lying.

Madam SPEAKER: There is plenty of time for the Chief Minister to respond to your question.

Mrs FINOCCHIARO: It is quite pathetic to see the opposition trying its best to play trickery with this.

I made the Operation Apollo report public, as per the explicit instructions of the ICAC investigator in his report that I tabled in accordance with his letter, which I have also tabled. It clearly talks about tabling it in parliament; that is what I have done. The report required three paragraphs to be redacted because it is compelled evidence; we did that.

It is interesting coming from members of a government that ran and hid at every opportunity. You can stand here and call me whatever names you like, Member for Gwoja; that is a matter for you. The community will judge you for your name-calling and low-grade political attacks …

Mr Edgington: That is all he has.

Mrs FINOCCHIARO: Because that is all he has, Member for Barkly.

At the end of the day I have made decisions, and I stand by those decisions. You and the community can judge me—whether people thought eight days or three days, whatever metric you are using to say that it was too slow—but I will never apologise for making the right decisions on behalf of Territorians and for following the right processes.

If you think there is no requirement to be bound by the ICAC, it is interesting that you were never so forthcoming with information when you were a government minister, Member for Gwoja. I think it is a bit cute.

We have been fully transparent and honest in this process. If people want to throw mud, that is politics. I get it; I have no dramas with that. At the end of the day I have executed my responsibility, and we are proud to be delivering a government that backs our police and understands that there are right and wrong ways to do things. We will not be schooled by members of a Labor government which failed so badly. We will not be taking advice from you.

Economy

Dr RAHMAN to TREASURER

The Northern Territory economy struggled under eight years of the Labor government. Labor mismanaged the economy so badly that the Territory was ranked as the worst-performing economy in the nation for six consecutive years. With the economy in such bad shape it is no surprise that Labor's last year in government saw business confidence in the Territory decline. At the election the CLP promised loud and clear that we would rebuild the economy, and this government is working hard to make good on this promise.

Can you enlighten the Assembly as to what actions the CLP has taken to improve our economic standing, and what do current reports show about the state of the Territory economy?

ANSWER

Madam Speaker, business confidence did not just decline under Labor; it fell off a cliff.

After just six months of the CLP's responsible commonsense economic leadership the Territory's economy has a lot to show—words that never could be used to describe Labor's management of the economy.

Let us look at some of the key indicators that the Member for Fong Lim mentioned. The Territory has topped several economic indicators for the last quarter of 2024, from October to December. For example, the Territory's state final demand, a measure of the demand for goods and services in the NT, increased by 1.6% to $8.5bn last quarter. Even more astounding the NT outperformed all other states. South Australia declined by 0.3%, Western Australia grew by only 1.1% and national domestic final demand rose by only 0.5%. That is just in the first three months of the CLP government's tenure.

Private investment surged 6.1%, with business investment up by 5.7%. This surge is because investors know that a CLP government backs them and is committed to rebuilding our economy. This investment will continue to grow under the CLP thanks to our introduction of the Territory Coordinator, who will be cutting through red tape and driving projects forward.

There is also big growth in dwelling investment and building approval numbers. In the last quarter dwelling investment increased by 6.8%. Residential building approvals went up by 74.2% compared with the start of last year under Labor. Mind you, Labor's numbers were so low that any increase has a huge effect. Labor failed to back builders in eight long years in power. Labor oversaw the worst eight years for home building since records began. The 180-degree turnaround in the residential construction industry is thanks to the CLP's First Home Owner Grants, which are rebuilding the Territory brick by brick.

We are only halfway through the program and 100 applicants have already been approved to build new homes. That is 100 homes Labor failed to add to housing supply. These homes are stimulating the construction industry and creating job opportunities for Territorians. New houses mean new whitegoods, TVs, furniture and, dare I say, a shed for the boats. Consumption and household spending are up as Territorians finally have breathing room under falling inflation and strong wage growth.

The facts speak for themselves. State final demand is up, private investment is up, the residential construction industry is recovering and Territorians can feel the economy improving as they spend more and support local businesses. It is clear that the CLP is delivering for Territorians.

Police Commissioner – Recruitment Process

Mr YOUNG to CHIEF MINISTER

Nine days after ICAC's Operation Apollo report found the Police Commissioner had acted improperly in a senior recruitment process, you placed him on leave and announced Mr Martin Dole as Acting Police Commissioner. On Monday 10 March you said on radio that you had been advised only that day that Acting Police Commissioner Dole had also been on the same hiring panel. Is this true or were you told about Acting Commissioner Dole's involvement days earlier? If so, why did you mislead Territorians about this?

ANSWER

Madam Speaker, they are obviously running out of questions on the other side. I have answered this question so many times, and I went through it clearly in my statement at 10 o'clock this morning.

When Mr Finn was on radio on Monday, that was the first I heard of it. It is not in the report I just tabled, so that is a matter for you. He never had that discussion with me previously. That is my answer. I do not know how else to say it. I heard it on Monday, and that is when I heard it.

Holtze Land Release

Mr MACKAY to MINISTER for LANDS, PLANNING and ENVIRONMENT

Affordable land and housing has been hard to come by in recent years. We have seen the cost of living skyrocket. Many Territorians and Australians more broadly have been doing it tough, with their plans and dreams put on hold.

Can you update the Assembly on the Holtze land release development, including what this government is doing to support Territorians to enter the housing market and how this development will drive economic development and support population growth?

ANSWER

Madam Speaker, this is a great opportunity to update the Assembly and the community on the recent significant milestone reached as part of the Holtze land release. Now known as The Parks estate, lots within stage 1 of Holtze are on the market and offer a range of competitive options for people looking to build their home in the Top End.

When we came into government we promised to rebuild the economy after eight years of neglect and no action under the former Labor government. Ensuring that more affordable land is available for housing is vital to keeping Territorians here and attracting new families and essential workers to the Territory.

There has been significant work at the site to ensure completion of the enabling infrastructure—my new favourite term. You hear about this all the time. Without the poles, wires and plumbing, you cannot build a house. We need to ensure that enabling infrastructure is completed so that construction can commence as soon as possible. From the area planning process to guide the future development up to 11,000 homes may eventually be constructed. The enabling works will support new homes, the future expansion of Palmerston Regional Hospital and the development of greater Holtze.

It was wonderful to get down there in my big hat—you need a big hat for a big announcement like this. I had Treasurer Bill Yan with me, and we spoke to people onsite. We spoke to the construction people from HB Constructions and civil workers from AKJ. Ground was being broken as we were there. We saw the trucks; there were triples and side tippers. Part A enabling works will be finished before the end of this year, meaning builders could be onsite constructing homes later this year.

I know firsthand how hard it can be to take the next step to get into the housing market and how daunting it is, and I am sure most of you in this room know it too. That is why our government is supporting Territorians with $50,000—one of the best home building grants in the country—to get their first home.

Having a place to call home is not a luxury; it is a fundamental need of everyone in the Northern Territory. Affordable housing opportunities have been virtually non-existent for locals. For eight long years Territorians had to endure economic decline and a diminishing population under the former Labor government.

Stage 1 lots provide land from $189,000, which is pretty good. Ten years ago I got my block for $175,000, and I thought that was good. The first stage has almost sold out, so if you want a block get in quick.

Crime – Government Response

Ms UIBO to MINISTER for POLICE

For the past three weeks, while you have been dodging questions about the ICAC's Operation Apollo report, crime has surged across the Northern Territory. There have been aggravated robberies in Alice Springs, Karama and Darwin. Police officers and members of the public have been assaulted. Vehicles have been stolen in Katherine, Palmerston, Alice Springs, Tennant Creek and Winnellie in Darwin. Two prisoners have escaped. A horrific sexual assault occurred in Alawa, and yet another Territorian has lost their life to domestic violence.

Before the election you promised Territorians you would fix crime and be transparent. You are failing on both counts. What do you have to say to Territorians who feel let down by your leadership and your broken promises?

ANSWER

Madam Speaker, if there is one thing the Opposition Leader is right about it is that crime is unacceptable, and Territorians care very much about making sure we are reducing it. That is why we are here. The first thing we did when we came to government was prepare our reducing-crime package for the October sittings. Ever since we have continued to draft laws that are stronger and better, giving our front line more support.

As the Opposition Leader highlighted, the magnitude of crime that Territorians are suffering under is unbelievable. For eight years the Opposition Leader, as a government minister, would walk into parliament and water down the laws time and again. I was sitting in her current seat saying, 'Do not do this. It is a major issue.'

On top of that, the Member for Gwoja as Corrections minister failed to invest in Corrections infrastructure. The justice system of the Northern Territory, including lack of investment in courts, is a mess, but we have given police more powers and will continue to do so.

One body of work I am excited about, as is the front line, is our rewriting of the *Youth Justice Act*. That has come to me directly from police on the ground interfacing with it every day. We also have changes to the *Traffic Act* because I went out with traffic cops and talked to them, and I got some great feedback and ideas. That work is happening. In this sittings we have amendments regarding powers of entry for police.

We must go full throttle on this; it is a big issue across the Territory. We saw an accelerated constable squad and ACPOs transitioning to constables swear their oaths last week. We also saw constables graduate from the college. We sent 11 to Katherine and 10 to Alice Springs—or the other way around—which is fantastic. That was our promise over Christmas to the people of Alice Springs. When the Adelaide police went back we said, 'You have your own Territory coppers coming', and they are there.

We will continue to support recruitment. There is a strong recruitment program through the college. Heaps of people are applying, and many of them are locals, which means Territorians are putting up their hands and answering the call to serve. It is unbelievable, and I thank them so much for it.

You are right, Opposition Leader; there is so much more work to do. We have never backed down and shied away from that, but you need to take a good, hard look in the mirror and reflect on the fact that systematic years of failure delivered this crime to the people of the Northern Territory.

Darwin Port

Mr HOWE to MINISTER for LOGISTICS and INFRASTRUCTURE

There has been significant discussion over recent months in regard to the Darwin Port. We know the port is critical to the economic development of the Territory. There has also been commentary about the efficiency of the port and the difficulties some drivers and carriers have had in their access to the port, the booking of loading slots and the time it takes to have their trucks loaded. Can you tell the Assembly about the government's position on the Port of Darwin?

ANSWER

Madam Speaker, the Member for Drysdale understands the critical economic and strategic importance of the port.

Two weeks ago I wrote to all port stakeholders to reassert this government's commitment to an efficient and effective port. The Darwin Port is fundamental to the Northern Territory's economy. It supports key industries that drive jobs and investment across the Territory and helps with our economic growth. It is the main trade gateway for our mining, agriculture, energy, construction and Defence sectors, each of which relies on efficient port operations to remain competitive and deliver economic benefits to the Territory.

I will illustrate this with a few statistics. Live animal exports have increased from approximately 81,000 head in 2023 to more than 93,000 in 2024. This is great news for our ag sector as it reflects the growing international demand for Territory livestock. We will continue to work to grow that sector. It strengthens our local cattle industry, creates jobs across supply chains and reinforces the NT's reputation as a top-quality beef exporter.

To ensure our exporters can continue meeting this demand we need smooth port operations. Delays in loading mean added costs for producers and transporters, reducing our competitiveness in global markets. We must improve this. We recognise the challenges in port efficiency at both ends of the operation where goods arrive and where they depart. Truck drivers are being frustrated by long wait times and delays in handling cargo, which impacts both importers and exporters. Freight forwarders and import–export agents face ongoing disruptions that complicate logistics, increase costs and undermine supply chain efficiency. This was particularly acute over the 2024 Christmas period.

We are using every available lever to address these issues, working with industry to improve scheduling, streamline logistics and ensure that our stevedores have the resources they need to move cargo efficiently. I spoke with all the port operators prior to Christmas to try to resolve the issues of freight forwarding out of the Darwin Port to make sure that all cargo got off the port and into our shops and people could get their Christmas presents they ordered from overseas.

To maximise its potential we must ensure it operates in the best interests of Territorians. That means strategic oversight, targeted investment and a commitment to efficiency and capacity expansion. A port that works well strengthens our industries, supports jobs and attracts investment to the Territory. We must make sure it remains a driver of Territory growth for decades to come. That is why I wrote to all the operators to tell them that we have their backs.

Operation Apollo Report – Solicitor-General's Advice

Mr PAECH to ATTORNEY-GENERAL

Will you release the legal advice from the Solicitor-General about the Operation Apollo report that the Chief Minister has spent the last three weeks hiding behind?

ANSWER

Madam Speaker, the Member for Gwoja as the former Attorney-General would know exactly how this process works. The Chief Minister has been clear from the start of this coming to light that she is taking a methodical well-considered approach. She is making sure that she has all the advice to act in the best interests of Territorians.

I completely and utterly support our Chief Minister on exactly how she has taken Territorians through this process. We are a strong united team and we 100% back the Chief Minister and the advice she seeks. As Attorney-General, I know that the Chief Minister will always act in the best interests of Territorians. She has done that from the start when she first set foot in this Chamber. I have seen her flawless delivery of ensuring that she works for the Territory.

It is interesting that the Labor opposition is so critical of this issue when it has no credibility in this space. Labor has been through eight years of integrity crises. The Chief Minister is doing everything she needs to do with the right advice in the interests of Territorians. You sit here and carry on. How about you look in the mirror and talk about the things that Territorians want to know?

Mr PAECH: A point of order, Madam Speaker! Standing Order 110; relevance. I asked the Attorney-General whether she would release the advice, not for a fangirl tale of the Chief Minister.

Madam SPEAKER: That is probably enough; you have made your point.

Ms BOOTHBY: I have answered the question.

Mr Paech: Still dodging it.

Madam SPEAKER: Attorney-General, have you completed your answer?

Ms BOOTHBY: Yes.

Portable Long Service Leave

K McNAMARA to MINISTER for PUBLIC SERVICE

Last week you announced in a media release that your government was scrapping portable long service leave for those in the community services sector, such as disability and aged-care workers and early education day care workers. I can be here working, as many others are in this Chamber, due to the caring, hardworking childcare workers looking after my children. Portable long service for these workers is crucial, as these industries are often insecure and have a highly casualised workforce. These types of schemes exist in many other industries and, indeed, in other jurisdictions without a problem. The invaluable work that people in these sectors do is essential to the functioning of the NT.

You have made it even harder for us to compete interstate to recruit staff in these sectors. The excuse you made in your press release that it would make childcare more expensive is incorrect and a distraction.

Apart from the sole childcare business owner you quoted in your press release, did you consult with any unions or workers on this? What do you have to say to the childcare, aged-care and disability workers in my electorate who see this as a slap in the face?

ANSWER

Madam Speaker, last week I did a media release with the Member for Wanguri. We were at the childcare centre.

This was one of Labor's many schemes that came in prior to the election; it was moments before we went to the election last year. As we heard from the Treasurer, this was one of many uncosted schemes.

Members interjecting.

Madam SPEAKER: Order!

Mrs HERSEY: The opposition and crossbenchers can talk about portable long service leave—yes, there was consultation with the industry—but this would have potentially been more cost to families who put their children in childcare because that cost would have been passed on to them. We already have the increased cost of living, and families across the Territory are doing it hard.

Ms Uibo: So, you do not care about the workers who also need to use childcare.

Mrs HERSEY: I pick up on the constant interjection from the Opposition Leader, who should know better and listen to the answer, regardless of whether it was her question. By continuing interjections, you are wasting the Member for Nightcliff's time.

Ms Uibo: You just do not know how to answer your own question.

Madam SPEAKER: Opposition Leader, hush, please.

Mrs HERSEY: We are taking immediate action to ensure that this poorly planned and ill-thought-out scheme is scrapped for good. If Labor had anything to do with this scheme going through it would have enabled employees in the community services sector, including childcare, aged-care and disability services workers, to accumulate long service leave benefits based on their total years of service in the sector without the requirement to maintain continuous employment with one employer.

The scheme was to be funded by a new wage levy that would have been passed on to employers who, in turn, would have increased prices. The childcare centres said that it would have cost them potentially $50,000 extra a year. That would have been passed on to families.

K McNAMARA: A point of order, Madam Speaker! Standing Order 110; relevance. I know the minister said that she consulted with industry. I asked, apart from the childcare business owner, did you consult with unions or workers? What do you have to say to the childcare, aged-care and disability workers in my electorate who see this as a slap in the face and a dismissal of the importance of their work?

Madam SPEAKER: Minister, you have the call.

Mrs HERSEY: I do not think it is a slap in the face because, as I said, this was an ill-thought-out scheme by the previous Labor government. The setup costs alone were estimated to be between $4m and $12m …

K McNamara: Answer my question. Did you consult with the unions?

Madam SPEAKER: Silence.

Mrs HERSEY: More would be required annually to operate the scheme.

The Member for Nightcliff and the Opposition Leader can criticise us for repealing this, but Territorians would have been paying more.

Corrections – Police Watch Houses

Mr KERLE to MINISTER for CORRECTIONS

Like many here, I have concerns about the use of police watch houses being used for extended periods to house prisoners who should be in correctional centres. It has been clear that this government inherited a real problem with the prisons being full, resulting from a lack of action by the former government which had no plans to alleviate the growth in prisoner numbers. I know that this has been a concern for you as the

Corrections minister and you have been working with the Corrections Commissioner to build additional prison capacity. Can you update the Assembly and my constituents on the actions to clear police watch houses and transfer prisoners to dedicated correctional centres?

ANSWER

Madam Speaker, we all know that the Member for Blain is a strong advocate for Palmerston and his community, passionately supporting Corrections officers and pushing to clear prisoners from police watch houses to allow police to do their job of keeping Territorians safe. The Labor government failed to do this over the last eight years, which is why we are on this side of the Chamber. Labor failed Territorians.

Ms Uibo interjecting.

Madam SPEAKER: Silence, please.

Mr MALEY: The former Labor government ignored the problem for eight years despite warnings and obvious pressures on the Corrections system; it did nothing.

Since 2023 Corrections has had to rely on police watch houses to manage rising prisoner numbers in a situation that was not ideal. I fought hard to change that.

I can inform the Assembly that Corrections will no longer staff or use operational police watch houses in Palmerston and Alice Springs. By Monday 10 March 2025 all prisoners were moved from Palmerston watch house to Holtze and Berrimah, with final transfers to the Alice Springs Correctional Centre completed by 16 March.

This means that watch houses are available to protect Territorians and allow police to do their job to move freely and arrest people who do the wrong thing. I have said many times that if you do the wrong thing in the Northern Territory, we will find a bed for you. Our mandate is to keep the community safe, and that is what we intend to do.

The *NT News* on 26 March 2023 reported, 'NT Corrections breaks record for prison population, police watch houses used for overflow'. That is when this problem first started. Last year the former Police minister said, 'We will get rid of them. We will get Corrections staff out of watch houses by mid-this year'. Guess what? Labor failed dismally. It failed to support police and—more importantly in my view as Corrections minister—Corrections officers.

Corrections officers and police do a wonderful job, and they need to work hand in hand. One thing the former government forgot to do is fund the courts and the Corrections system. The former government funded the police and criminals, but it did not fund Corrections or the courts.

We are here to fix the mess, and we have done that. We are proud. We have a new facility up and running in Berrimah with 320 new prisoners in there because we are determined to keep the community safe.

Police – Allegations

Mr GUYULA to CHIEF MINISTER

At the end of last year the NT Independent reported on five senior police officers who gave false sworn statements during the Kumanjayi Walker coronial inquest about racist awards handed out by the TRG. What actions have the government taken to address the police officers' criminal actions of providing false sworn statements to court?

ANSWER

Madam Speaker, I am not sure of the timeline, but I believe the ICAC report was tabled around that period in November the member mentioned. I do not have the information in front of me, but I believe there was no action coming out of that ICAC report. I am not aware if the police are doing additional processes on top of the ICAC process, but obviously that went to the ICAC, was investigated and then made public.

From my perspective it has been a concerning chapter, but we are focused on rebuilding a strong police force. We have been clear about that. A lot of measures have been taken, including now having Leanne Liddle as an executive director in Police. Her job is to look at all these issues and areas.

We are working hard on having language speakers in 000 call centres. It is an exciting project because I think it will make a big difference. That is an important way to deliver much better outcomes to people across the Northern Territory and overcome some of those language barriers. When I visited the JESCC a couple of months ago I got to work with one of the language speakers on taking a call. I have seen it in action, and it is working well.

Member for Mulka, short of me having a copy of the ICAC report in front of me, which I do not, the ICAC has had the opportunity to examine that matter.

Air Connectivity

Mr PATEL to MINISTER for TRADE, BUSINESS and ASIAN RELATIONS

The new CLP government has made air connectivity a priority. We have already seen promising developments in this area, including the introduction of the AirAsia flight to Denpasar and the direct Airnorth services from Alice Springs to Cairns. Can you provide the Assembly with an update on how these increased air links will benefit Territorians? Can we expect any other initiatives or announcements in the near future?

ANSWER

Madam Speaker, I know how hard the Member for Casuarina is working for his electorate as we work to improve the economic outlook for all Territorians.

As one of Australia's most remote and expansive regions the NT faces unique challenges in connecting with the rest of the country and the world. Air connectivity is the lifeblood of the Northern Territory, helping it remain competitive, accessible and sustainable for Territorians and visitors alike. Whether it is keeping families connected, expanding business opportunities, attracting tourists or maintaining vital services, consistent air services are crucial for the Territory's prosperity and future growth.

Air connectivity not only facilitates trade but also ensures the Territory remains integrated into national and international networks for security, diplomacy and cooperation. This is a critically important consideration given the role that the Northern Territory plays in Australia's broader landscape of trade and Defence.

It has been an exciting start to 2025 in increasing the Territory's connectivity domestically and internationally. In a few short weeks we have had a quintuplet of airline travel announcements: Jetstar's seasonal Darwin–Gold Coast route operating June to October; Airnorth's Alice Springs–Cairns route operating three times per week, commencing 14 April; and the Qantas Group's addition of 95,000 domestic seats in the Darwin–Adelaide, Darwin–Brisbane and Darwin–Sydney routes, as well as a seasonal Darwin–Canberra route three times per week.

After an eight-year absence, AirAsia's return to the Territory with its announcement of a three-times-a-week Darwin–Bali route—with the first flight to depart this coming Saturday—was especially welcomed, demonstrating the importance of our CLP government's decision to restore the portfolio of Asian Relations after it was abandoned by the Gunner government almost a decade ago.

Yesterday AirAsia doubled down on its investment in the Territory with its announcement of a four-times-a-week Darwin–Kuala Lumpur route commencing on 27 June. This provision of a low-cost carrier will see seamless travel to some of the most in-demand destinations across Asia, including Malaysia, Thailand, Vietnam, the Philippines and India. This will not only improve air accessibility and affordability for the Territory but also make it much easier to invest, do business and visit. It supports tourism growth and makes it easier for cost-conscious business travel, especially self-funded conference attendees.

Our work in this space has just begun, and we will continue to fight for the Territory and greater connectivity across the board.

Public Housing Tenants – Accountability

Mr O'GALLAGHER to MINISTER for HOUSING, LOCAL GOVERNMENT and COMMUNITY DEVELOPMENT

The management of public housing tenancies across the Northern Territory is a challenging and complex issue. As the representative for the good people of Karama and Malak, I can say it is the single biggest issue for many of my constituents. You have previously spoken about the fact that under Labor we saw an erosion in accountability and responsibility enabled by a government not interested in protecting the broader interests

of taxpaying Territorians. Can you update the Assembly on the work you have done with your department to identify and address systemic failings of the Labor government in holding noncompliant tenants to account?

ANSWER

Madam Speaker, I know how hard the Member for Karama and all the MLAs have been working throughout their electorates to address antisocial behaviour, poor behaviour and drinking in public places which have been ongoing issues in public housing.

The levels of violence and criminal behaviour people were forced to endure over an eight-year period under Labor is nothing short of horrendous. The sad truth is that Labor turned a blind eye to accountability and personal responsibility for tenants in public housing.

I have spoken previously in this House about the need to shift the pendulum back to a sensible balance of the rights of the individual against responsibility. When I speak about responsibility I am referring to the responsibility that comes with a public housing tenancy to act and abide in a manner that meets community standards and expectations.

I am sure I am not alone in my thinking that one of the expectations of the broader community would also include paying rent for a house that has been provided by the government. You can imagine, Member for Karama, how appalled I am. I am sure the majority of Territorians would like to hear about the recent history and current state of rental arrears across the Northern Territory in the public housing portfolio.

On 7 December 2021 the Labor government considered a submission under the remote public housing rental framework and approved a policy to waive the entire remote rent debt balance of $69.71m. The waiver was based on the fact that it was considered irrecoverable by Labor. In the two-and-a-half years since that write-off the department is now carrying an accumulated rental arrears debt of more than $39m. This is after $69m was written off by Labor in 2021.

There are 1,422 tenancies with debt above the $10,000 mark. The highest is $40,000, followed by a couple at $36,000, another at $33,000 and another at $39,000. I had to stop asking after that; the rental debt presented to me was overwhelming.

Although it is clear the Labor Party members' approach to this issue was to shrug their shoulders and hide responsibility from taxpaying Territorians, this is not the CLP way and we are taking steps to fix it.

Crime – Statistics

Mr BROWN to MINISTER for POLICE referred to the ATTORNEY-GENERAL

While you have spent the last three weeks trying to hide the Operation Apollo report from Territorians, your government has still been hiding the truth on crime statistics. The most recent crime statistics on the NT Police website are from December 2024 and have not been updated since 3 February. This is despite you telling parliament that they would be updated on the third Friday of each month at 10.30 am. This is also stated on the NT Police website. Why is your government hiding crime statistics from Territorians?

ANSWER

Madam Speaker, I assure the Member for Arafura that there is no hiding. This is a responsibility of the Attorney-General. The police stats go into a system, and the scheme is supported and facilitated by the Attorney-General, so I will pass over to her.

Ms BOOTHBY: Madam Speaker, I can go through a couple of those statistics. The Attorney-General's office looks at the crime statistics; the police put them up. The member knows full well that his government implemented SerPro, which caused a heap of problems with the way in which data was collected; it needs to be looked at manually in order to update it in the system. While that work is underway, and we continue to put as much crime statistics up on the site as possible, I can take the Member for Arafura through a couple of the statistics for his constituents to understand.

There were 493 fewer crime offences, which is offences against the person and against property, in January 2025 than in January 2024. Together, the December 2024 and January 2025 offences were 495 fewer than in December 2023 and January 2024. Property offences were 25% less in January 2025 than in January 2024, and there were 17% less December to January offences this year than last year.

There were 50% less break-in offences in January 2025 than in January 2024, and the December to January offences this year were 39% less than last year. This means that the crime stats since December 2023 cannot be compared with the January or December 2024 figures because of the transition from PROMIS to SerPro, which the member knows about because his government implemented SerPro.

Work is happening to upload these statistics in a timely manner, as per these changes, to the website. We will continue to do that work. The statistics are not the only measure that Territorians look at when they are thinking about how crime is impacting their communities. When I have been out and about speaking to my community—I have been to Alice Springs and Katherine—people tell me that they are feeling as though there is a shift in the crime statistics. They are feeling like there is hope and optimism because of the work that police are doing and the work being done by Corrections and the courts. That is a focus for us. We will continue to do that work.

Crime Statistics – Supplementary Question

Mr BROWN to ATTORNEY-GENERAL

If you have the figures why are you not publishing them?

ANSWER

Madam Speaker, the crime statistics are published on the third Friday of every month.

Ms Uibo: But the last one was December.

Madam SPEAKER: We will not have commentary across the Chamber. Do you have an answer?

Ms BOOTHBY: You will see those statistics published on the third Friday of every month.

Childcare Fees

Mrs CARLSON to MINISTER for EARLY EDUCATION

The high cost of living is continually raised with me by the good people of the Wanguri electorate. With recent increases to the price of groceries and insurance and increased interest rates, families in my electorate and across the Territory are struggling to pay the bills. As the assistant minister for Treasury and Finance and as a mother I know that childcare costs make up a huge part of the family budget. Can you explain to the Assembly how the Labor Party planned to increase childcare fees and what action our CLP government has taken to ensure childcare fees do not increase in the Territory and place …

Mr Paech: What did they bribe you to ask that …

Madam SPEAKER: Silence!

Mrs CARLSON: … families under budget pressures or ensure childcare centres continue to provide quality care?

ANSWER

Madam Speaker, I touched on this with the Member for Nightcliff. It shows how out of touch the Labor Party is with what matters to Territorians.

The Member for Wanguri joined me last week to hear directly from a childcare business in her electorate about how it would have no choice but to hike up its childcare fees if the Labor Party's portable long service leave scheme was implemented in the Territory. Sarah Lloyd from Territory Child Care Group joined me. She operates several day care centres across Darwin. Sarah said that the Labor scheme failed to consider the true costs for childcare businesses. She said this additional financial burden would have been passed onto families in the form of increased childcare fees.

The CLP opposed this scheme when in opposition and voted against Labor's Bill when it was rushed through parliament before the election last year. At the time we spoke with several local childcare business owners who told us Labor had failed to consult with them about the impact of the scheme. They said that the scheme

would be an accounting nightmare and could ultimately cost up to $50,000 in increased costs each year. This is why the CLP government will repeal the portable long service leave.

Surprise, surprise! Upon coming into government we found that in typical Labor fashion its portable long service scheme was not properly budgeted for; in fact, it was unfunded and would have relied on a Treasury loan to cover its setup costs.

Ms Uibo: So not costed, but then Treasury had the costings. Which is it?

Madam SPEAKER: Let us be quiet.

Mrs HERSEY: There was no ongoing funding assigned for its operation once active. The setup costs alone were estimated to be between $4m and $12m, with millions more required annually to operate the scheme. Not to plan or budget for this scheme is a disgrace …

Ms Uibo: But Treasury had the numbers; you just said it.

Madam SPEAKER: Minister, please pause. Opposition Leader, I can hear you louder than I can hear the minister. Can you keep it down.

Mrs HERSEY: It would have only added to the Territory's catastrophic debt levels which we have inherited. To make it worse the Territory government as the main funder of these community services roles would have borne the brunt of this scheme, with the estimated cost to the NT Government $20m a year.

The CLP government values and supports our hardworking community services sector. This change will not affect employees' existing long service leave entitlements under enterprise agreements. It is clear that this was a costly and poorly thought-out scheme that if implemented would have costed Territory families hundreds of dollars a year. Thankfully we have acted to ensure that this does not happen.

Operation Beaufort

J DAVIS to CHIEF MINISTER

According to the Operation Beaufort report ICAC could not provide natural justice to the five senior officers who gave false statements because the former ICAC Commissioner promised anonymity to people giving evidence. That does not mean that the government cannot act to deal with the crime of lying to the court. What disciplinary action has the government taken against these police officers who have openly committed a crime?

ANSWER

Madam Speaker, I do not have the ICAC report in front of me, as I said earlier. Any disciplinary or other matters are not a matter for me as minister and certainly not as Chief Minister; these are operational matters for police. It has been a significant period of time. I do not have an update on me, but I can get you more information if you like, Member for Johnston.

Security Patrols – Maningrida

Mr BROWN to MINISTER for POLICE

Why have you cut NT Government funding to the security patrols in Maningrida, when security guards are still in place in Darwin, Palmerston and Alice Springs? Why is community safety less of a priority for you in Maningrida than other parts of the Territory?

ANSWER

Madam Speaker, this is a great question because the Member for Arafura should be sitting down with his community members and explaining to them how the Labor government he was a part of has let them down.

The funding provided by Labor for security services did not match the contracts that were going out the door. This is entirely an operational matter for police and how they use resources. I will always remember asking then Chief Minister Natasha Fyles in Estimates questions about crime. She said words to the effect of, 'This is not my problem'. It was all being transferred to police. This is another Labor legacy.

The $11bn debt means that Territorians miss out. That is why we cannot spend money like a child in a lolly shop; the Territory has only a finite amount of resources. We can collect money from tax, but we do not want to be taxing Territorians more. We can get revenue from mining royalties, but two mines are ready to close and there are none on the horizon because the Labor government was opposed to economic development. Here we are trying to pass the Territory Coordinator and other regulatory reforms to get more mines going so that we can make more money and support more services, but the opposition does not want to have a bar of it.

It is a test of reality that you need money to pay for things. Ultimately, when there is no money tough decisions have to be made. Community safety is the priority. We are strengthening our support of police, strengthening the laws and giving police better powers. That work has started and is ongoing; it is just the beginning. There have already been fantastic outcomes from the laws we have brought into place, for example …

Ms UIBO: A point of order, Madam Speaker! Standing Order 110; relevance. The question was clearly about Maningrida community funding and why other communities still have the same funding, yet Maningrida has been cut.

Mrs FINOCCHIARO: I have answered and am continuing to answer the question.

We passed post-and-boast legislation, under which 10 individuals have been charged up to 28 February. Wanding is one of those proactive powers that we increased under Declan's law.

Mr YOUNG: A point of order, Madam Speaker! Standing Order 110; relevance. The question was about funding for security guards in Maningrida and why the Chief Minister has cut that funding and not cut the funding in other areas. Why is she targeting Maningrida specifically?

Madam SPEAKER: Member for Daly, she was on her feet for only 10 seconds between the last point of order and this one.

Mrs FINOCCHIARO: I have answered the question. There is an $11bn debt. At the end of the day, these are police operational decisions. I am talking about the work we have done to support our police and drive down crime. We have had 50 weapons seized—41 of those were knives or edged weapons—and 15 people have been arrested. There have been 35 handheld scan authorities issued and 3,162 people scanned by Northern Territory Police thanks to Declan's law.

Marrara Sports Precinct Master Plan

Mrs ZIO to MINISTER for PEOPLE, SPORT and CULTURE

Many of my constituents are regular users of the Marrara sports precinct. I am aware that significant work has been undertaken on the Marrara master plan over the past few months. Can you update the Assembly on the progress of the Marrara master plan and its aim to re-establish the precinct as the Territory's premier sporting complex and, in turn, deliver on this government's election commitment to restore our Territory lifestyle to its former glory?

ANSWER

Madam Speaker, the Marrara sports precinct master plan represents a significant commitment by the Northern Territory Government to enhance sporting infrastructure, which will ultimately deliver extensive health, social and economic benefits for Territorians. By providing a strategic road map, the master plan will ensure that the precinct remains the premier sporting hub, accommodating future growth while maintaining accessibility for the local community.

The development of the master plan will prioritise upgrading existing infrastructure, including modernising ageing facilities, improving drainage, enhancing public amenities and optimising pedestrian and vehicle access. This will create a safer and more inclusive environment for athletes, spectators and families.

The Member for Fannie Bay knows well that the success of projects such as these relies on local stakeholder and community engagement which will play a pivotal role in shaping the master plan. A structured consultation process has been established to ensure broad participation. The first round of stakeholder and community consultation took place between December 2024 and January 2025, allowing for initial input for key priorities. During this period the department engaged with 15 peak sporting bodies, six key stakeholders,

13 local sporting clubs, two other local stakeholders and more than 100 community members as part of the consultation.

Later this month I expect to receive the first draft of the master plan which will be released publicly for a second round of consultation, enabling further review and refinement. The final master plan will be launched later this year.

The involvement of sports organisations, local clubs and community members will ensure that all voices are heard, including those of smaller and emerging sports. I encourage the community to provide feedback to this master plan which we believe will establish a long-term vision for the Marrara sports precinct that fosters community engagement, promotes a healthy lifestyle and strengthens the economic viability of the Northern Territory.

I know the Member for Fannie Bay is passionate about sports, and I am sure that over the next few weeks we can announce more exciting things happening in sports.

Mr EDGINGTON (Leader of Government Business): Madam Speaker, I ask that further questions be placed on the Written Question Paper.

ANSWER TO QUESTION
Crime Statistics

Ms BOOTHBY (Attorney-General): Madam Speaker, I clarify for the record an answer to a question asked by the Member for Arafura. The crime statistics have always been three months in arrears, including under Labor. That has not changed under the CLP government. On 21 March, which is this week, the January figures will be updated on the website. On 18 April the February figures will be updated on the website.

TERRITORY COORDINATOR BILL
Serial 17

Continued from earlier this day.

Dr RAHMAN (Fong Lim): Madam Speaker, since being elected to government I have taken every opportunity to address all matters economic in this House repeatedly, noting that they have long been neglected by this parliament.

I have spoken at length in support of the model for the Territory Coordinator, notably on 27 November. To reiterate in summary, major projects have been in a state of limbo for a long time. Regulatory inefficiency has undoubtedly played a part in that process. The intention of this Bill is to address these deficiencies in process and to improve our economic and industrial competitiveness, which I support in principle.

Earlier my learned colleague the Treasurer referenced the Territory Economic Reconstruction Commission and the report written by that entity. This was the last comprehensive blueprint for economic development in the Northern Territory. It is an interesting document to reflect on when we are talking about a new way forward because large parts of that blueprint are testament to why we have a problem.

There were five sections to that report. The first was about winning investment and requiring a strong strategic approach. That area was well fleshed out.

The second area focused on the sectors that would drive growth. It talked about energy transition; decarbonisation and sustainable industry; manufacturing; resources; agribusiness; tourism; security and Defence; and the maritime, digital and space industries. These are things that we are all looking to systematically progress.

The third area was about growth occurring in the regions in partnership with Aboriginal people, Aboriginal economic leadership and regional prioritisation.

The fourth area of the report was about actioning the enablers to support investment—infrastructure systems; access to land, water, power and digital connections; logistics and supply chains; and regulation.

The last section was about industry growth needing a skilled population.

The problem with that blueprint was that sections 1, 2 and 4 were reasonably well thought out and well fleshed out, but sections 3 and 5 were basically threadbare, empty and only a couple of pages long, and testament to the fact there was not much of a strategy for how to provide a coordinated plan on major projects growth in the Northern Territory.

The document also laid out a blueprint for a commission structure to try to expedite some of these processes, fast-track approvals and create regulatory efficiency. What was initially meant to be a single point of coordination with one commissioner ended up being three commissioners. We ended up going from a single source to coordinate and fast-track projects to having a tsar on major projects, a tsar on investment and a tsar on infrastructure.

I raise these points because I know firsthand that the coordination between the objectives of the Territory Economic Reconstruction Commission report and the commissioners was, to put it mildly and politely, poor. I am intimately familiar with the Territory Economic Reconstruction Commission report and the commission's structure as the precursor to the Territory Coordinator model. I know that because I returned to the Northern Territory 18 months ago to be the fourth commissioner. I returned here to try to create coordination and efficiency within that system because we do not have a single point of contact to coordinate workforce, skills, population, migration, talent acquisition and higher education. We lacked someone to look at the labour component.

I would not ordinarily draw attention to this, but I do so today to establish my bona fides in this debate. That is to say, and hear me clearly, that I contend the status quo on project management is not working. That is my starting proposition, and that is why I offered my qualified support for the Territory Coordinator proposal from the outset, before the release of the Bill in its current form, back in November in relation to environmental protections. I believe we need to do things differently if we are to create a better regulatory environment for investment. At the moment we clearly have shortcomings in that area. That is the first substantive point I make.

The second substantive point is important for everyone in this House to be mindful of. It is a more pointed point; it is a legal point. It is the prerogative of this parliament and the legislature to make law for the good governance of the Northern Territory, under the auspices of the Commonwealth *Northern Territory (Self-Government) Act 1978*. Section 6 of the Act stipulates the legislative power of this body:

> *Subject to this Act, the Legislative Assembly has power, with the assent of the Administrator or the Governor-General, as provided by this Act, to make laws for the peace, order and good government of the Territory.*

I recognise the many concerns raised by members of the community and interested stakeholders in response to this Bill. As the Chair of the scrutiny committee reported this morning, the vast majority of submissions indicated concerns about the Bill. I can say, hand on heart, that I have read all the submissions to the scrutiny committee that are publicly available, and I read the subsequent majority report and the dissenting reports written by the member of the Labor Party and the crossbench member. Some of the concerns raised are alarmist and display a limited understanding of the legislation; however, equally, many valid concerns are raised as well throughout the course of the legislation.

I am grateful that the government, the opposition and the crossbenchers have all provided suggested amendments to this Bill. The process we are meant to follow is to consider all those amendments with sincerity and at face value. I encourage the Assembly to take its responsibility seriously in this regard, noting that the government has a mandate to implement a law which has been widely forecast for a number of years, but about which there are a number of legitimate concerns. It is incumbent on all of us to take on board those concerns, consider all the amendments systematically and ensure that the law we put in place has the best possible chance of delivering on its intended outcome.

With respect to what I said earlier in relation to the Self-Government Act, let me be clear that I am not a jurist and I am not a legal scholar; therefore, I defer to a higher authority in confirming my rationale for supporting this Bill.

In submission 443 to the Standing Committee on Legal and Constitutional Affairs on the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 the President of the NT Law Reform Committee, Hon Austin Asche, pointed out the following. In relation to the power of the Legislative Assembly to pass the *Rights of the Terminally Ill Act* and its challenge and being upheld in the courts, he argued that this was the appropriate way to challenge such laws. I quote from the committee *Hansard* from 14 April 2008, at page 64:

> *… the only proper way to attack the power of the Territory to pass that particular act was through the courts. That in fact was done by the application to the full court of the Supreme Court. That application was interrupted because the act was then repealed. But had it gone to the full length of an appeal to the High Court—although it may be temerarious to predict what the High Court will do—we feel that the High Court would probably have upheld the decision of the majority of the full court. The point we make is that that is the way to go. Either the Territory has the power, in which case it should be allowed to exercise it because it has been given self-government, or it does not have the power, in which case the court should so rule.*

It is not for me to adjudge whether this law constitutes executive overreach or is ultra vires. Vis-a-vis non-exhaustively section 12, 'Powers, privileges and immunities of Legislative Assembly', and section 31, 'Extent of executive power', of the *Northern Territory (Self-Government) Act 1978* that is a matter only for the courts. I therefore confine my remarks only to the area of authority within my remit and provide my qualified support for the Bill as a member of the legislature and of the governing party whose prerogative it is to make laws for the peace, order and good government of the Territory.

Mr PATEL (Casuarina): Madam Speaker, the Northern Territory is full of opportunity—vast land, rich resources and hardworking people—but for too long we have been held back not by a lack of vision, but by slow approvals and excessive red tape. It is costing Territorians due to lots of bureaucratic delays. We have lost billions in investment because projects were stuck in government paperwork.

A $1.5bn agribusiness project that could have created hundreds of jobs was lost due to years of delay. Investors walked away from a Darwin ecotourism expansion that waited three years for approval. A renewable energy project that could have put the NT on the map was held back until others overtook us. Each delay costs jobs, and each slow approval means another business walks away.

The Territory Coordinator Bill is our answer, as a Territory that says 'yes' to opportunity. It creates the Territory Coordinator, a single point of contact to fast-track approvals and remove unnecessary delays. We will cut red tape so that major projects do not get stuck for years, step in when government agencies are slowing things down and make sure businesses have the infrastructure they need on time without delay. From delays to delivery it will have a real impact for Territorians.

This Bill is about real people, jobs and growth. When a mining project in Tennant Creek is ready to create 500 jobs we will not let bureaucracy get in the way. When the solar energy company wants to invest in the Barkly we will give them certainty—and fast. When housing developments are needed in Palmerston we will not let approvals drag on for years while families wait. Government must move at the speed of business, not the other way around.

We will protect the environment and respect community voices, but we will remove unnecessary obstacles. Environmental and community protections will stay in place. Consultations will remain a priority, but we will not let bureaucracy stop good projects. This is not about cutting corners; this is about cutting red tape.

We need a bold, decisive step for Territorians. Today we have a choice: we can stay stuck watching investment slip away, jobs disappear and projects stall; or we can take action, saying yes to investment, jobs and growth. The time for action is now. Enough waiting, excuses and lost opportunities—let us pass this Bill and build a stronger, faster and more prosperous Northern Territory. Let us get it done.

Mr PAECH (Gwoja): Madam Speaker, today is a sad day for the Territory, for country and for the Territory's waterways. This legislation is fundamentally flawed. No amount of glitter and fanfare and no number of press releases can make this shine. This Bill is the turd of the Territory because it undermines important protections and regulation.

The Members for Fong Lim and Casuarina spoke about government bureaucracy not working and doing its job. I remind members opposite—newsflash—you are the government, and you have the ability to work within your departments and agencies to do the work to help change that. You still think you have to attack the government; you are the government. You do not need to be attacking government bureaucracy; you need to be working as a government and as a Cabinet to look at reforming and making things better to suit the needs of the Territory, the environment and the regulations that are needed to provide greater protection and certainty for business if that is what you are doing.

I stand firm with my community and voice my opposition to the Territory Coordinator Bill. This proposed Bill raises serious concerns about transparency, accountability and the potential erosion of community trust in decision-making.

The Member for Fong Lim spoke about the *Northern Territory (Self-Government) Act* and this parliament's ability to make laws about the Territory. He failed to mention that the legislation his government brought into this Chamber wants to amend things by regulation. This government does not want to come back into this Chamber and have the debate about what the Territory Coordinator should have jurisdiction or carriage over, so by guise of darkness in some little back room on the fifth floor a minister could, with the stroke of a pen, add something by regulation. That is not allowing a robust debate on the floor of this parliament.

It is only through the work of the people and the Legislative Scrutiny Committee that a recommendation was put that the government remove that provision and allow every piece of legislation that will go on the Schedule in future to be debated on the floor of this parliament before it can be added …

Dr RAHMAN: A point of order, Madam Speaker! Standing Order 23: Explanation of Speech. I want to hear what the Member for Gwoja has to say, but I made no reference to regulation; I spoke exclusively about the statutory provisions. I do not want to be misconstrued in this debate.

Madam SPEAKER: Member for Gwoja, you can continue your speech.

If you use Standing Order 23, it is usually not in the middle of an existing speech. Am I …

Dr RAHMAN: Madam Speaker, I believe I can, but I could under Standing Order 26 on the matter of a question also raise the same objection. I do not want to be mischaracterised in what I am saying. I am happy to hear what the Member for Gwoja has to say, but rewriting history is …

Madam SPEAKER: I suggest that you take your seat. At the conclusion of this debate, or at some point after the Member for Gwoja has finished his speech, you can make your point using Standing Order 23.

Mr PAECH: As we heard through our expert legal advice to the Legislative Scrutiny Committee, by simply allowing the government to amend by regulation the entire Northern Territory statute book could end up being done by regulation. That was the independent legal advice provided to the committee.

That is the position the government was willing to go to. The expert witnesses the Legislative Scrutiny Committee heard from raised numerous concerns regarding the need to remove that provision, so it cannot be done by regulation, and a bunch of other processes that need to be enhanced and subject to reform.

The Member for Barkly shut me down this morning when I tried to provide a response to the report and say why I put in a dissenting report.

I thank the members of the Legislative Scrutiny Committee for their work. It was a productive inquiry. We remained polite and civil to each other as we worked through the committee's deliberations during the inquiry.

Most importantly, I acknowledge and thank the hundreds of Territorians who took the time to put in submissions and those who came and gave evidence at the hearings to put on the *Parliamentary Record* how important it was for them to have their voices and their community's voices heard. We heard witnesses from across the Northern Territory—from Darwin to Alice Springs, the Big Rivers region and East Arnhem—talk about the Territory Coordinator Bill. It is important that people have the opportunity.

I thank Parliamentary Counsel for its work on a number of amendments that have been raised by government, the opposition and Independent members.

Following my contribution I intend to circulate an amendment to exclude local government from the Schedule. We heard from the Local Government Association of the Northern Territory why it felt it was inappropriate to have local government in the Schedule. We were told by the Chief Minister's officials that the *Local Government Act* and the *Heritage Act* should stay in the Schedule because the government does not know what it does not know. I found it alarming to be told that by a high-paid executive officer of a government department. When I asked questions directly to the interim Territory Coordinator I was also alarmed that the deputy chief executive of the department told me to direct all questions to him because the current Territory Coordinator is for the interim and not acting, so he should not be answering questions. I felt that was peculiar, given he is acting in the role.

I raise an issue that continued to come up throughout the consultation, which is that the CLP believes it held extensive consultation on the Territory Coordinator Bill. I disagree with that because when we asked the department why, we were told that the government felt it had done extensive consultation and had been to Darwin, Katherine, Alice Springs and Tennant Creek. When asked whether the government had been to any

remote communities, we were told no. When asked whether the government had done any communication and consultation in First Nations language, we were told no. When asked whether the government would make public the submissions that the department had received, we were told no. It is hard to understand where the government believes it has done extensive consultation.

Aboriginal Territorians from Protect Big Rivers provided evidence that the changes had not even been made available until someone from their community asked them what they thought about it. It is clear that this government is interested only in picking and choosing who it consults with, because if you were outside of those areas you had no consultation. If you were away over the festive season you missed out on having your say and consultation.

When we spoke to the department's people at the hearing they made it clear that the consultation started at the end of October, even then it was not public consultation; that started in November and December and went until I believe 17 January. That is a time when we experience extreme weather conditions, particularly in the Top End. The Wet Season prevents people from travelling, and phone and internet connections can be down. In the southern region ceremonial business and cultural obligations keep people on country away from telecommunications and technology. These people were all deprived of their opportunity to have a say on this legislation. It is important to reiterate that.

Of all the witnesses who gave evidence at the inquiry, 94% were in opposition to the Territory Coordinator Bill. They did not agree that the government had a Bill in line with community expectations, as it has said time and again. These Territorians who provided a submission to that inquiry were concerned that the government was ignoring environmental protections and regulations because of this Bill.

During the inquiry I took the opportunity to ask nearly every person who gave evidence to highlight a case when the Territory Coordinator would have streamlined the decision-making and approvals. Do you know how many people came back with examples? Not one. One example was given by Australian Energy Producers, but that example was ruled invalid because it was the Barossa project which has no jurisdiction in the Northern Territory and no relevance to the Territory Coordinator Bill. That example was in relation to a federal process.

I am interested to hear from government members their understanding of how it will work. Every person who gave evidence talked about Aboriginal Territorians being crucial to the decision-making and consultation on what happens on Aboriginal land.

People spoke about the need to have the radioactive and transportation of waste Acts exempt and enshrined in the Territory Coordinator legislation that they could never be touched, as well as the Aboriginal Areas Protection Authority legislation, the *Northern Territory Aboriginal Sacred Sites Act*, *Local Government Act* and *Heritage Act*. We heard from the Heritage Council and a deputation from the Central Land Council about the important Wave Hill Walk-Off site in Kalkarindji/Daguragu. What we heard firsthand from people was important. They called to have those pieces of legislation feature in this Bill as exemption zones—areas that we say should never be touched. This would give Territorians the certainty that in two weeks or one month the government will not say that the Aboriginal Areas Protection Authority will now sit under the Schedule of the Territory Coordinator legislation.

I acknowledge the work of the committee and thank the Members for Goyder, Wanguri, Drysdale and Johnston. Together, we put up a comprehensive list of amendments. The Member for Johnston and I provided dissenting reports. I did not agree with government members on a number of recommendations or amendments, so it was important to put them forward so that people could understand the position I am coming from, which includes the following.

The Territory Coordinator's power should be limited by, at a minimum, ensuring that the *Heritage Act*, the *Nuclear Waste Transport, Storage and Disposal (Prohibition) Act* and the *Northern Territory Aboriginal Sacred Sites Act* are permanently excluded from the legislation.

In order to protect Aboriginal land and environmental areas Aboriginal land, native title areas, parks and reserves and protected sites must never be declared Territory development areas (TDAs) or infrastructure coordination areas (ICAs) without free, prior and informed consent from traditional owners.

The Territory Coordinator's website must publish real-time reporting indexed by the project, industry and type of exemption or variation for public tracking. Clear justifications, economic assessments and all environmental impact statements must accompany all exemptions.

In order to prevent conflicts of interest the Territory Coordinator must publicly declare all financial and corporate interests and be barred from industry lobbying for five years after leaving office. Meetings with private companies must be publicly disclosed, and exemption notices should not be guaranteed if they solely benefit private corporations.

These are only some of the recommendations put forward. If such important legislation is not done right it opens up the Territory for corruption. Investing so much power and decision-making into one position puts the Territory and the Territory Coordinator in a difficult position.

The committee heard from many Territorians about how concerned they were that this legislation will turn the Territory into cowboy country, where it is not what you know but who you know. Many people who provided evidence to the inquiry spoke at length, asking why and how this will be played out in real life.

Where does the government believe bureaucratic regulations and procedures are stopping development in the Northern Territory? The CLP is in government. If CLP members have a problem with legislation, regulations or the way in which a department is doing something, they do not need the Territory Coordinator to fix that; it is their job as government to reform each department and contemporise legislation.

The government agreed to only a few recommendations from the committee, on which this government has the numbers. The government is ignoring the recommendations of its own members who control the committee.

The government will review the legislation in five years, and after that review period there will be 12 months in which the review can be made public. Territorians will have to wait in excess of five years to be told whether the legislation is even working. That is not good governance or streamlining because the government is effectively enshrining in that legislation a period that goes beyond the political cycle. The CLP might not be in government when this review happens. It might never know whether the Territory Coordinator ever worked. People remain concerned about this.

The committee sought independent legal advice which we deliberated. It came back with four key areas of concern. There was the inadequate consultation. There is legal uncertainty because it remains unclear whether the government sought advice from the Solicitor-General regarding the legal robustness of the coordinator's sweeping powers.

Questions persist about whether these powers could hinder development rather than expedite it, potentially causing further delays and increasing the number of judicial reviews. This week we heard that the government is planning to abolish merits review. Any person involved in a development who has the opportunity to take the government and the project for review will need to go through that judicial review process, which is different from a merits review. We heard that could cause a further backlog and stifle the important projects that the government is talking about.

There is a lack of evidence-based justifications. Witnesses were unable to clearly articulate the specific barriers the Bill aims to address.

There is no independent economic analysis to date. No independent economic modelling has been released to demonstrate that this Bill will achieve its stated goals of boosting investment and job creation. That lack of transparency is deeply troubling.

I urge the government to consider the establishment of no-go zones. Enshrine in this Territory Coordinator Bill that the government does not plan to touch sacred sites in the Northern Territory; the government will not look at development on native title land without free, prior and informed consent; our beautiful, pristine parks and reserves will remain that way for future generations; and Indigenous protected areas will be exempt. These are important things to highlight.

I acknowledge the Territorians who reached out and spoke to members of the opposition, the crossbench, the Australian Greens and the Country Liberal Party. All members had an opportunity to talk to their communities about it, but not everyone had the chance to receive information and consultation from government agencies and departments about these substantial changes. That is concerning. A major issue for people is that this has been a rushed and flawed process.

At its core this Territory Coordinator Bill has sweeping powers to fast-track developments and projects under the guise of efficiency and streamlined governance. Although its intent may seem pragmatic, its implications are so much more. They must not be understated.

The government is choosing efficiency over democracy. It is removing the ability for Territorians to be involved and to have their say about projects at critical times. That should be concerning for every one of us. Consultation is not just a box-ticking exercise. At different points of projects there are different groups and stakeholders that should be consulted. This legislation allows the Territory Coordinator to say, 'This or that consultation is not needed'. That removes particular people from having a say, and that is not okay.

I thank the scrutiny committee secretariat, who did a fantastic job in what has been an unprecedented time limit on holding an inquiry of this magnitude and delivered the report to parliament within the scheduled timeframe. I know that many staff worked hard beyond their general working hours and over weekends to get this report ready.

I acknowledge the committee members who at times might have taken some criticism directly from witnesses. I am thankful for the level of respect that the committee members had for one another. We worked through this diligently and professionally, and I think we can continue to do that.

I am disappointed that the Deputy Chief Minister said the government will not accept 15 of the Legislative Scrutiny Committee's recommendations, because I felt that the committee put together well-considered improvements to the Territory Coordinator Bill.

I flagged my intention to move an amendment to remove the *Local Government Act* from the Schedule. There is no reason—there was no position from anyone who gave evidence to the committee or anyone in government—why local government needs to stay in the Schedule. I heard no credible reason, and being told by one of the executives giving evidence that it is because the government does not know what it does not know was pathetic. That is not an appropriate response.

We need to do things carefully and properly. I will put forward amendments to enshrine that *Local Government Act* and the *Heritage Act* will never be included, because that will provide people with certainty. If this Bill passes people have no certainty that in a month or three months' time this government will not move to amend the Schedule and put in those pieces of legislation.

I do not support the Territory Coordinator Bill. I will do everything in my power to make sure that it is removed if there is ever a time to do it.

Dr RAHMAN: A point of order, Madam Speaker! Pursuant to the earlier point of order I made, respectfully to the member, I will not labour the point. I will not introduce any new material into the debate, and I will not dig into the tautological critique that we have been provided.

In simple terms, we are the legislature, not the judiciary and not the public service.

Mr PAECH: A point of order, Madam Speaker!

Madam SPEAKER: With respect to what is happening, can we allow this member to give his explanation of his speech uninterrupted, then you can make your own explanation, if you like, afterwards. Let us keep it simple and succinct. Please continue, Member for Fong Lim.

Dr RAHMAN: In brief, conflating and collapsing all of the above into the category of government muddies the waters of this debate.

The intent of the Bill is to improve our economic and industrial competitiveness. We are the government; we are not the public service. All I said throughout is that past measures and structures have underperformed. Regulations were never raised in any of my remarks, only statutory provisions.

Misrepresenting the argument is unfair, I think. I take fair critique, and most of it is articulated in the member's dissenting report. However, it is important to separate out here that we are not the cause of inefficiency within the machinery of government and the bureaucracy of government. We are legislators, and that is where our task starts and ends.

Madam SPEAKER: Member for Gwoja, did you want to make your own explanation of your speech?

Mr PAECH: Yes, I do.

Madam SPEAKER: Do you feel like you have been misunderstood or misquoted?

Mr PAECH: I feel like the Member for Fong Lim has not understood what I was referring to when he referenced the Self-Government Act and the ability for this parliament to make changes to laws. We heard expert independent legal advice that if the government continued to do so by regulation, it would undermine the principle of the Legislative Assembly whereby the entire statute book could end up being done by regulation. That is the point I was articulating and which the Member for Fong Lim has misinterpreted.

Mr O'GALLAGHER (Karama): Madam Speaker, I support the passage of this important legislation which will help rebuild our Territory economy. Let us not forget that is the focus of this legislation.

I will try to be succinct because I know we have a busy day; other people will speak, and we will go into the important consideration in detail stage. Let me focus on three key points.

First, let us dispel the myth that this legislation has been snuck into the parliament by this government with no consultation. I am not too sure where opposition members have been over the last six months, but obviously they have not been paying attention, just like they ignored and paid no attention to Territorians during their last term of government.

Not only was the establishment of the Territory Coordinator openly brought by the CLP to the last election—and you all remember our plan. Let me quote it in case you have forgotten. We said we will:

> *Install the Territory Co-ordinator which will ensure major projects are fought for, started quickly, and completed on time. It will also be able to intervene on decision-making when government is taking too long to finalise a decision.*

That is what we said then, but as the Treasurer mentioned we also brought this to our 2020 election platform. Therefore, let us not feign surprise that we are delivering on what we said we would do some five years ago. I am bloody glad we are doing it now. We have run this Bill by the re-established Legislative Scrutiny Committee, which was scrapped by the previous Labor government. Please, can the opposition members stop preaching about openness and transparency when their actions in government showed no commitment to this.

Second, this Bill is an important initiative to help rebuild our economy. The Territory needs it, given the destruction of our economy by the previous Labor government and the parlous state of the Territory finances this government inherited.

We need to attract private sector investment into our critical industry sectors. The introduction of the Territory Coordinator will send a clear message to the private sector that we are truly open for business again. Personally, if its introduction assists in the future development of our onshore gas industry and the growth of our own-source revenue base—an opportunity stymied by the previous Labor government—it will be fully justified.

Third, let me talk about major project facilitation. As members may know, in my previous roles with the NT Government, including as managing director of the office of Major Projects, Asian Engagement and Trade, I was part of core teams that successfully delivered a range of major projects. These included the completion of the Adelaide–Darwin railway which was a private–public sector partnership involving the Northern Territory, South Australia and federal governments and a range of private sector partners and financiers. I acknowledge Chief Ministers Shane Stone and Denis Burke and Minister Barry Coulter for their leadership during this complex project.

I was also heavily involved in the team that secured the INPEX project. I directly supported various Chief Ministers—namely, Clare Martin, Paul Henderson, Terry Mills and Adam Giles—and other ministers in some 20 visits to Japan to help secure and support this project.

I was directly responsible for negotiating and signing the contractual term sheet with Toll Holdings, which was the initial anchor customer for the development of the Darwin Business Park, which has evolved into the ever-growing East Arm industrial precinct.

Although we were successful in getting these projects up over long timeframes, sometimes requiring special project legislation, I am conscious that there were moments when the delays in getting the necessary approvals and funding risked these projects missing out on the investment window available to them at the time. I can honestly say from practical experience that if we had the benefit of this Territory Coordinator legislation at that time we could have delivered these critical major projects much earlier and with more certainty for the benefit of Territorians.

To rebuild our economy we need private sector investment in our critical industries. The introduction of the Territory Coordinator will send a clear message to the private sector that we are truly open for business again.

I am proud to be part of a united 17-member government team that will deliver this important legislation for the benefit of the Territory.

K McNAMARA (Nightcliff): Madam Speaker, the Chief Minister tabled the Territory Coordinator Bill as a private member's Bill when she was Leader of the Opposition in 2021. The Bill was debated and rejected by parliament because it did not:

> *… seek to integrate this new role into the Territory systems, but merely to sit over the top.*

Since then this Bill has undergone numerous overhauls. Now it does not just sit on top of Territory systems but aims to suffocate them through absolute and unchecked authority.

The Territory Coordinator Bill is almost unprecedented. It directly undermines the rights of Territorians in the name of the primary principle of driving 'economic prosperity', something which the government could not explain during the scrutiny committee hearings. I hope for the government's sake that it can soon figure out how to answer that question. In the meantime the rest of us, or the overwhelming majority of the members of the public who made submissions, have come up with our own explanation for the Bill as a blatant attempt to undermine Territorians' rights by allowing an unelected bureaucrat to help corporations pillage the Territory.

The true value of the NT lies in its natural environment, and we should be protecting it from big business interests. If people want shortcuts it is because they intend to shortchange the NT of its true value and worth. This Bill is designed to help the top end of town undertake its business ventures with no checks and balances at the cost of the rest of us.

On brand with this Bill's dismissal of the rights of Territorians, the government refused to consult the public about it. This would never fly with Territorians. I congratulate all those who spoke out against that decision not to hold consultations. Your efforts paid off and gave the Territory a voice on this matter when the government initially refused to do so. It relented to a consultation for the people of Darwin and Palmerston during the Christmas break when many would be away. Despite this, hundreds of Territorians took the time to pack out the conference centre and have their say. Despite the government demoralising its constituents with an assault on their democracy, it is reassuring to see that there are so many resolute in their stance.

They did not stop there either. More than 300 submissions were made to the Legislative Scrutiny Committee. Territory doctors, teachers, nurses, scientists and students drafted well-researched condemnations spanning a breadth of expertise. Only two submissions, neither of which were from individual Territorians, were in favour of the Bill.

I thank all the Territorians who made these submissions. Every member of this Chamber should be informed on the Bill by the words of the experts in their electorates. People in the NT are getting fed up with members opposite who refuse to listen to Territorians who disagree with their government. It is undemocratic and insulting. I congratulate the hundreds of Territorians who have taken the time to take a stand against this anti-democratic power grab.

In the face of this assault on democracy, I commiserate with not only those who wrote detailed submissions to the scrutiny committee but also the more than a thousand Territorians who engaged with the initial Pepper inquiry. Many participants in that inquiry, though dismayed by the then Labor government's decision to lift the moratorium on fracking, drew some comfort from the accompanying and oft-repeated assurances that all 135 recommendations made by the inquiry would be adhered to. Now that comfort has been dashed. Any confidence in the government's commitment to the Pepper recommendations have been betrayed by the Territory Coordinator Bill, which sets up a number of weapons for the Chief Minister to wield against appropriate regulation.

Together with pending amendments to the *Water Act*, the *Petroleum Act* and the *Planning Act* that remove the rights of third-party merits reviews, we have a dramatic change of course. The NT seems poised to unleash this thirsty and dangerous industrial process in a wilfully hamstrung regulatory environment. All past assurances of appropriate oversight are null and void, as any regulations would be vulnerable to intervention by the Chief Minister under the Territory Coordinator powers.

First Nations Territorians did not have the same access to consultations on the Territory Coordinator Bill, as none were held in community. For a Bill that will likely have an enormous devastating impact on country,

water quality and culture, it is shameful that no effort was made to consult with those in regional and remote areas. Furthermore, the recent iteration of the Bill has lost any specific guarantees regarding sacred sites, Aboriginal land and native title. These are not small matters. Significant concerns about the Bill's impact on Indigenous rights and the Commonwealth's expectations of environmental standards in the NT will be severely exacerbated by these omissions.

The Territory Coordinator Bill prioritises big business by reducing avenues for meaningful community consultation, review or proper environmental assessment and possibly sacred site and heritage site protection. The broad powers and limited oversight in the Bill combined with restricted review rights effectively silence community voices in development decisions affecting their region's future. Instead of supporting First Nations aspirations for a sustainable future built on Aboriginal knowledge and connection to country, the Bill enables fast-tracked dangerous development that could permanently damage the cultural and environmental values that make the Territory so special.

Let me be clear: there was no mandate for this Bill. No information about the Bill was translated into other languages in our incredibly diverse jurisdiction. The government did not bother to bring consultations to regional and remote areas, yet Territorians attempted to use the minimal opportunities they had to have their voices heard, with hundreds of submissions to both the initial consultation and the scrutiny committee.

The government will not release whether the 500 initial submissions were for or against the Bill. Where is the transparency? What is it afraid of? We can probably ascertain how many were for or against by looking at the submissions to the scrutiny committee. From more than 300 submissions only two were in favour of the Bill—two measly submissions of about two sentences each.

For that committee, many hardworking valued members of our community from a wide variety of backgrounds gave up their time and gave deeply detailed, well-thought-out feedback on this Bill. The Chair did not even bother to ask any questions; that is how deeply this government was thinking about it. After all that evidence, with over 90% of submissions against the Bill, the government said, 'No, we are doing it anyway'.

Territorians have a right to be concerned. All the checks and balances which the Bill seeks to override are there to protect the lives, families, homes, businesses and investments of ordinary Territorians who are not donating to the CLP. If they are unlucky to find themselves within a Territory development area or an infrastructure coordination area, their rights could be literally trampled over by the Territory Coordinator and his mates.

The other changes from the consultation draft are far more blatant in the face of public outrage. Infrastructure coordination plans will no longer have to define the outcomes that the infrastructure must achieve. In a town plagued with numerous unexplained projects this is the last thing we need.

The Territory Coordinator now has the sole discretion in what can be included in 'having regard to the primary principle'. Not only can the government not define the primary principle, but now no minister or public entity other than the Territory Coordinator can dictate this, consolidating power even further in this individual.

The responsibility of the minister to determine compensation if the Territory Coordinator causes damage has also been removed, given to the Territory Coordinator themselves. I hope I do not have to explain why giving the Territory Coordinator the power to determine compensation for their own mistakes is a bad idea.

The primary principle of this Bill explicitly prioritises economic prosperity, which the government cannot define, over other considerations. It is un-Territorian. As for traditional owners and community members who love this place, it is these 'other considerations'—culture, country and community—that are most important. The Territory Coordinator Bill rejects these important issues of concern to fast-track development approvals. This will be achieved by minimising environmental and cultural heritage protections and opportunities for the community and traditional owners to have a voice in decision-making.

The Bill as it stands is likely to facilitate approval of a number of projects that would otherwise not proceed due to significant concerns about their impacts. Removing protections that have been carefully put in place over decades is likely to result in major adverse outcomes; reduced public health; shambolic planning controls; invasive land access; poor waste management; reduced occupational health and safety; and major environmental destruction, including pollution of critical aquifers and loss of other important natural attributes.

To address concerns about delays in processes better funding of the relevant regulatory bodies would enable much swifter decision-making. Independent regulation is an important feature of any genuine democracy. The laws of the Territory should apply to everyone; they should not exempt a favoured few.

The Territory Coordinator proposal appears designed to speed up the decision-making processes. Collecting data on the biodiversity values and water resources of a proposed development area, for example, takes time. Understanding the potential impacts of developments and their consequences on our environment usually takes time. If we do not take the time there are likely to be perverse outcomes for our environment, society and economy. For example, if the Territory Coordinator steps in before we take the time to understand potential impacts of a development on a mangrove ecosystem, this may lead to the collapse of fish breeding grounds with knock-on impacts for social fishers and commercial fisheries. This is why we have these regulations to take these things into account.

The Territory Coordinator Bill reduces rights and transparency and affords unprecedented executive power to two people without adequate safeguards. It undermines the institution of parliament by concentrating power in the executive and allowing regulation to expand powers without parliamentary oversight.

This Bill represents a tremendous step backwards for the NT and should be discarded in its entirety. The proposed Territory Coordinator role is an unprecedented dangerous shift away from democratic process and environmental protection. Rather than fast-tracking development at any cost the Northern Territory needs stronger environmental protections and a genuine commitment to sustainable development that benefits local communities for the long term.

The legislation dramatically exaggerates the rights and liberties of two public officers at the expense of the Assembly, the public service and the population at large. It does not show sufficient regard for the rights and liberties of individuals; it diminishes them.

The government is supposed to be acting with integrity, transparency and a duty of care to the people of the Territory, environment and our water security, not the profits of mostly foreign-owned corporations that are here only until the dollars run out. We know this Bill was created to appease primarily the gas industry. Territorians are hugely concerned about fracking, and remote communities and traditional owners have been trying to fight the unwanted incursion on their lands by foreign gas companies for decades. The Territory Coordinator has powers to fast-track these fracking projects. Those Territorians and thousands of others do not support fracking due to the huge emissions it will create, the thousands of tonnes of groundwater it uses, the risk of groundwater contamination and the limited economic benefit to their community.

If fracking projects are implemented hazardously, rushed and not properly overseen, will we lose some of our natural assets and lifestyle for good? There is no going back. Is this the legacy the CLP wants to leave the Territory? Too often the supposed benefits do not reach the bulk of the population, who suffer the consequences of failed or inadequate supervision of developments.

This morning the Minister for Mining and Energy tried to make it seem that the Territory Coordinator would have barely any powers and audaciously accused Labor and the crossbench of spreading misinformation. He referred to Division 4 of the Bill, which outlines the ability for exemption notices to be given should it be decided that the law is getting in the way of 'achieving effective or efficient regulation of the significant project, works project, IC activity or TDA activity' or the government deems that modifying or excluding the law would, in its own mind, 'achieve efficient and effective regulation'.

We understand that a minister would be the one providing the exemption notice; however, at section 80(1)(a) this can be on the recommendation of the Territory Coordinator. The government has provided no assurances that any minister who receives from advice from the coordinator to provide an exemption notice will do additional research or seek to ensure that this is truly the right decision. Importantly, this still raises the serious concern that ministers and the Territory Coordinator will be above the law; on a whim, they can grant an exemption.

The CLP may claim that the Assembly can disallow an exemption pursuant to section 82, but I will point out two things. The first is that the CLP has a significant majority, and these new members are on a tight leash. They are not allowed to say anything that errs from the party line, so of course they will vote in favour of any exemption. Secondly, section 82(5) states:

> *The disallowance of an exemption notice or provisions of it does not affect anything done before the disallowance under the relevant law in relation to the significant project, works project, IC activity or TDA activity to which the exemption notice relates.*

In simple terms this means that, should the exemption be given and then the Assembly votes against it, there are no repercussions for the works that have not followed the legal requirements. Alongside this section 82(1) states:

> *The Minister must table a copy of an exemption notice in the Legislative Assembly on the next sitting day after it is made.*

This means that exemptions can be made without the approval of the Assembly, and should the exemption be made, for example, on the final sitting day of the year it could be three months before it goes before the Assembly for assent. A lot of damage could be done that would face zero repercussions in that three months.

When the minister for Mining claimed that we do not understand this Bill I wondered why he failed to discuss Division 3. I can guess why, because this Division grants large unchecked powers to the Territory Coordinator, allowing them to give a step-in notice. Section 68(2) states:

> *The Territory Coordinator may give the responsible entity and the applicant for the statutory decision or statutory process a written notice (a* step-in notice*) advising that the Coordinator will step-in to make the statutory decision or undertake the statutory process in place of the responsible entity.*

That is right: the Territory Coordinator can step in and become the statutory decision-maker for an application, with the only check to this power being that if the Territory Coordinator is the applicant or a minister is the responsible entity they cannot step in. However, they can organise with a minister that a step-in notice be given, and the Territory Coordinator gets the power of a minister.

Taking a microscope to this Bill confronts you with the never-ending erosion of the rights of Territorians, but taking a step back and seeing the whole picture tells another story. The government wants to pass a law to exempt itself and its mates from any rules and to consolidate power in one individual. However, the government has failed to understand yet another primary principle; that is, our democracy is subject to the rule of law, and that means there are always limits on power.

This Bill gives the Territory Coordinator many different powers and procedures, each one of them subject to its own detailed substantive and procedural requirements in the Bill and under general law. Compliance will require specialist knowledge and expertise. Any error made by the Territory Coordinator will be subject to judicial review and potentially fatal.

I am sure that if the CLP government could it would remove the ability for people to seek judicial review of decisions; however—luckily—that would be unlawful. Mind you, the government has still tried its best to limit any accountability for or scrutiny of the Territory Coordinator, going so far as to include in section 95(1):

> *A person is not entitled to apply for a review of, or appeal against, any decision under this Act or any other law of the Territory that is authorised or required by or under this Act, despite anything to the contrary in a law of the Territory.*

Wow! That is an absolute power grab we seeing in the Assembly.

The risk is not only that there is zero accountability and limited scope for review but also that Territorians will be suffering from unregulated, poorly built infrastructure projects. In fact, probably the greater risk is that many of the coordinator's projects will be held up for years in the courts whilst lawyers fight over the technicalities, with the taxpayer paying for the Territory Coordinator and all his lawyers in the meantime. If the Territory Coordinator decides that it is too hard for him to be across all the legislation he might step in and apply the powers granted in Divisions 3 and 4.

We know that the Territory Coordinator will not build anything to benefit Territorians, since their rights are not being considered. However, the CLP might not know that the Territory Coordinator is unlikely to even build anything to benefit CLP corporate donors, since their projects could be in court for years. The only thing the Territory Coordinator will build will be new swimming pools and yachts for all the big city lawyers that they will be paying for when Territorians fight back through the courts. If this Bill becomes law, by mid-2028—just before the next election—nothing will have been achieved, and the government will be in a quagmire of court cases. We will have gone nowhere and at great expense.

You may have heard me say that this Bill was almost unprecedented. It is unprecedented in Australia, but I wanted to increase my scope to see what I could find. There have been other coordinators in Australian states, but none with such unilateral power and lack of oversight. The only thing that comes close to the Territory Coordinator is an Act concerning the US–Mexico border wall. I am loath to bring US politics into this because I hate US politics, but the US has the *Illegal Immigration Reform and Immigrant Responsibility Act* which grants the Attorney General, an unelected bureaucrat in the US, sole discretion to waive up to 83 laws

in order to expedite border barrier and road construction. These laws include—some might sound familiar—environmental laws, laws protecting First Nations Americans and laws protecting communities.

This government finds itself in the political proximity of Donald Trump. If you want to see what undermining the rule of law looks like, take a look at America. If the CLP wants to continue down this path, maybe it will find itself constantly in the news cycle too for all the wrong reasons.

Most of the CLP members in this Chamber are continuing the government strategy since the election of standing back and letting someone else steer the ship. Bills like the Territory Coordinator Bill would make me wary of this strategy, if I were you. The choices you make or decide not to make, especially in regard to the rights of your constituents and the economy, will fester by the time the next election comes around. Your constituents, with their rights eroded and the economy hamstrung by unwanted projects or numerous court cases, will be asking, 'What did you say when the Chief Minister allowed this to happen?'

This begs what is probably the most important question: when will this government actually start governing? When will it come forward with a workable plan that will take the economy of the Territory forward in a sustainable way, and not at the expense of the rights, freedoms and property of ordinary Territorians?

This government says that this Bill is the answer. That means we have not only the wrong Bill but also the wrong government.

Mr HOWE (Drysdale): Mr Deputy Speaker, it has become clear to me through this afternoon's debate that Labor is once again forgetting about the common individual—the average mum and dad who are struggling and being crushed by a devastated economy and a cost-of-living crisis. I will spend my time talking to the mums and dads, young people, seniors and pensioners of Drysdale about what the Territory Coordinator will do for them.

We are aiming for economic development. We are aiming to leverage the five pillars we have an advantage with: energy; mining; Defence; tourism; and agriculture. I want high-paying jobs for the people of Drysdale. I want you to get a high-paying job so that you no longer have that sinking feeling in your stomach when the bankcard declines at Coles. That is a horrible feeling. It has been a long time since Labor and its cronies have experienced something like that, but in my electorate it happens daily. I want you to have a high-paying job so that you do not have to choose whether to give your family meat that week. This is the reality of what it means to the people on the ground.

I want your children to have multiple industries to choose from. This requires economic development. The government wants to reduce the cost of living so that pensioners can enjoy more of their money. I would love to stand up here one day and, due to the Territory Coordinator delivering economic growth and the government receiving more revenue, announce that there will be smaller class sizes for Driver Primary School, more teachers at Gray and better infrastructure for those schools. That is what the Territory Coordinator will deliver, but we cannot do it while the economy is being crushed as it currently is.

I would love to stand here and tell the people of Drysdale that there will be more doctors and nurses at the Palmerston hospital. I would love to deliver a maternity wing at the Palmerston hospital. That would be fantastic for every family and every woman. One day I want to say to the people of Drysdale, 'You do not have to go to RDH; due to the economic growth of the Territory, the NT Government can now afford a maternity wing at Palmerston.' Wouldn't that be fantastic!

We could give major grants to Power and Water to replace the continuously bursting pipes. That would be great to announce. We could give other grants to the council to seal roads.

All these things cost money. That is where our government is vastly different from Labor; we understand the horse goes before the cart. If we cannot get this economy moving, we cannot deliver any of these things for the people.

I will not promise fairytales to the people of Drysdale, but I promise that I will fight to build an economic environment where you can have a high-paying job so that you do not have to worry about the Coles shop or health and education, and you can be the vehicle of your own success.

Economic growth empowers individual people. That is why we are bringing in the Territory Coordinator. We are sending a clear message that we mean business. We are ready for business, and the Territory means business. May the rest of the country and the world know that if you have dollars to invest put them in the

Northern Territory. Our people will work, and we will deliver on the projects so that we can all grow wealthy together.

That is why the people of Drysdale want the Territory Coordinator. That is why I support this Bill. I will always support the common people of Drysdale in their pursuit of wealth.

Mr KERLE (Blain): Mr Deputy Speaker, I support this Bill.

I agree with the contribution from the Member for Drysdale—or the Poet of Palmerston, as we are coming to call him because of his eloquent contributions—that everything costs money. In my electorate of Blain the people in Woodroffe would love to have shade cloth over Woodroffe Park next to the school, but that costs money. We need money for the council to fix all the potholes around the place. I think there is another stage for the SWELL pool—that costs money. All these things we want to provide to our communities cost money. Where does that money come from?

I will bring a statement to the House: there is no such thing as government money; there is only taxpayers' money. When the government spends money, where does it come from? It comes from tax that is paid by the people—probably not like us; we are fortunate in this House, we represent our communities—of Blain, Drysdale, Brennan and Spillett and people all around this Territory who go to work every day, and people like Jim from Moulden.

Jim is a retired truckie who lives on a pension. He was a contractor who drove trucks for his career, and he does not have superannuation. He must survive in public housing on a pension. When the rent comes out and he pays his bills he has little to survive on week to week, so he has to make every dollar stretch as far as possible. I would love to announce to him that we can cap his rent. He is scared that his rent will go up. I would love to say, 'You are all good, mate. The Territory coffers are doing great, and we do not have to put up your rent.' However, I cannot say that because the state of the Territory's finances left to us by the previous Labor government is parlous indeed.

I will speak about the nature of entrepreneurship. I would love to be informed if any member of the opposition or the crossbench has been involved in a small business where your pay depends on what you can earn in the free private market. The Member for Johnston has been waving. I would love to hear about that later. When you step out into private enterprise you take a huge risk. Will your product be successful? Will people be interested in it? Will people buy it? As well as that, there is what economists call regime uncertainty—what are the rules of the game that I have to comply with? What licences and permits do I need?

From growing up in Batchelor I know quite a few people in the cattle industry. If you have a property there is no end of rules you must comply with. For example, if you are exporting beef on the live export market you need to certify there are withholding periods—all those things to do with food and making sure it is safe. That is great, but businesses do not need more restrictions than are required to provide for the environment, health and safe food. When someone says, 'The law says that you are allowed to clear a certain amount on your property for a house pad, but you have cleared five metres too far, so we will whack you with a fine and drag you through the courts', that is excessive.

People stepping into business need to know the rules of the game in advance. For example, they must get investors and comply with this and that. There are environmental and public consultations et cetera. We want to say to them, 'If you can tick all these boxes, you will get approval to go ahead', because for too long businesses have ticked all the boxes and done the consultation that the law requires, but the rules of the game shifted underneath them. Then they have had to dig into their pockets, go back to their investors and start over. The Territory Coordinator is important legislation to bring certainty to business investment.

I think the Deputy Chief Minister said that the Territory is one of the smallest jurisdictions in the nation, so we should be the most agile and the most welcoming place to do business in the entire nation, perhaps the world. Businesses should be beating down our door to set up shop here. We can accommodate them and they can bring jobs and investment, pay payroll tax and create economic activity for us all to benefit from. We need certainty to foster a growing economy, and we need certainty for businesses to invest and grow.

I will quickly comment on the scaremongering about the Territory Coordinator and Aboriginal land and native title. Both come under federal legislation that the Territory Coordinator cannot touch, so they are safe. There is no ability for the Territory to affect federal protections.

The Member for Nightcliff said that the Territory Coordinator is unprecedented. A quick google shows that there are Coordinators-General in Queensland and Tasmania. The ACT has a Coordinator-General for Housing. The Queensland government website says:

The Coordinator-General has wide-ranging powers to plan, deliver and coordinate large-scale projects …

Therefore, it is hardly unprecedented; in fact, you might say that we are coming late to the game, with the CLP only coming into power six months ago, following eight long years of Labor government before that.

I look forward to the economic development under this CLP government.

I commend the Bill to the Assembly.

Mrs ZIO (Fannie Bay): Mr Deputy Speaker, the Territory Coordinator Bill is a game-changing proposal that will redefine how we attract, facilitate and expedite major investments. This transformative initiative will propel the Northern Territory into a new era of economic prosperity and development. For far too long we have watched the Territory's potential slip through our fingers. We have seen investors turn away frustrated by red tape and bureaucratic hurdles. We have witnessed opportunities pass us by as other jurisdictions streamline their processes and reap the rewards.

I am proud to say that we are changing the direction of the Territory for the better. The Territory Coordinator is not just another government position; it is a catalyst for change. It is a role designed to cut through the noise and deliver results. The Territory Coordinator will fast-track major investments to make it easier for investors to bring big ideas to life in the Northern Territory; streamline approvals across government by removing roadblocks that have long hindered our economic progress; and boost our competitiveness to ensure that the NT remains at the forefront of attracting large-scale investments.

Let me be clear: this Bill is not about circumventing necessary safeguards; the Territory Coordinator will ensure compliance remains a priority by working closely with regulatory authorities to meet requirements, but without unnecessary delays. This is about smart, efficient governance that delivers for Territorians.

If we fail to implement the Territory Coordinator the Territory risks falling further behind in economic development and competitiveness. Without this reform the NT will continue to be the worst-performing economy in Australia, as it was under the previous government; major projects will continue to stall; private sector investment will continue to lag significantly behind public sector investment, hindering economic growth; and the Territory will likely miss out on crucial opportunities in key sectors such as mining, energy, agriculture, tourism and Defence. Red tape and bureaucratic hurdles will continue to frustrate investors and delay project approvals. The NT will struggle to attract and retain people, potentially leading to further population decline. The Territory will lose any competitive edge to other jurisdictions that have streamlined their processes for major investments.

It is deeply disappointing to see the opposition refuse to support the Territory Coordinator Bill, which is bold and transformative. It is designed to cut through bureaucracy, attract investment and create jobs for Territorians. The refusal of members opposite to back this legislation is not just a rejection of progress; it is a rejection of opportunity for the Territory. By opposing this Bill the opposition is sending a clear message that it is content with the status quo and is willing to let red tape and inefficiency continue to stifle investment, delay critical projects and deny Territorians the economic growth and job creation they deserve. This is not only about politics; it is about the future of our Territory.

The Territory Coordinator will streamline processes, fast-track major investments and ensure that the NT becomes a leader in economic development, yet the opposition would rather stand in the way of progress than work towards solutions that benefit all Territorians. The opposition's refusal to support this Bill is a failure to recognise the urgent need for reform. It shows a lack of vision and an unwillingness to embrace innovation at a time when we need bold action to secure our economic future. I urge the opposition members not to continue down the same path that saw them removed from government at the August 2024 election, because Territorians deserve better than obstructionism.

Territorians deserve leadership that prioritises growth, jobs, safety, lifestyle and opportunity, and that is what they get with our government. Failing to implement the Territory Coordinator could mean missing out on billions of dollars in potential investments and thousands of job opportunities for Territorians.

To those who say the Bill is undemocratic: as my colleague the Deputy Chief Minister stated, the Territory Coordinator will be accountable to the Chief Minister who is an elected official. To those who fear change

I say that the status quo is no longer an option. We cannot afford to be left behind as the world races forward, and the Territory Coordinator is our ticket to the front of the race. The Territory Coordinator Bill will address economic challenges and capitalise on growth opportunities.

The Northern Territory's economy is projected to grow by 6% in 2025–26, the highest growth in the nation. The Bill aims to streamline processes and attract investments which could help stabilise and accelerate this recovery. Equipment spending, a key indicator of business confidence, has surged by 47.5%, suggesting strong investment momentum.

The Territory Coordinator will harness this confidence to facilitate further growth and investment. Coordinated investment in infrastructure and development will support accelerated population growth. At this point the NT risks missing its economic targets, leading to fewer jobs and opportunities for future generations. The Territory Coordinator will help to close this gap by fast-tracking major projects and driving economic activity.

These statistics underscore the need for decisive action to ensure sustainable growth and development. The Territory Coordinator seeks to achieve that.

Imagine a future where major projects do not languish in approval limbo for years. Envision a Northern Territory that is known as a place where big ideas become a reality, investment flows freely and our economy thrives. It might be hard because for a long time neither Territorians nor our interstate counterparts have viewed or even been able to imagine the Territory as a powerhouse. This is not only about attracting investment; it is about creating jobs, building communities, securing a prosperous future for all Territorians and unleashing the full potential of our great land and its people.

To those of us in the Chamber, those in the gallery and those watching online, the time for half-measures and timid steps is over. The Territory Coordinator Bill represents bold, decisive action. The Bill sends a clear signal to the world that the Northern Territory is open for business. We are ready to compete and are poised for growth.

I have every confidence that we will make the Northern Territory the economic powerhouse we know it can be. We will create a legacy of prosperity for generations to come.

I commend this Bill to the Assembly.

Mr YOUNG (Daly): Mr Deputy Speaker, Territory Labor has made it clear that it supports streamlined and efficient processes for progressing the sustainable development of the Territory economy. A strong economy underpins everything that is done in the Territory from our tourism operators to our creative sectors and local small businesses on the main street. A prosperous Territory economy means we are all thriving; however, it cannot come at the cost of our unique natural assets which need to be protected and preserved for future generations. Unchecked development has the potential to incur a great cost, putting at risk our communities, natural resources and our Territory lifestyle.

The Territory Coordinator Bill leaves a sour taste in Territorians' mouths because it has shown this government's inability to be transparent and accountable and engage in good faith.

At the crux of this debate is economic development. Territory Labor believes in economic development through driving local businesses forward, building our diverse industries and sectors, attracting private investment and creating local jobs.

The Territory Labor opposition outlined our concerns with the draft Territory Coordinator Bill, following our exposure of the secret consultation paper late last year. I pick up the Member for Karama's comment that the government was being transparent about the draft Bill at that time. I remind him that at the end of last year consultation was occurring secretly with certain stakeholders. It took the Leader of the Opposition to expose that draft Bill, which was secret. She put the question and tabled the draft Bill, which meant it became public—and it just appeared all of a sudden.

Following that, the public consultations—or lack thereof—happened. It was done quickly, down the Stuart Highway, and did not head out to any remote communities or to places like Wadeye, Daly River or Dundee Beach. It did not even head outside of Alice Springs. It was for only a select few people who could attend at the last minute.

This legislation proposes sweeping changes that grant the Territory Coordinator and this Chief Minister unchecked power to bypass existing laws and regulatory processes. This has raised significant concerns

and mixed responses across the Territory about its impact on landowners, communities, local government, government agencies and the environment.

The legislation removes the checks and balances for development proposals, including high-risk activities such as hazardous waste storage, mass land clearing and water extraction from groundwater systems and rivers. It could also allow for development activity without proper checks and balances within the Territory parks and reserves estate or Crown land. Entire projects could be exempt from 32 relevant laws and regulations put in place to protect Territorians, with due process sidelined.

Territorians deserve the time and opportunity to fully understand the implications of this Bill from the get-go, ask questions and voice their concerns with the confidence that the CLP government will engage with them in good faith. This opportunity was not provided to Territorians until recently, when the Territory Coordinator Bill was one of only two Bills that the CLP allowed to go before the Legislative Scrutiny Committee, which those opposite keep touting as a flagship of their transparency and accountability kick but never want to use.

Prior to introducing this Bill to the Assembly the government was forced to reluctantly undertake a consultation process which it has tried to cast as 'extensive community engagement and transparency', but it pulled up nothing short of inadequate. As the economic flagship of this CLP government you would think it would put effort into the consultation process, but what Territorians received were compressed and ill-prepared information sessions spanning a few weeks over the Christmas holiday period.

Community members and stakeholders raised a range of questions at the in-person information sessions about the Territory Coordinator Bill. Many of these questions remain unanswered. An information forum was held in Palmerston, but the Darwin forum was relegated to online only, which provided no opportunity for face-to-face attendance, with participants being muted. What was stopping this government's flagship reform from having an in-person information session just up the road in Darwin's northern suburbs?

We learnt during the committee process that remote communities were left out of the loop altogether. In my electorate of Daly no information whatsoever has been provided to urban, rural or remote community members. No information sessions were offered to my constituents.

It is clear that this government has a transparency and accountability issue. The media spin team is finding it harder to govern by press release, but nothing will cover up the fact that the consultation process for this Bill was nothing short of inadequate. Honestly, if we were not subscribed to the Legislative Assembly committee inquiries alert, or if we did not have the Territory Labor team and crossbench members highlighting the public submissions process, you could believe the CLP would have kept quiet on the whole thing.

Thankfully, 302 submissions were received. Even the committee report outlines that the majority of submissions either oppose the Bill entirely or oppose the Bill as introduced, with only two submissions supporting passage of the Bill as introduced. The report states:

> *Submissions also acknowledged that streamlining of regulation and approval processes could be beneficial to achieving economic development, but that such development should not be prioritised over environmental, social and cultural outcomes.*

This second component is precisely where Territory Labor has stood on the record during this debate.

The first major theme sourced from the consultation period was the environmental implications of the Territory Coordinator Bill. A total of 227 submissions raised concerns about the long-term negative impact on the environment, including our water resources and the climate. Many submissions noted the importance of environmental resources and the ecotourism industry in supporting the Territory economy.

I have spoken in the Assembly of the importance of the environment in my electorate of Daly, including the mighty Daly River. The Daly River is considered a major driver for the tourism industry, supporting tourism resorts and recreational fishing opportunities. I remain committed to ensuring that the Daly River is protected and that it can provide sources for sustainable jobs, foods and lifestyles into the future. That is what I will continue to do through the scrutiny of this legislation. Territory Labor is pushing the importance of environmental scrutiny because ensuring that economic development is matched with the appropriate environment scrutiny is important.

Some members in this Chamber, particularly those opposite, stated that this government does not want industry expansion at the cost of our environment, but the time to match those words with actions is now.

The government can prove this by incorporating in the Bill the full suite of recommendations provided by the committee process, including those in the dissenting reports by the Members for Gwoja and Johnston.

Another theme is the debate surrounding the extensive powers being put in the hands of the Territory Coordinator and the Chief Minister alone. A total of 187 submissions raised concerns about the concentration of power with little accountability for the ability to make decisions impacting a broad range of sectors through bypassing legislation. These submissions highlight concerns about the undemocratic nature of these powers resting with an unelected official and their threat to good governance, accountability and transparency.

Those opposite preach that they have a legislative mandate, but that does not allow them to override existing accountability systems and what can be considered as good governance. These measures of accountability and good governance should be applied to the Territory Coordinator who, through this legislation, has been given the power to make decisions in relation to 32 pieces of legislation in which they do not have specialised expertise.

This legislation also grants the minister, who is already the Chief Minister, the power to designate an area of land or water to be a Territory development area. It allows for the Territory Coordinator to authorise a person to enter land that is within a TDA. This triggered concerns from a range of stakeholder groups about the powers wielded by the Territory Coordinator under Part 7 of the legislation.

The Northern Land Council, which works with traditional owner groups in my electorate of Daly, highlighted in its submission the concern that no consultation will be required for the designation of infrastructure coordination zones or TDAs. Members in this Chamber should be aware that a large portion of the Northern Territory's land and seas are designated as Aboriginal land or are affected by native title. However, this legislation bestows the Chief Minister and the Territory Coordinator with the power to prioritise expediency over process, with unchecked economic development potentially leading to irreversible damage to traditional owners' economic, social and spiritual wellbeing.

The initial consultation process of this legislation did not include remote communities or engage Aboriginal Territorians meaningfully, yet we are seeing the potential for powers which diminish the voices of those who should be at the table when project developments are being considered. The authority and powers outlined in the legislation provide for a grossly inadequate process for consultation and override not just Aboriginal Territorians and traditional owner groups but also the average Territorian who may have social, environmental or scientific concerns about development projects. This legislation is not in line with community expectations about regulation, transparency and accountability.

I support the recommendations that the Member for Gwoja put forward in his dissenting report. The removal of the *Heritage Act* from the Bill and the establishment of no-go zones will go a long way to improving this legislation. They provide for designated areas of environmental and cultural significance to be exempt from the powers in this Bill, which will ensure the protection of the Territory's marine parks, conservation areas, Indigenous protection areas, sacred sites and heritage sites. It will also provide some confidence to Aboriginal Territorians that this CLP government is willing to come to the table and negotiate and will not undermine or erode traditional owners' ability to protect their land, water and cultural heritage.

The CLP has never been able to find the right balance when it comes to the environment. Its defunding of environmental groups sums up its approach to the environment.

I hope that today's extensive debate on the Bill brings to the fore the range of concerns highlighted by organisations and individuals and the ways in which this Bill needs to be improved.

Territory Labor supports economic development because it is important to the Territory, but it must be centred on protecting our unique natural assets while giving businesses certainty to invest in the Territory.

Mr MACKAY (Goyder): Mr Deputy Speaker, when the Chief Minister said that this would be a year of action, certainty and security she was not joking. The year of action, certainty and security is well and truly underway. Today is an exciting day for the Territory. We are doing something that no jurisdiction has had the faith and trust to put in place. We are moving the Territory forward and this government is getting on with the job of rebuilding our economy. This government is working to ensure that those who invest in the Territory and want to put lots of money in the Territory coffers have the certainty and the security they need. This Bill is one step in the measures we are taking to ensure that when a decision is made the decision stays. We are giving the confidence to those who would love to see the Territory flourish.

Let me quickly address some of the mistruths we have heard throughout this process and clear up some of the Labor lies. The Leader of the Opposition said that there was not a member of the CLP government who went to the electorates of Arnhem, Daly, Gwoja and Arafura to talk with constituents about this Bill. I consider myself to be a member of the CLP government. Perhaps if the Member for Daly spent some time in his office and his electorate his constituents would not be ringing, emailing and meeting with me.

Mr Young: You are in government, so I send them your way.

Mr MACKAY: His constituents call him 'the ghost'; they cannot find him, but they can find me.

I love the rural area, and I love our Territory. I do my best to make sure I am available to my constituents and constituents across the rural area and the Territory. I go to the markets. I deliver my newsletter. I support my local shops and pubs and spend nearly every waking moment out and about in the community. I love you, Mel; if you are listening at home I will spend some time with you eventually. I am not scared of travelling around the rural area and meeting people. I love my community.

When I am out and about I talk about the Territory Coordinator to all who will listen. I have taken dozens of calls and meetings on this Bill at the draft stage in my office, on the weekends and after hours. I am always available.

I stepped in and chaired the Legislative Scrutiny Committee when we had two days of public hearings on this Bill. I sat and listened to every word spoken. I read through the hundreds of submissions on this Bill. I read every clause and line of this Bill, and I am starting to consider myself a bit of an expert on it. It would be great if those opposite took the time to read it as well.

This is an incredible step forward for the Territory. There is nothing quite like being a part of a government that is delivering for the people of the Territory; I highly recommend it. Perhaps in 30 or 40 years—if there is ever a Labor government again in the Territory—those opposite might be able to experience the same.

To the people of Adelaide River, Batchelor, Dundee Beach, Pine Creek, Berry Springs, Livingstone, Darwin River, Southport, Wagait Beach, Belyuen, Daly River, Peppimenarti and Wadeye, if you cannot find your local member come and find me. I am here to work and listen.

I love the Territory, and I support this Bill. This government is getting on with the job of rebuilding our economy and opening up the Territory for investment.

Mr BROWN (Arafura): Mr Deputy Speaker, that was entertaining, wasn't it? I join my colleagues in opposing the Territory Coordinator Bill 2025.

Mr Edgington: Shame!

Mr BROWN: Do you talk to your countrymen? He does not.

This Bill hands way too much power to the unelected official, undermining transparency and threatening environmental and cultural protections that Territorians have fought hard to secure.

Territorians have spoken. Land councils, local councils, environmental groups and industry leaders have all voiced serious concerns.

Despite the government's claim that this Bill will unlock economic development, it has yet to provide an example of the projects that would benefit from it. The government has not justified why this legislation is needed. The opposition repeatedly asked for evidence of where this legislation would help to move projects forward. We are still waiting for answers.

The real question is: why is the CLP shifting decision-making to behind closed doors? Do we believe development decisions should be concentrated into the hands of one official and free from scrutiny, or do we stand for democratic oversight and the right of Territorians to have a say in their own communities?

This Bill represents a radical shift in the way the Territory government operates. It hands sweeping powers to one individual with minimal oversight, reduces community input and creates legal and economic uncertainty.

The government claims the Bill will streamline development, but in reality it creates new risks and more red tape, potentially making it harder to get projects off the ground. Those opposite have failed to justify why this

is needed, leading me to believe that this is not about economic growth, but the CLP maintaining political control of development approvals. For these reasons I join my colleagues in calling for the government to withdraw this Bill, conduct proper consultation and bring back legislation that respects the rights of Territorians and principles of good governance.

If the government insists on pushing ahead with this Bill, substantial amendments will be needed to restore transparency, accountability and fairness.

The Territory Coordinator Bill 2025 grants extraordinary powers to an unelected official, allowing them to fast-track major projects by bypassing planning, environmental and heritage protections. The Bill introduces step-in powers, allowing the coordinator to override local councils and regulatory agencies and even grant exemptions from existing laws. The most troubling part includes the removal of appeal rights. With broad exemption powers the Territory Coordinator can bypass 32 laws, including environmental, planning and heritage protections. There can be unwarranted access to private and Aboriginal lands. The coordinator could enter land without consent, raising serious native title concerns. The lack of oversight for decisions could be challenged in court. The legislation is deeply flawed.

The government's failure to properly consult proves that it was never interested in listening to remote Territorians. One of the most glaring failures of this Bill is lack of consultation. No formal consultation occurred in our remote Aboriginal communities, and no materials were translated into Indigenous languages. The government could not provide evidence of how many submissions supported or opposed the Bill. How can a Bill that affects every Territorian's land, planning laws and the environment be rushed with so little engagement? When Indigenous land councils, local governments and community groups say that they were not consulted it is clear that this government is more interested in pushing its own agenda than listening to the people it serves.

Another troubling aspect is the extraordinary powers to override environmental, planning and heritage protections with little oversight; take control of decision-making from local councils and government agencies through step-in powers; and grant exemption notices that will allow projects to bypass key regulations without proper public consultation. This is an extraordinary level of power, with no clear mechanism and parliamentary oversight for independent review. Why should one official have more power than land councils, regulatory bodies and elected representatives? This approach undermines democracy, erodes public accountability and creates massive legal uncertainty.

If the Territory Coordinator makes poor decisions there is no straightforward appeals process for affected communities or businesses. If a project is approved under flawed exemptions, legal challenge will inevitably follow, creating more delays.

Another glaring issue is that the government failed to seek proper legal and economic advice before introducing this Bill. There is no independent economic modelling. No legal opinion from the Solicitor-General has been supplied to confirm whether the sweeping powers of the Territory Coordinator are legally sound.

The government could not identify a single NT-based project that has been delayed due to existing laws. Instead, the only example provided was outside the NT Government's jurisdiction, proving the lack of clear rationale for this legislation. When a government rushes through legislation without independent economic or legal review, it is reckless and risks major unintended consequences. We need laws based on evidence, not political convenience.

This Bill poses a risk to Indigenous land rights, sacred sites and environmental protections. Indigenous organisations, including land councils and Aboriginal corporations, strongly oppose this Bill. They warn that the Bill allows Aboriginal land to be declared as a Territory development area without traditional owners' consent; permits exemptions from the *Heritage Act*, risking the destruction of sacred sites; and undermines the principle of free, prior and informed consent under international Indigenous rights agreements.

The NT Government has no right to override the voices of traditional owners in the name of economic development. Indigenous communities must have control of their own land and affairs and not be subjected to a decision made by an unelected official.

Similarly, environmental groups have raised serious concerns about the Bill's ability to exempt projects from environmental laws. The NT's natural landscapes and waterways are amongst our greatest economic and cultural assets. This Bill prioritises short-term politically driven projects over long-term environmental sustainability.

The Territory Coordinator Bill is fundamentally flawed. It is rushed, lacks justification and grants too much power. It undermines democracy, legal certainty and Indigenous and local rights. Territorians deserve a better transparent and accountable development system, not this power grab that erodes local decision-making and environmental protections.

We join traditional owners, local government and community organisations in calling for the withdrawal of this Bill.

J DAVIS (Johnston): Mr Deputy Speaker, I am in strong opposition to the Territory Coordinator Bill.

I will begin by responding to comments made by fellow members in the Chamber. We have heard repeatedly that opposing this Bill means opposing economic development, which is manifestly untrue. Of all the submissions and the witnesses we heard from, not one opposed the idea of economic prosperity for the Northern Territory. We have been presented with no evidence that this Bill will bring economic prosperity, just a lot of hopeful slogans. I will talk more about that later.

I will respond to some issues the Member for Nelson raised. I thank him for his attempt to correct misinformation regarding section 77, Exemption notices, and reassure people that the powers under this section are shared with the Chief Minister, so they do not need to worry about the concentration of power. However, the committee sought legal advice in relation to this from Professor Ned Aughterson. We asked whether the power being vested in the minister and not just the Territory Coordinator addressed his concerns about the extreme powers afforded to the Territory Coordinator. Professor Aughterson's response to the committee was, 'No, not really'.

The committee also heard from Greg McIntyre SC on this matter. He said:

> *There is some level of oversight by the Chief Minister. Some matters need to be approved by the Chief Minister, but it is effectively creating a two-man band to run the Territory.*
>
> *…*
>
> *The arguments are there that it is a reversal of the separation of powers. It is divesting the parliament of its powers to make laws and vesting them in the Territory Coordinator with some limited supervision by the Chief Minister, who is acting as part of the Executive.*

As the Bill is currently drafted, the disallowance process can still allow for months of work to happen on a project before any disallowance motion comes to parliament.

Was the Member for Nelson suggesting that talking about a policy process proposal in an election campaign is equivalent to consultation? When 48% of Territorians voted for the CLP, they were not simply voting for or against the Territory Coordinator. The scrutiny committee witnessed 94% community opposition to the Territory Coordinator.

Is it not the responsibility of the government to consult on the Bills it is proposing? We have heard a strong message that it is up to all of us to talk to our communities. I have talked to the community I represent, and I tried to share their views with the government. However, that is not the same as the government consulting on a given Bill properly and genuinely with the public it has been elected to represent.

My last point in response to the Member for Nelson's comments is to say that the scrutiny committee was given no examples of NT projects that would benefit from this Bill. As far as the committee was informed there is no project currently being held up in the Northern Territory which the Territory Coordinator could approve. There is no reason for this Bill, and the risks it creates make it unjustifiable.

I will address comments made by the Member for Namatjira. He said, 'This morning I was proud to stand with the Minerals Council'. The Minerals Council is not the Member for Namatjira's constituent. The Member for Namatjira's job is not to represent the Minerals Council in his or his government's decisions. The Minerals Council is not a civil society group; it is a lobby group. It represents some of the companies making the most outrageous profits in the extracting of fossil fuels from Northern Territory lands and waters. We are talking about billions of dollars in yearly profits.

The Member for Namatjira is saying the quiet bits out loud. Anyone who has been watching the development of this Bill knows who it is for, because it is obvious who it is for. The Territory Coordinator is not for Territorians; it is for big extractive industries like those the Minerals Council represents. The member's

comments serve to only confirm what we already know: that this government is listening to fossil fuel companies and is not putting the needs of Territorians above the interests of these corporations.

The Treasurer may stand proudly with the Minerals Council, but I am standing proudly with the community, civil society organisations, Aboriginal organisations and hundreds of Territorians who have spoken out against this Bill. In doing so, I will vote against the passage of this Bill.

I do this noting that the scrutiny committee inquiry into the Territory Coordinator Bill received six times more original submissions than any other Northern Territory Government inquiry ever if pro forma submissions were excluded and the second-highest number of submissions if pro forma submissions were included. The committee received 302 submissions in one week. Usually, submissions for inquiries of this kind remain open for two months.

We heard that this Bill is likely to create an uncertain and unpredictable regulatory environment for industry stakeholders, not the security that the government would have us believe.

I will address comments made by the Member for Fong Lim. Like the Member for Fong Lim, I also defer to a higher authority, but unlike him I defer to the detailed specific legal advice we received as part of the process of considering this Bill, which outlined a multitude of serious flaws in its conception and its drafting.

The Member for Fong Lim is correct in saying that this Assembly and this government has the power to pass whatever it wants and we have the power to legislate, but that is not what this Bill is about. In fact, it is the opposite; it is about taking away power from the legislature.

Despite what he says, it is up to the Member for Fong Lim to judge. It is up to all of us; that is our job. Our job is to understand the Bills we are presented with and judge whether they are good laws for the Northern Territory—on advice, which we received to the scrutiny committee and which I understand the Member for Fong Lim has read. That advice is clear that this law is not in the interests of Territorians.

I stand with the many hundreds of Territorians, individuals, government departments and organisations speaking on behalf of their members who voiced their concerns during the consultation process for this Bill. Like others in this Chamber, I acknowledge the work of the Legislative Scrutiny Committee, of which I am a member, and I particularly acknowledge the hard work of the secretariat in preparing a thorough and excellent report per our instructions. I hope everyone in this Chamber read that report, to which I will refer.

The committee reviewed more than 300 submissions and heard from 23 witnesses. It is abundantly clear that the vast majority of those who contributed have serious concerns about the Bill. Of the 302 submissions received, only two supported the Bill's passage as introduced.

I thank all those who took the time to participate in this process to share their wisdom and experience. This government has said that it is committed to listening to the people of the Northern Territory, and this process was an opportunity for the government to do exactly that. I am committed to making sure that your voices are heard in this process.

The scrutiny committee report outlines the serious risks that the Territory Coordinator Bill poses to the Northern Territory community, our environment and our long-term economic prosperity. The evidence presented to the committee paints a disturbing picture of the potential consequences if this Bill is to pass. It erodes the integrity of our democratic processes; strips fundamental rights from individuals; threatens the rights of traditional owners and Aboriginal communities; and creates significant uncertainty for governments, businesses and communities alike. Based on this evidence the committee made important recommendations, and it is disappointing that the majority of those recommendations were not accepted by the government. Only 12 of the 25 recommendations are being presented as amendments today.

Therefore, I will be proposing the remaining recommendations from the committee as amendments as well as significant further amendments to the Bill to ensure that the serious concerns raised through the scrutiny committee process are properly acknowledged and considered, and that we do our job properly to pass good and effective laws for the whole Northern Territory.

Standing in this Chamber to oppose this Bill, I am standing with the overwhelming majority of people who made submissions and witnesses who came before the committee's inquiry. It is not in the best interests of the Northern Territory to pass the Territory Coordinator Bill.

I raise concerns that we have already heard about in this Chamber about the process that informed this Bill. Many submissions and witnesses expressed dissatisfaction with the consultation process. I agree with their concerns. The government has repeatedly claimed that the Bill was put out for wide consultation and that Territorians in every electorate had the opportunity to provide input on this Bill. That is categorically untrue. The initial consultation and release of the Bill lacked transparency and catered only to industry stakeholders. The subsequent public consultation process was grossly inadequate and inaccessible to Territorians living anywhere outside Darwin, Palmerston, Nhulunbuy, Alice Springs and Katherine.

The Department of the Chief Minister and Cabinet provided the Territory Coordinator Consultation Paper to a select group for feedback, and it was not until the opposition tabled that paper in parliament on 24 October 2024 that it became public, with consultation feedback due just eight days later. Civil society groups and the public then had to fight hard to be granted a limited public consultation process, which was conducted with inadequate and inappropriate timeframes. We heard concerns about that timeframe, with submissions due over the Christmas and new year period when many people were away and many organisations had shut down.

The Member for Nelson said that every person in every electorate had the chance to have input on this Bill, but throughout the whole process there was no consultation undertaken in remote areas and no consultation in languages other than English.

There was an unacceptable lack of transparency in the consultation process whereby the department provided no clear breakdown of the issues raised or the views expressed in the so-called consultation report. We still do not know which submissions or interests the government listened to when it amended the Bill between the exposure draft and the second draft. We know that significant amendments were made that did not reflect the majority of concerns that were raised in that consultation process and conspicuously appear to serve the interests of big industry.

The Northern Land Council spoke for many when it said:

> *The NLC is disappointed that the vast majority of issues raised in the NLC's previous submission were either unaddressed or exacerbated by the Bill's amendments. The bill in its current form is now less protective of Aboriginal Territorians' rights than the draft bill was.*

Nearly everyone I have spoken to has expressed deep dissatisfaction with the consultation process. Individuals and organisations worked tirelessly to present strong cases against the passage of the Territory Coordinator Bill, and nearly all of them have been ignored. I remind this Chamber that it is our job to represent, not neglect, the concerns of our communities. Neglecting the needs and interests of the public will not benefit us or the communities we serve.

That brings me to the Legislative Scrutiny Committee. First of all, I am happy that the Legislative Scrutiny Committee has been reinstated. The committee's existence shows a commitment to good lawmaking, so it is useful to reflect on how our first go at it went.

The scrutiny committee suffered constrained and inadequate timeframes. The time allotted for submissions was less than one week. The notice provided to witnesses was also insufficient—a matter of days—making it difficult for many people and organisations to contribute fully to the inquiry. As a committee member the one-week timeframe was inadequate to effectively consider more than 300 submissions, legal opinion and witness testimonies to produce a robust report with recommendations for critical amendments. A bad consultation process undermines the integrity of the scrutiny process, and the concerns of Territorians have not been given the full consideration they deserve.

If you look at the Legislative Scrutiny Committee's meeting minutes from when the report was being prepared you will see that in our examination of the Bill there were many times when the committee voted on what we would recommend to government. As everyone in this Chamber knows, every committee has a majority of government members, so on the Legislative Scrutiny Committee the government has the majority. During our deliberations every motion proposed by a non-government member was voted down. I wish to note, with all due respect to my fellow committee members, that I share many of the concerns that the Member for Araluen outlined in the PAC inquiry into the local decision-making framework in May 2023, when she said:

> *The Public Accounts Committee is not a Government Committee. The Public Accounts Committee is an independent Parliamentary Committee. Political affiliations should not play a part in any work of the Public Accounts Committee. The Chair and the Deputy Chair of this … Public Accounts Committee*

> *are Government members. The Government dominates the Committee by holding three out of the five positions on the committee …*
>
> *This stacking of a Parliamentary Committee is not in the spirit or convention of a Parliamentary democracy and is not consistent with how Parliamentary Committees function in the global Commonwealth Westminster system, of which the NT Legislative Assembly is a member.*

You could replace 'Public Accounts Committee' with the name of any of our committees, including the scrutiny committee.

I note that the scrutiny committee members worked well together. I thank my fellow members on the committee for working in what seemed to be an open way in listening to the testimony, but the outcomes are reflected when we look at the minutes of those meetings.

The submissions to the scrutiny committee make clear that many civil society organisations, Aboriginal peak bodies and hundreds of individuals are deeply concerned about the negative impacts this Bill could have. We repeatedly heard that this Bill erodes the integrity of our democratic processes, removes fundamental individual rights, threatens the rights of traditional owners and Aboriginal communities, poses unprecedented threats to our environment and creates unacceptable legal uncertainty for government bodies, investors and communities.

Like the majority of those who made submissions and appeared as witnesses, I believe it is not in the best interests of the Northern Territory to allow this Bill to become law.

I also note that this Bill is extremely complex. The incredibly limited time given to properly understand it is reflected in this Chamber, where we hear different interpretations and understanding of clauses and aspects of this Bill, which we are about to vote on.

I express my gratitude to the legislative drafters in assisting me and others with drafting amendments to address concerns that were raised. They worked incredibly hard towards getting here.

Although the overwhelming majority of witnesses and submissions supported the need for increased coordination, appropriate development and building a sustainable Northern Territory economy, the vast majority of submissions received by the committee also opposed this Bill becoming law, or opposed it and suggested significant amendments if it were to be passed. I will go through a summary of the concerns raised.

The Bill concentrates a significant amount of power in the hands of two people, the Territory Coordinator and the Chief Minister, without appropriate checks and balances. It goes further than any other legislation in Australia. There are coordinator models in other states and territories, but this goes far beyond them.

Dr Phelan, who gave evidence to the scrutiny committee on 26 March, said:

> *I am sorry. This Bill is very harmful for our region. I am completely supportive of the idea of the fast-tracking process so you can have a streamlined approach to development, and I am more than comfortable with that. With consultation and a streamlined approach, there is no problem. Why that person, who is actually a bureaucrat, needs to have legislative control is beyond me. What are you doing in your jobs if that person takes that responsibility? He is not accountable to us; you are accountable to us. We voted you in; we did not vote him in.*

The Bill provides the Northern Territory Government the ability to simply ignore advice from subject matter expert organisations and individuals who object to a project based on social, cultural, health and environmental knowledge and evidence-based research. I quote the Larrakia Development Corporation:

> *Throughout the draft bill the repeated use of the word 'may', when referring to engagement on environmental, social and cultural concerns, removes the requirement for the Territory Coordinator to consider Aboriginal Traditional Owners and their Culture, Country, and Sacred Sites.*

The Bill undermines our democratic processes and does not pay sufficient regard to the rights and liberties of individuals or to the institution of parliament. The CLC said:

> *CLC, in its own right and on behalf of its constituents, does not support the Bill due to the unacceptable risks it presents to the rights and interests of Aboriginal Territorians. The Bill, if enacted in its current*

form, will result in adverse social, environmental and cultural outcomes. It will erode transparency and accountability in the Northern Territory.

The Larrakia Development Corporation said:

The Territory Coordinator will have the authority to override current legislative protections and our genuine concerns. The well-worn principles of Free, Prior and Informed Consent will also be further eroded. This position is unacceptable and immoral.

The Bill prioritises undefined economic development over ecologically sustainable development principles. Palmerston Council shared with us:

Our primary concern is that the Territory Coordinator, appears to prioritise economic development at the expense of ecologically sustainable development principles. These principles have long been enshrined both nationally and internationally to ensure that economic progress does not come at the cost of environmental and social outcomes. The drive for a Territory Coordinator seems to override these longstanding principles, allowing for economic development without sufficient regard for the broader environmental and social consequences.

Significantly, addressing what many government members have raised, we heard that the Bill increases rather than decreases the predictability of doing business in the Territory due to unclear and undefined principles and powers. The Local Government Association of the Northern Territory said:

LGANT understands that the principles have been drafted to be intentionally vague to ensure a level of flexibility in scope and application of the Territory Coordinator powers. The five principles of good regulation are transparency, consistency, proportionality, targeting and accountability. The concept of an independent central decision-making body governed by ambiguous principles is contrary to good regulation.

…

The absence of a clear set of principles that can be relied upon can have the unintended consequence of making the Northern Territory an unpredictable place to do business—arguably as damaging as a complex and lengthy regulatory process.

The lack of clear guidelines for the Territory Coordinator and minister to make decisions, the possibility of long legal battles and the unpredictable ways laws could be applied, could end up turning away investors instead of encouraging them to invest in the Northern Territory.

The Bill does not pay sufficient regard to Aboriginal and Torres Strait Islander tradition. Once again, in its submission the Larrakia Development Corporation said:

To avoid diminishing the rights of Traditional Owners to protect their Country and Sacred sites the bill needs to respect the importance of the world's oldest living Culture. It is clear from the current draft of the proposed bill that there is no intention to do so.

The bill, as drafted, will disregard the unceded sovereignty of Traditional Owners over their lands and waters, including Sacred Sites.

Our colleague the Member for Mulka, Yingiya Mark Guyula, said:

In its current state the Bill does not provide sufficient regard to the rights of Aboriginal landowners/custodians and communities, it fails to provide sufficient safeguards for our environment and cultural heritage, and if fails to provide sufficient safeguards for democratic processes.

Larrakia elder Eric Fejo stated:

I urge the Scrutiny Committee to recommend that this Bill is not passed, and to do your utmost to ensure that democracy is upheld in the Northern Territory, including all the checks and balances that are part of this system.

These concerns were identified by a wide range of stakeholders in their submissions and witness statements.

We also heard that the need for this Bill remains manifestly unclear. Every witness was asked to give an example of a problem with an existing, past, present or future project that this Bill would address, but no witness could give a specific example. In the words of the Planning Commission:

> *The 'Territory Coordinator solution' has arguably preceded a thorough analysis of the problem: 'the relatively low number of projects realised in the Territory'.*

We have heard a lot from this government about restoring the Territory lifestyle but not about what this means, about whose lifestyle it is talking about and at what cost. In the words of the Australian Institute of Architects:

> *We understand the point of the Territory Coordinator is to make the Territory a more prosperous, financially viable and a better place to live. However, simply looking after financially driven solutions in the short term will not make the Northern Territory a better place to live and therefore, focusing on the narrow lens of money is not enough. To this end we believe that parallel investment must be made by the NT Government to improve social equity and the liveability of the NT; making it a safer and more progressive place as well as prosperous.*
>
> *…*
>
> *Creating more even levels of wealth and access to healthcare and education is the underlying focus of successful communities … Looking after our most vulnerable, investing in education and creating a great health care system will make attractive prospects to attract and retain long term NT residents to staff the growing community.*

We have an opportunity to create law which will make the Northern Territory a better place for everyone here and everyone we represent, but the Territory Coordinator Bill is not that law. The overwhelming opposition from the community and the significant risks posed by the Bill are compelling reasons for this parliament to reject it.

This government says that it will listen to the people and that it has a mandate from the people. The people have spoken. They said that they do not support the Territory Coordinator, do not want the Territory Coordinator and do not accept the risk posed by the Territory Coordinator. I say again for the benefit of this Chamber that of the 302 submissions the scrutiny committee received only two supported the Bill's passage as introduced. That is less than 1% support. Does this government want to ignore 99% of the community and govern for the interests of the 1%?

We must not pass the Territory Coordinator Bill. It is unjustifiable to pass this Bill. The community opposes the Bill; it poses significant risks; it is a bad and dangerous law for our community, economy, people, country and future.

I express my gratitude once again to all those who provided informed, thoughtful submissions and evidence. I urge the government to listen to the voices of the community, Northern Territory organisations, traditional owners and government agencies.

For the last time, this Bill should not be passed into law.

Mr CHARLS (People, Sport and Culture): Madam Speaker, I support the Territory Coordinator Bill in accordance with the government's election commitment. This decision represents a clear departure from the policies of the previous administration and underscores our commitment to implementing effective decision-making to address the complex investment decisions and significantly lead to the enhancement of the Territory's lifestyle.

This Bill will provide certainty by ensuring that once a decision is made it is final, thereby affording proponents the security necessary to proceed with their projects. Under the previous government numerous initiatives remained stagnant, mired in uncertainty and administrative ambiguity. Significant projects exist across the Territory with the potential to support it as a global leader in the development of emerging industries.

These initiatives will not only enhance the Territory's international standing but also contribute to economy growth by fostering value-added industries and creating long-term employment opportunities and sustainable career pathways, building a bigger and better workforce.

The Territory Coordinator Bill 2025 aims to drive economic development in the Northern Territory by streamlining the processes for undertaking significant projects and works that will deliver for Australia and connect the Territory. It seeks to achieve this by establishing mechanisms for infrastructure coordination, designating Territory development areas and expediting statutory processes and decisions. The Bill also outlines related purposes to support these primary objectives.

The Territory Coordinator is a newly appointed role responsible for assisting, facilitating and coordinating significant projects. The Territory Coordinator will prepare, plan and act as a single point of contact for proponents and foster collaboration amongst stakeholders. They also possess specific powers to request information and direct public entities.

The minister holds significant decision-making authority, including the designation of significant projects and Territory development areas and the approval of infrastructure coordination plans, programs of works and Territory development area plans. The minister also appoints and can terminate the Territory Coordinator's tenure.

The Administrator's primary function is the appointment of the Territory Coordinator and the determination of their terms and conditions.

Public entities, which encompass government agencies, local councils and government-owned corporations, have a duty to cooperate with the Territory Coordinator. They are often responsible for delivering infrastructure and works outlined in approved plans.

Proponents or other entities proposing significant projects will engage with the Territory Coordinator to navigate relevant statutory processes.

Section 8, Primary principle of Act, establishes the fundamental guiding principle that the minister and the Territory Coordinator must consider when exercising their statutory powers. Specifically, they are required to consider the promotion of economic development alongside potential social and environmental outcomes in the execution of their key functions. These key functions include, but are not limited to, the designation of significant projects and Territory development areas; the issuance of declarations; the approval of infrastructure coordination plans and programs of works; and the issuance of specific requests and notices.

Although the exercise of these powers must be consistent with other applicable legislation, section 8 explicitly provides that the principle of advancing economic development alongside social and environmental considerations prevails in the event of any inconsistency. Consequently, this provision ensures that economic development remains a paramount consideration in the decision-making framework established under the Bill.

Despite there being concerns raised in some sections of the community, we clearly heard this morning how the legislation is welcomed by the Minerals Council of Australia. The Member for Johnston spoke of her concerns about the minerals industry. I looked through the stats and saw from the government website that the Northern Territory Government received $367m in royalty payments from the minerals sector, which constituted more than one-third of the NT's own-source revenue. The mining industry accounted for 28% of the Territory's gross state product. That was from 2022–23. We are talking about one-third of the Territory's revenue, which is based on the information available. Some people say that there is no benefit for Territorians, whereas it provides one-third of revenue to the Territory.

In relation to positioning the Territory to be the best place to do business, the Territory boasts an unparallelled way of life defined by a deep connection to culture, sport and the great outdoors. From our state and national championships in various disciplines to the thriving arts scene and from significant national codes, including the AFL and NRL competitions, to our world-renowned festivals and dedicated initiatives for veterans we take immense pride in the opportunities available to our people.

These lifestyle elements are not merely recreational; they are intrinsic to our community's identity and cohesion. Fishing and camping, for instance, are more than pastimes; they embody our Territory's spirit of adventure and self-reliance. Our vast and diverse landscape fosters a connection with nature that is both profound and enduring, making the Northern Territory a truly special place to live, work and thrive. However, for these lifestyle benefits and opportunities to continue flourishing, we must commit to strategic investment in new and upgraded facilities across the region.

The enhancement of our sporting venues across the Territory, the development of state-of-the-art entertainment precincts and the provision of dedicated spaces for veterans' engagement are fundamental to

ensuring that every Territorian has access to these opportunities. Infrastructure of this nature does not simply serve the present; it lays the groundwork for a future in which our communities can prosper for generations to come.

To achieve this it is imperative that we foster a thriving, value-adding economy that can support the necessary funding to make these developments a reality. Economic growth is a means to secure the quality of life and opportunities that our people deserve. By attracting investment, enhancing productivity and leveraging our competitive advantages, we can generate the revenue needed to support these crucial initiatives.

A strong economy requires a multifaceted approach. We must bolster industries that drive employment and innovation, support local businesses, unlock regional growth and create an environment that encourages entrepreneurship. It is equally essential that we advocate for policies that stimulate economic expansion while supporting a sustainable balance with our natural and cultural heritage. Moreover, a well-funded and forward-thinking government plays a pivotal role in facilitating these developments. Collaboration between the public and private sectors and partnerships with community organisations will be essential in ensuring that the Territory continues to offer an unmatched quality of life.

Our vision of action, certainty and security is clear. It sees a Northern Territory where every individual, regardless of background or circumstance, has access to enriching lifestyle opportunities. As the Territory's population continues to age it remains imperative that appropriate support measures are maintained to benefit the elders who have made significant contributions to the Northern Territory. The Department of People, Sport and Culture provides funding to key organisations to support seniors through advocacy and community initiatives. COTA NT delivers peak body services and administers the Seniors Card program, while DCLS offers legal support to prevent elder abuse. Additional funding supports retirement groups, ensuring seniors have access to essential services, protection and social engagement opportunities.

We see a Territory where our national champions shine on the national stage, our art festivals inspire creativity, our sports teams achieve excellence and our veterans are honoured with meaningful avenues for participation. By investing in our facilities, nurturing our economic prosperity and championing the unique lifestyle that defines our Territory we secure a future that is not only sustainable but also aspirational.

Additionally, to support individuals with disabilities, accessibility items span various physical, digital and transport-related features. These include wheelchair ramps, tactile signage, accessible public restrooms and inclusive playgrounds. Digital accessibility encompasses screen reader-compatible websites, captions and speech-to-text technology. Low-floor buses and priority seating on public transport enhance mobility, while recreational spaces offer adaptive equipment. By generating greater revenue to the Territory we can ensure that individuals can engage fully and independently in their community. Together we can ensure that the Northern Territory remains a beacon of opportunity, culture and excellence.

The Member for Daly commented on the lack of opportunity for residents of the northern suburbs. I can assure this Chamber that the Members for Wanguri, Casuarina and Karama and I are accessible in that area; we are communicating with our constituents, doorknocking and reaching out to the people to listen to them. The northern suburbs will not be neglected as they were by Labor. The wound has not healed, and it will take a long time to heal. We are working in that space, and want to make sure that this will be a stronghold of the CLP for many years to come.

I look forward to this Bill's passage through the House and its ultimate positive effects on our community as a whole.

Ms BOOTHBY (Attorney-General): Madam Speaker, I will pick out some things that I heard from those opposite about the Territory Coordinator Bill. I heard time and again that they believe the vast majority of Territorians are against this Bill. It is simply not true. There were about 560-odd submissions in writing and about 30-odd sessions throughout the Territory. There are all these numbers about people who have put things through, but that is still a small number. Even, say, 600 as a conservative number of people who put in submissions that is a small number of Territorians compared with 250,000-odd Territorians.

Territorians voted for change. That is why we are in government, and there are 17 of us compared with only four people from Labor, which was voted out. The submissions that came in for the Territory Coordinator legislation were not a poll. It was not an election; it was a sample of people who wanted their voices to be heard. That is a democratic process which should and did occur.

This is the most scrutinised, open and transparent legislation we have seen in probably a decade. It has been through so many layers, which we have not seen, especially over the last eight years of Labor government.

It did not even have a scrutiny committee. I wanted to set the record straight, because I heard about that from a number of members.

I highlight the assertion made that the Territory government should not represent the Minerals Council because it is not our constituent. I find that fascinating because the people at the Minerals Council of Australia in the Northern Territory are our constituents; they work here. The council also has a membership, and the guests who were at the breakfast this morning—nearly 100 people were there—employ thousands of Territorians whom all of us in this Chamber represent collectively. The guests in that room pay their staff handsomely. Those people rely on that income to put food on the table, raise their families and have a nice lifestyle in the Territory. I set the record straight that we are here to represent Territorians, and the members of the Minerals Council and the guests at that breakfast are the people who employ Territorians.

Another part, which I heard a couple of times, was disturbing; that is, the assertion that nobody could point to an example of a project which would have been impacted by the Territory Coordinator legislation. I believe that was also said in the media, yet I read in the report tabled this morning by the Member for Wanguri that the Chandler mine in the electorate of Gwoja was given as an example. It moved from Gwoja to Western Australia because of delays.

The reality we face in the Northern Territory is the fact that we lose projects. We have not had a major project in the Territory over the last eight years, which is not the status quo Territorians want to accept.

Mr PAECH: A point of order, Madam Speaker! I want to help the Attorney-General. It is not in Gwoja; it is in Namatjira.

Madam SPEAKER: No, you do not need to help the Attorney-General. Take your seat. That is not a point of order. We are not here to help each other.

Mr Paech: You got it wrong again—wrong electorate.

Ms BOOTHBY: He takes everything so seriously. If it is the electorate of Namatjira, that is perfectly fine. It is in Central Australia somewhere. Do you know where the Chandler mine is not? It is actually not in Central Australia; it is in WA because it did not get off the ground under the government you were a senior minister in. Here you are trying to raise points of order to me.

Madam SPEAKER: Minister, please direct your comments through me. That goes for everyone in the Chamber.

Ms BOOTHBY: I find it interesting that the Member for Gwoja stands up and gives me a point of order on how to have my speech when he already had his say. He already contributed to this debate, as have many other people in this Chamber.

I have set the record straight on a number of points I heard today.

This is the most important economic reform the Territory has seen in a decade, and it will be a key component to unlocking the Territory's full potential as the best place in the country to live, visit, work and invest.

The Territory Coordinator falls in line with our government's focus on transparency, accountability and strategy to ensure that we are delivering meaningful change with real results for all Territorians. This streamlined approach to decision-making will replace the current approach which is complex and fragmented. Our economy has been doing it tough and had been for many years under the previous Labor government.

As the Minister for Tourism and Hospitality I know how important rebuilding our economy is for our tourism and hospitality industry. This will be key in attracting tourists and residents back to the Territory. Just as we will not accept the status quo for our tourism and hospitality industry, we will not accept the status quo for rebuilding our economy. That is why we introduced this important Territory Coordinator Bill.

The difference between Labor and the CLP is that this government will not bury its head in the sand. We are taking the bull by the horns, and we are changing the rules of the game. We will not shy away from doing whatever it takes to rebuild our economy. Our government's fresh approach is forging a new way forward for the Territory, and after this reset it will be the way forward for our children and our grandchildren.

The Territory Coordinator is not about bypassing protections or community concerns. Projects are vital to rebuilding our economy, and with the Territory Coordinator this will no longer feel out of reach.

We must continue pushing for a better future for our Territory. As a born-and-bred Territorian I have seen my home change throughout the years. The Northern Territory is not what it once was, and it can be better than this. We must restore our reputation as being a land of opportunity, not the place where investment goes to die, which is the reputation the Northern Territory was gaining under the previous Labor government. The Territory Coordinator will flip that reputation on its head and position our land as a top destination for investors and business opportunities.

We want the Territory to be the most competitive place in the country to do business, whether it is starting a new business or expanding an existing one. More businesses mean more jobs which opens more opportunities for people to come to the Territory, growing our population. This is a vital piece of the jigsaw in getting our economy moving forward, as a larger economy and population will boost scale, lower costs and enhance workforce flexibility, leading to a more sustainable economy. The Territory Coordinator will play a key role in this. It will attract more private investment with certainty which will increase our overall economic growth.

Our Approvals Fast Track Taskforce is another step we have taken to remove unnecessary burdens to reduce approval timeframes so that we can get our economy moving in the right direction, and faster.

We recently welcomed more flight routes into the Territory, with 95,000 additional seats bound to and from the Territory this year from Qantas and Jetstar alone. We continue our efforts in this space. That is not to mention the AirAsia routes to Kuala Lumpur and Denpasar, which are major international airports. This allows people to come and live here and for Territorians to connect overseas, whether it is to visit their families or just to visit those places.

Additionally, we delivered the best payroll tax reforms in the country to give businesses the certainty they need to come to the Territory, put down roots and grow. We are determined to make the Territory the most competitive place in the country to live, work and invest. We will not tell Territorians how to do business; we will support them to do business.

We cannot keep doing the same thing and expect a different result. We will not sit idle like Labor did, because we saw the devastating impact this had on our economy. Our debt ballooned from $2bn to $11bn in over eight years, which is devastating. Repairing the budget is not our only focus. We must increase investment to have a real impact and make a difference to the lives of Territorians.

A key area for investment is mineral exploration spending, which has fallen by almost half compared with this time last year, according to the latest figures from the Australian Bureau of Statistics. We are fortunate to live on a land rich in critical minerals which we must use to our advantage. The Territory Coordinator will play a role in this, ensuring that projects of significance are fought for, started quickly and completed on time because that is what Territorians deserve.

Madam SPEAKER: Minister, can I pause you there? You can continue your speech later.

Honourable members, it being 6 pm the debate is interrupted for the condolence motion.

Debate suspended.

CONDOLENCE MOTION
Honourable Keith John Austin Asche AC, KC

Madam SPEAKER: I draw the attention of honourable members to the passing of Hon Keith John Austin Asche AC, KC, former Administrator and Chief Justice of the Northern Territory.

On behalf of honourable members I extend a warm welcome to the family and friends of Hon Austin Asche. I remind honourable members that on completion of this debate I will ask members to stand in silence for one minute as a mark of respect.

Mrs FINOCCHIARO (Chief Minister): Madam Speaker, I move that this Assembly expresses its deep condolences to the family and friends of Hon Austin Asche AC, KC, former Administrator and Chief Justice of the Northern Territory.

Tonight we honour the life of Hon Austin Asche AC, KC. I acknowledge his family and friends who are with us in the gallery this evening. Not so long ago we farewelled Austin at a beautiful state funeral.

In remembering him we pay tribute to a legacy of wisdom, fairness and service that will endure for generations to come. Austin Asche was, in every sense of the word, a gentleman. He saw the best in those around him and his fairness and loyalty to his friends, family and the many organisations he served were untiring. His curiosity, interest in people and ideas were the hallmark of his personality.

His service to our nation began in 1944 when he joined the Royal Australian Air Force during World War II.

His dedication to justice led him to a distinguished legal career, culminating in his appointment as Chief Justice of the Northern Territory from 1987 to 1993.

His tenure as Administrator of the Northern Territory from 1993 to 1997 reinforced his deep love for this place and its people.

He understood that the strengths of a society lay in its ability to learn and adapt. He devoted much of his later years to fostering the next generation of leaders. As a judge he was particularly mindful of the challenges faced by families, advocating for the protection of vulnerable people long before these issues became a normal part of the national conversation.

He was immensely proud to witness the increasing representation of women in the legal profession and took great satisfaction in knowing that the first female judge of the Northern Territory Supreme Court was, in fact, appointed under his leadership.

Austin was a proud Territorian. His deep connection to the Northern Territory made his tenure as Chief Justice and later as Administrator all the more meaningful to him. His sense of humour was warm and ever present, filled with the kind of wisdom and wit that made his words linger long after they were spoken.

Beyond his light-heartedness, Austin was a man of great principle. A keen sportsman, Austin played tennis well into his nineties with the East Point gentlemen's tennis club, where he relished the camaraderie as much as the sport.

To his family Austin was a devoted husband, father, grandfather and great-grandfather. In his final days members of his extended family travelled to be by his side, a testament to the love and respect he inspired in them.

Austin Asche leaves behind a legacy that is felt in every corner of the Northern Territory. On behalf of a grateful Territory, we extend our deepest condolences to his family and loved ones.

The state funeral provided an opportunity for many to come together to not only mourn the loss of Austin but to celebrate his long and successful life.

We heard stories from people who gave eulogies about his vast achievements and the experiences he had throughout his lifetime. The legacy he left on the legal profession is indelible—but also within the community. From my experience last year at the Territory Training Awards, when unfortunately Austin was not able to be there, I know that he was missed. Young people at the Training Awards—which is obviously a large component of what we are celebrating—were lamenting that he was not there. They missed him and reflected on the years gone by and how he was always there. The impression that Austin made on them made a significant impression on me. That is the hallmark and character of the man. In one special celebration his absence was profoundly noted, and he was missed. That is the way he had about him.

Equally—I mentioned this in my eulogy—we miss him on days like the anniversary of the Bombing of Darwin, where he would always be. Wendy, you have been a pillar of strength and support for him and your entire family. It is truly the most incredible love, devotion and dedication; you have shown such kindness to your father. I know he deserved every moment of it, but the way you cared for him to the end it is an absolute credit to you.

May we all carry forward his lessons, pursuit of fairness, belief in learning, love of books and kindness towards others.

Rest in peace, Austin. We cherish the contribution you made to the Northern Territory. We are proud to have honoured you with a state funeral and a condolence motion in parliament this evening. Your work is done, but your legacy will never fade.

Ms UIBO (Opposition Leader): Madam Speaker, I am honoured to acknowledge one of the Territory's greatest sons, Hon Austin Asche AC, KC. On behalf of my Territory Labor colleagues I extend my sincere condolences to Mr Asche's family, friends and former colleagues on his passing on 14 December 2024.

Born in Melbourne, Mr Asche's connection to the Northern Territory began early with his education at Darwin Primary School. He went on to serve in the Royal Australian Air Force during the final days of World War II before studying law at Melbourne University.

His Honour was first admitted to the Queensland Bar, marking the beginning of a distinguished career in law; one that saw him rise to the role of Chief Justice in the Northern Territory and later the 15th Administrator of the Northern Territory. He served in that role from 1993 to 1997.

Throughout his career he and his late wife, prominent microbiologist Dr Valerie Asche, represented the Northern Territory in many aspects. For nearly 80 years Mr Asche dedicated his life to shaping the Northern Territory and strengthening our communities. He was a champion of education, a fierce advocate of justice and a staunch believer in fairness and opportunity for all.

His Honour's remarkable legacy in the Northern Territory does not end with his passing; it does not end when we conclude our speeches today or when we leave this Chamber. His Honour's impact will live on through the institutions he strengthened, the people he mentored and the ideals he championed. Mr Asche's passing is indeed sad for us all.

The passion he had for education and learning never faded until he passed. Even after retiring from public office he remained deeply engaged in mentoring young lawyers and supporting students to ensure that future generations would benefit from his wisdom and experience.

He served as the Chancellor of Charles Darwin University, where he was instrumental in guiding its development into the world-class institution we are proud to call it today. Mr Asche understood that education is a great equaliser and the foundation of opportunity. He worked tirelessly to ensure that every Territorian had the chance to build a better future, particularly through education.

His Honour's contributions to the legal community were equally profound. He was a trusted voice of reason, a defender of justice and a role model for those who wanted to follow in his footsteps. His unwavering integrity, fairness and dedication to Territory lawmaking helped shape the Northern Territory's legal landscape today. Mr Asche was a mentor, leader and friend to many who had the privilege of working with him and learning from him.

Beyond many titles and accomplishments Austin Asche was a man of deep kindness, humility and generosity. He gave his time freely. He listened, cared for and believed in lifting up others, particularly in the Northern Territory. He carried a genuine love for the Northern Territory and its people, and his dedication to community service never wavered. Whether through his work in the courts, government, education or countless community organisations, Mr Asche always sought to give back.

I was fortunate to first meet Mr Asche in my former role as Minister for Workforce Training at the annual NT Training Awards. The prestigious Austin Asche Apprentice of the Year Award has been aptly named to honour his lifelong work, which will now continue through his legacy for the Northern Territory.

I was told on good authority that he used to energetically cross the stage and perform acrobatics and tricky manoeuvres; sometimes, he did that off the stage in the same manner. Unfortunately, by the time I met him, his body had slowed down a bit, but his mind was sharp. He was at every awards to proudly represent and foster the future of education in the Northern Territory.

As we reflect on His Honour's lifelong commitment to justice, education and community service, it reminds me why we are all here. No matter what side of the Chamber we stand on we are here to make the Territory an even better place than it is. People like Mr Asche make a real, long-lasting difference to the lives of fellow Territorians. In this spirit I believe we all should strive to serve our communities.

The Territory is privileged to have had such an extraordinary leader, mentor and advocate as the Chief Justice and Administrator of the Northern Territory. But those titles only scratch the surface of the impact he had. His Honour's real legacy is found in the thousands of lives that he touched, mentored and inspired to help build the Northern Territory.

His Honour's legacy will endure for generations to come in every student who walks the halls of Charles Darwin University, every young lawyer who steps into a courtroom with a commitment to justice and every Territorian who believes that service to the community is of the highest calling.

We say farewell to an exceptional man, but we do so in the knowledge of and gratitude for the impact his life will forever have on the Territory.

On behalf of the Territory Labor team I offer my sincere condolences to Mr Asche's children, Wendy and Harry; to the grandchildren; and to all the family, friends and former colleagues of Mr Asche.

May he rest in peace.

Dr RAHMAN (Fong Lim): Madam Speaker:

All the world's a stage,
And all the men and women merely players;
They have their exits and their entrances;
And one man in his time plays many parts …

Tonight I will speak to the many parts of the rich life lived by a Shakespearean, Hon Austin Asche AC, KC.

His Honour passed away in December 2024 at the age of 99, leaving behind an extraordinary legacy of service, leadership and dedication to the Northern Territory.

Austin Asche was born in Melbourne on 28 November 1925. He grew up in Darwin, and his early education was at Darwin Primary School. He served in the RAAF during the final years of the Second World War. He studied law at the University of Melbourne and graduated with a BA, an LLM, and then was admitted to the Queensland Bar before being called to the Victorian Bar in 1954, where he practised for 20-plus years.

He took silk in 1972, and in 1976 was appointed to the newly formed federal Family Court of Australia. He served as a Supreme Court Judge of the Northern Territory and later as Chief Justice from 1987 to 1993. He was made a Companion in the Order of Australia in 1994. In 1993 he resigned the Chief Justiceship to assume the role of the 15th Administrator of the NT, serving from 1 March 1993 to 16 February 1997.

These are the bald facts and particulars of His Honour's life and career. My focus, however, is on His Honour's contribution as President of the Law Reform Committee of the Northern Territory for over 20 years, from 1997 to 2018. I choose to focus on this because, quite deliberately, I want to engage with more than those bare-bullet points and try to shine a light on His Honour's depth of commitment to the laws of the Northern Territory.

His Honour's period of contribution as Chair was between 1997 and 2018, over which period he was aged between 71 and 92. Stop to think about that for a second: while everyone else at age 70 may have gone out and played a round of golf or two, Austin Asche decided to devote himself for the best part of another 20 years to chairing a law reform committee. Notwithstanding that, he was a fine sportsman. He rowed in pairs, fours and eights in his younger years and, as the Chief Minister pointed out, he was also playing competitive tennis well into his nineties.

In his capacity as Chair, under his presidency, that committee produced a staggering 26 reports—a staggering body of work that I would wager to say surpasses the combined volume of written output of all the MLAs in this room. With the exception of one report, he was involved in every one of those. For the 25 subcommittees responsible for examining the complex legal issues involved, he prepared many of the reports; in fact, he drafted a lot of the stuff himself.

His fingerprints are visible—sometimes subtly; other times more blatantly and cheekily—in the reports that he wrote. The start of the Report on the Uniform Evidence Act begins with a Dickensian quote from chapter 34 of *The Pickwick Papers*:

'Oh, quite enough to get, Sir, as the soldier said ven they ordered him three hundred and fifty lashes,' replied Sam.

'You must not tell us what the soldier, or what any other man, said, Sir,' interposed the judge; 'it's not evidence.'

Looking at the 26 reports gives you an idea of the importance of the subject matter and the hard work involved in those reports. I will cite a few of them: Report 18, Report on the Law of Property; Report 23, Report on Privilege Against Self-incrimination; Report 25, Report on the Right to Silence; Report 26, Report on Whistleblowers Legislation; Report 28, Report on Aboriginal Customary Law; Report 30, Report on the Uniform Evidence Act; Report 36, Report on Defendants Submitting to Psychiatric or Other Medical Examination; Report 39, Report on Self-induced Intoxication; and Report 43, Report on the Non-Consensual Sharing of Intimate Images.

Austin Asche did all this voluntarily, without being remunerated for his efforts. Not for a penny did he have a hand in 26 law reform committee reports. Many of these reports provide the basis for important changes in the laws that are still with us in the Northern Territory. Indulge me to provide three examples.

Report 18, Report on the Law of Property, from October 1998, led to the *Law of Property Act 2000*. This is a good example of the importance of the Law Reform Committee's work because no-one ever talks about general NT property law as opposed to residential tenancies, and that is because the *Law of Property Act 2000* is particularly good legislation. It is clear, comprehensible, fair and based on established legal principles and, therefore, it is predictable.

A second example is Report 30, Report on the Uniform Evidence Act, from September 2006. It led to the *Evidence (National Uniform Legislation) Act 2011* in the NT, which is used every day in courts in this jurisdiction and brings the Territory into line with every other Australian jurisdiction on a matter of significant importance.

Report 43, Report on the Non-Consensual Sharing of Intimate Images, similarly led to the *Criminal Code Amendment (Intimate Images) Act 2018*.

As you can see, Austin Asche was not just a hobbyist; he was actively reforming our laws from the sidelines in the most appropriate manner. Some of the reports he authored, penned or contributed to resulted in recommendations to do nothing, which is advice that is equally important as recommendations to make changes. For example, Report 25, Report on the Right to Silence, from 2002 finishes with this paragraph:

> *This Committee believes that it can create a record with the shortest recommendation ever recorded by any Law Reform Agency in Australia or elsewhere.*
>
> *The task given this Committee was to consider the rationale of the UK* Criminal Justice and Public Order Act *and the question essentially asked was whether it was expedient for the Northern Territory parliament to adopt it or some variant of it.*
>
> *To that question this Committee records the following and only recommendation:*
>
> *No.*

That was on page 37 of a report which before then had provided a very thorough analysis of the historical foundation of the right to silence, which explained the one-word recommendation.

Therein is where we see His Honour's skilfulness. He was not just highly intelligent and articulate; he had a profound knowledge of what others had said and experienced in the past and on the same legislative topics. He deployed that knowledge and experience to the great advantage of the Northern Territory.

To put it another way, he utilised data and research in a context-specific manner—something we should all take heed of in this House. Legislators who do not investigate and understand what lawmakers have tried in the past and where they failed or succeeded, risk missing out on the benefits of that experience. It is important for this House to make sure that we continue to look out for and get the benefit of learning from scholars like His Honour.

His Honour was also a fierce advocate for the Northern Territory in constitutional affairs and passionately defended the autonomy of this legislature. In the Standing Committee on Legal and Constitutional Affairs Inquiry into the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill in June 2008, he cited, at page 46:

> *Any Commonwealth enactment based on policy—that is, based on a difference of opinion between the Commonwealth and the Territory—is of course an interference with the self-government of the Territory. If the Commonwealth disagrees with a policy of a territory then the grant of self-government is really illusory.*

Similarly, at page 47, His Honour pointed out if the size of the legislature or a jurisdictions population became the reason to query the legitimacy of a legislature, then:

> *…the Tasmanians ought to be starting to feel very uncomfortable, because there are only 400,000 or so of them. If you do grant self-government to a series of bodies, then you allow them to determine themselves within their own province...If you say that the citizens of the Territory are immature—and that means that perhaps the citizens of Tasmania are just slightly more mature and the citizens of South Australia perhaps a little bit more mature—by all means do so, but that means that you should not be passing self-government acts.*

Of course, His Honour was nevertheless widely regarded as a very measured and balanced judge and careful in his remarks. To which end, on the limits of the legislature, he also had this to say, and I quote from page 36 of the Report on the Right to Silence, from March 2002:

> *A further reason for discouraging the presentation of such legislation in the Northern Territory is based on practical financial considerations. Assuming the Territory parliament were the first to enact such legislation there would be no doubt that it would be subject to at least one, and more likely, several, challenges to its validity, its precise meaning and its constitutionality. Such challenges would invariably end up in the High Court accompanied not only by counsel for the Territory and the appellant, but also no doubt, by a galaxy of legal talent seeking to intervene on behalf of various States or interested parties. The subsequent expense for the Territory would be enormous, and while this committee has no desire to discourage legislative pioneering, there may be better causes for the Territory than to lead the way in an expedition which may well prove to have the same frustrations and expenses as that undertaken by Messrs Bourke and Wills…*

Hon Austin Asche was truly a gentleman and a scholar. The NT was blessed to be gifted by his legal talents. His life was one of exemplary service in the judiciary but also the military, as an Administrator and as an educator. A separate speech adjunct to this one might have reflected on his contributions to our local university, as Chancellor amongst other things.

He was a public servant of the highest order, the calibre of which is seldom found and unlikely to be replicated. His memory will be cherished by all who were privileged to know him. His example of leading with humility, grace and substance will continue to guide. Verily to God we belong, and to Him we shall return.

Vale, Austin Asche.

J DAVIS (Johnston): Madam Speaker, I pay my respects to Hon Austin Asche AC, KC and acknowledge his family and friends in the Chamber. I send my love to all those who feel his loss.

I met Austin many times in many different contexts, and he was always warm, wise, charming and entertaining. He was one of a kind who contributed so much to the Northern Territory.

I will read some words from his and my friend, Russell Goldflam. Russell shared his words with me, and they capture Austin far better than I can, so I asked his permission to share them here:

‘Dear Austin,

‘Ninety-nine years of life, 999 years of wisdom and the effervescent ever-inquiring enthusiasm of a nine-year-old lad. I only knew you for the final quarter of your century, a mere 25 years of scholarship, leadership and friendship. I loved your strict compassion, your eccentric orthodoxy, your casual erudition and your inexhaustible store of story, trivial and profound. You ushered me through secret doors to Shakespeare and Dickens, to your far northern forebears and their ancient sagas, to the civilised wilds of the Savage Club but most of all to the law, both common and uncommon.

‘Thank you.’

I join with Russell, and so many others who are close with Austin and are feeling his loss, in sending love to Wendy, who has been so devoted in his last leaner years, and expressing condolences to all his family and friends.

Ms CAHILL (Trade, Business and Asian Relations): Madam Speaker, I rise to speak on behalf of me and my husband, Professor Len Notaras AO, in memory of Hon Austin Asche AC, KC.

Austin was the Administrator of the Northern Territory when I first moved here in 1999. If I am to be honest, arriving in the heat and humidity of a Build-Up pregnant with my second child, understanding the machinations of government and the role of the Administrator of the Northern Territory were not high on my list of priorities. In the course of settling into my new life in the Territory along with my husband, however, I found myself at a number of official engagements hosted or attended by Austin and his wife, Valerie, and I found myself drawn to this couple who had such passion for the Territory.

Over the years since that time there were many occasions when our paths crossed. On each occasion he was incredibly generous with his time, and I loved hearing his stories of the Territory he so loved. I must confess I particularly enjoyed eavesdropping on his chats with my husband, Len. It is a rare occasion that Len encounters somebody who outpaces his passion for history, particularly military history or the classics. Austin, however, held the conversational edge on every occasion.

The words of my husband best sum up Austin:

'Austin was a true bastion of respect, dignity and learning. He was a man of compassion and in the truest sense a well-rounded Renaissance man, an individual who could not only recite the classics but also understand them, applying the invaluable learnings as a true and influential citizen of our precious community. He was a true man for all seasons; an example of what we should all aspire to be; and a credit to the law, the community and to his enduring faith in the community.'

Len reminisced to me that whilst he cherished these discussions with Austin, he on occasion avoided him when it was clear that Austin was intent on challenging Len to a game of tennis. Quite the player in his younger days, Len told me that he knew that Austin—an accomplished player, even though he was several decades older than Len—would always come out the victor in any match between them. Avoidance was, in Len's view, the better part of valour in those circumstances. Len was an only child; he did not like to lose.

Austin was one of the people you expect will always be there guiding those lucky enough to fall within his circle. His leaving has left a void in the Territory that will never be filled.

Vale, Austin.

Mr PAECH (Gwoja): Madam Speaker, as a former Northern Territory Attorney-General I am honoured to speak in honour of such a remarkable Territorian. When we reflect on the amazing contributions of Hon Austin Asche, members of the judiciary, lawyers or prosecutors talk in admiration of his strength and warmth.

In talking to people about Hon Austin Asche, what best defines him was his remarkable kindness, humility and generosity. He gave freely of his time, listened deeply and cared genuinely. His dedication to lifting up others and serving his community was always unwavering. Even after retiring from public office his passion for mentoring and supporting the next generation remained undiminished; he continued to guide young minds ensuring his wisdom and experience would live on through those he inspired.

We reflect on his lifelong commitment to justice, education and community, and we are reminded of the profound impact one individual can make. His Honour's legacy serves as a beacon for us all. This important legacy will continue to inspire us. As we reflect on Austin Asche's amazing contributions to the Northern Territory we acknowledge how immeasurable they are. But his true legacy lives on, as others have spoken about tonight, through the lives he touched, the ideas he championed and the community he helped build.

As we say farewell to an extraordinary leader, mentor and advocate, we do so knowing that his impact will continue to resonate, as we have heard from every young student who goes through Charles Darwin University in their law courses. As those lawyers enter courtrooms we are reminded of the legacy of Austin Asche.

I offer my condolences to Mr Asche's children, Wendy and Harry; his grandchildren; and the Asche family. Importantly, I thank you for sharing an incredible man with the Territory, and I acknowledge the sacrifices you all had to make to share your father and grandfather with the Territory.

When we talk about Hon Austin Asche we hear many things. I acknowledge every contribution from our members: the Chief Minister, who spoke at length about his amazing contributions; the Member for Fong Lim; the personal stories from the Member for Port Darwin; the Member for Johnston; and the Leader of the Opposition. I remember Austin Asche as a true-blue Territorian, and that is how he should be remembered.

He was proud to call the Territory home; he stood up and advocated for the Northern Territory in every role he had. That is an amazing legacy.

The Territory is a better place because of Hon Austin Asche AC, KC.

Ms BOOTHBY (Attorney-General): Madam Speaker, earlier this year we celebrated the life of Hon Keith John Austin Asche AC, KC at his state funeral. Austin Asche was 99 years old upon his passing, and he left behind a legacy of service, leadership and dedication that will be felt for many generations to come.

Austin Asche was a proud Territorian. He was an exceptional leader and a devoted public servant with decades of service in the legal sector. With his deep understanding and knowledge, he led an incredibly successful career during his years of service. He secured a status as a highly respected figure in the legal field, which culminated in his appointment as Chief Justice of the Northern Territory from 1987 to 1993.

Despite being a giant in his field, Austin Asche was an extremely humble man. Before beginning his career in law, he served in the Royal Australian Air Force from 1944 to 1946. Austin Asche was devoted to delivering justice while upholding strong values of fairness, moderation and balance—all exceptional traits in a judge in court. During his service as a judge he was particularly mindful of the challenges faced by families, and he ensured that people, no matter their background or circumstance, were treated with dignity and respect.

Throughout his career, he was proud to see the advancement of diversity, with more women entering the legal profession. Under his leadership he appointed the first female judge of the Northern Territory Supreme Court. He took great pride in that.

Despite Austin Asche's longstanding legal career in the Northern Territory, he studied law at the University of Melbourne. After completing his studies Austin began his career at the Queensland Bar before he was called to the Victorian Bar in 1954. Austin Asche practised there for over two decades, and his career took a further step in 1972 when he was appointed Queen's Counsel, now known as King's Counsel. In 1976 he was the first Victorian to be appointed as a justice to the newly formed Family Court of Australia.

Austin Asche brought decades of experience to the Territory, so he was well positioned to further progress his career here. This was clear when he was appointed a justice of the Supreme Court of the Northern Territory in 1986 and, later, the Chief Justice. He was a busy man, also serving as Chair of the Northern Territory Parole Board during this time.

Upon his retirement from the Supreme Court bench in 1993 Austin Asche served as the 15th Administrator of the Northern Territory until 1997. Although he retired in 1997 his work did not stop there; he served as Chair of the Northern Territory Law Reform Committee. He also held the roles of adjunct professor in law and Emeritus Chancellor at Charles Darwin University.

I was fortunate to meet Hon Austin Asche at the last training awards he attended. He would have been about 98 years old at the time. I am pretty sure Wendy was there next to him. I was in awe, because he is literally larger than life; he is like a rock star at functions of that magnitude. I had heard all about him, so when I got to sit next to him I did not know what to say; I felt starstruck. That whole evening he was beaming from ear to ear, so proud of all the award nominees and winners. You could tell he was proud of the Northern Territory and who we are as people.

At one stage there was a roving mic on one of the organisers. The camera panned down and all of a sudden was on our table. Austin was beaming on the big screen—seated right next to me—and they were trying to interview him. He was presented with a Northern Territory flag. He put it over his shoulders and was beaming. I am pretty sure there was a photo of that at the state funeral in the slideshow, which made me smile.

He was a fantastic Territorian who contributed so much and was so proud. He showed it; he wore all that pride on his sleeve.

Austin Asche had a lifelong commitment to education and guiding the development of future leaders.

We extend our deepest condolences to Austin Asche's family and loved ones. Thank you for sharing his life and legacy with all of us in the Northern Territory.

Mr HOWE (Drysdale): Madam Speaker, although I did not know Austin Asche AC, KC I will touch on some readings I came upon today about his time in service, as they are quite incredible.

I start with a man named Eric Asche, Austin's father. My father has always said that a father is the bow and the son the arrow. When I read about Eric Asche, you can see why Austin was the man he was.

In World War I Eric served with the Young Men's Christian Association and went to Egypt. He was commended for his wholehearted enthusiasm in the service of Australian soldiers. He was described by the YMCA's General Secretary as a 'high-souled patriot'.

On his return Eric enlisted in the Australian Imperial Force on 30 April 1917. He then joined a brigade in France. By August 1918 the Australians were paramount during the assaults on German lines and on the Hindenburg Line during this phase. During this period on 28 August as signaller, Eric Asche was awarded the Military Medal for Bravery when he kept up communications after heavy shellfire at Villeret in the vicinity of Saint-Quentin's canal on 28 and 29 September.

By this stage in World War I, it is hard to fathom what a bombardment looked like. Nothing had existed previously or since in warfare. Both the allies and Germans had built up bombardment arsenals that are hard to comprehend. In some battles you would be looking at one shell every 10 square metres every second. For a man to maintain lines of communication for a night and the following day—you can imagine the bravery one would need. That is worth acknowledging.

We get a sense of the father, and now to the son we honour today.

Austin served in the RAAF for two years from 1944 to 1946 as a leading craftsman. I will quote from Major Paul Rosenzweig, from his 1997 publication 'The service heritage of Hon Austin Asche AC 15th Administrator of the Northern Territory'—just AC at that point.

I quite enjoyed some of these quotes:

> *He was one of the few on the troop trains and trucks heading north who was actually pleased to be heading to Darwin.*

I resonated that with my time and being posted back to Darwin. In March 1945 he manned a radar station: Mitchell Head, on the south-west tip of Bathurst Island.

I will fast-forward to Victory in the Pacific Day as this gives an idea of the man's sense of service. Try to picture the diggers during the last day of the war. These are the words of Austin Asche:

> *We had a ration of two bottles [of beer] a week. But I think that was supplemented on that night, and quite a few did not drink and they helped out with their ration … They all wanted to go home except me. I was the only one who didn't. I didn't care how long I stayed, being an old Territory boy.*

It goes on:

> *I was on duty that night and made myself very unpopular with our radio operator. He had imbibed freely and dossed down on the Ops Room floor and went soundly to sleep. About 2 am I spotted an incoming plane [on the radar]. With great difficulty I awoke him and insisted that he signal this to base. He was ropable, pointing out in forceful language that the war was over. But I had heard of the incident on 19 February 1942, when an observer at Bathurst [Island] had spotted a large fleet of aircraft heading to Darwin and had reported this to base and been ignored; and this had turned out to be the first Japanese raid on the Australian mainland. My reasoning was simple. The supposed surrender might have been a fiendish trick to lull us into a false sense of security; and this unknown plane, with no IFF, may have been proceeding to Darwin with the Japanese equivalent of the atomic bomb. I was blowed if I was going to go down in history as the Radar operator who let it through.*
>
> *With much grumbling (and some reflections on my sanity and legitimacy), the wireless operator sent the message. Although I pointed out to him that I had possibly saved us both from a court martial and probably a firing squad, he didn't seem the least bit grateful.*

I thought that was a nice piece to show, to the very end, his commitment to the Territory and fulfilling his duties. I will read one more excerpt, which I think speaks to a bit of the ANZAC legend and Australian larrikin that we see throughout our ANZAC legends.

I thought it was fitting that he speaks here of his time on the Tiwi Islands, with the Member for Arafura being a veteran.

He speaks from the start of the help of the Tiwi people who keenly and willingly assisted in the building and erection of the tower, the filling of sandbags and the heavy-duty task of carrying sandbags up the hill and placing them around the radar. He then goes on to say that the party, being the soldier of troops, was under the command of flying officer LB Lyons, who took the sensible view that after VP Day, as long as the men carried out their light duties and maintained some semblance of discipline, they could be accorded some degree of freedom. Austin Asche recalled, 'I am glad to say that we did not abuse his trust, and the camp was a happy one. They enjoyed relaxing, camping expeditions, fishing, surfing, bushwalking and watched films at an outdoor cinema. The entertainment was always enhanced by various ribald and frequently obscene remarks from the audience as the film progressed. Sometimes the remarks were much more entertaining than the film. Although the frank expressions of what the hero really had in mind for the heroine tended to destroy the atmosphere of the more romantic love scenes.'

I enjoyed that. The man went on to achieve great things in service. The legacy left by Austin is something that, as I read about him, I found touching. To his family, please know that his legacy—and that of his father—inspires younger men like me. I thank you and Austin for the inspiration of service that he has left on the Territory.

Madam SPEAKER: I also extend my deepest condolences to the family and friends of Hon Austin Asche AC, KC. Thank you for sharing him with us.

Motion agreed to.

Members stood for one minute's silence as a sign of respect.

Madam SPEAKER: I thank honourable members for their contributions to the motion. There are light refreshments in the Main Hall for family and friends of Mr Asche. Thank you for attending this evening.

TERRITORY COORDINATOR BILL
Serial 17

Continued from earlier this day.

Ms BOOTHBY (Attorney-General): Madam Speaker, the Territory Coordinator will streamline processes, create more jobs and unlock benefits for communities across the Territory, including in our regional areas. This legislation is crucial for getting projects off the ground, so we can get our economy moving in the right direction and unlock the flow of investment which we so desperately need.

We will not sit back and wait, because this government is about taking action. We are making the Northern Territory an attractive place to do business. We want to encourage investment and create long-term sustainable employment for Territorians.

We promised Territorians that we would reduce crime, rebuild the economy and restore our lifestyle. With our five strategic economic priorities—being the best place to do business; building a bigger, better workforce; delivering for Australia; unlocking regional growth; and connecting the Territory—we will rebuild the economy and increase our capacity to invest in our great Territory lifestyle.

I am proud of our Territory Coordinator legislation, which is part of our year of action to deliver certainty and security so that we can ensure a brighter future for all Territorians.

Mr BURGOYNE (Lands, Planning and Environment): Madam Speaker, the Territory Coordinator Bill is the Bill the Territory needs to finally begin progressing many of the projects that we so often heard about from the Gunner government, but never materialised:

> *Imagine how … the Tellus salt mine could have progressed with the introduction of the Territory Coordinator Bill or how Project Sea Dragon or the new luxury Westin Hotel at the Waterfront would have materialised. We delay these projects to the detriment of the Northern Territory. Projects that may have materialised, had they been acted upon more swiftly, are possibly gone forever.*

I support the Territory Coordinator Bill, and the lines I just read are from a speech I wrote in March 2021. Some four years later we are here in parliament to pass this important legislation to ensure that significant projects can progress.

There has been much debate this evening about what we are attempting to do through the introduction of this Bill. The Attorney-General spoke about the Chandler salt mine, commonly known as the Tellus salt mine in Alice Springs. I remember at the time, as a tradesman in Alice Springs, literally seeing representatives from the Tellus salt mine leave the then Member for Braitling's office, Dale Wakefield, and hearing once again the frustration that there was no impetus—nothing—from that government at the time to ensure that salt mine went into production.

The mine could have provided jobs to the local community. There was talk about the local Aboriginal community being able to market and sell this salt. It had been proposed that when the salt was finally depleted the leftover cavern could house hospital-grade waste. The fact is that this country sends away some of our waste from X-rays and the lifesaving medical activities that ensure we can all live happy and healthy lives.

It is important that we ensure the Tellus salt mine and other projects come to fruition so that there is a prosperous Northern Territory for everyone into the future. It shows the commitment of this government to see things through, much like the Territory Coordinator will see projects of significance through so that they materialise and not simply disappear, as many projects the Labor government put on the major projects list did.

I remember some large proponents not wanting to be given major project status under the previous government, as it was seen as the kiss of death. No longer will this be the case. We are working to restore business confidence and rebuild the Territory economy.

There is no hiding from the facts: the Territory economy is in bad shape. We see this evidence every day. The Treasurer has been open about this, and recently went on a roadshow to speak to Territorians about the predicament we are in—$11.6bn of debt at the end of the financial year, which is projected to increase to $15bn by 2028–29.

There is a stark need to rebuild the Territory economy, and this government has a clear mandate to do so. A business-as-usual approach to attracting investment and facilitating development and regulatory approvals will not deliver on that mandate; it will see us continue to squander the opportunity we have to boost investment, grow the economy and create jobs. We need to stand on our own feet as a jurisdiction so that Territorians can prosper.

To rebuild the economy we need to do things differently and change it up. This is what we are doing with our program of economic reform. Central to that reform is establishing the statutory role of the Territory Coordinator to facilitate and coordinate the delivery of projects of significance to the Territory economy, by vesting in that role and the responsible minister the powers required to deliver on those functions.

The Lands, Planning and Environment portfolio administers 33 pieces of legislation. Each of these supports, facilitates or governs development. There is no development in the Territory that does not touch the portfolio, and any significant project, program of works or Territory development area declared under the Territory Coordinator legislation will have multiple interactions with me, as the Minister for Lands, Planning and Environment. As the key regulatory body in the Northern Territory, the department and I expect to work closely with the Territory Coordinator. For this reason, the department has been closely engaged in the development of this legislation.

I thank the department officials for their contribution. Their engagement has been constructive in setting their practical experience in planning, environment and resource assessment and approval processes to focus on opportunities to expedite projects and overcome unintended barriers to development. Complementary to this legislation, the department is also pursuing a suite of measures to create regulatory efficiencies and promote certainty for business without lessening or weakening the protections that these processes establish. This includes legislation to remove third-party merits review, which is expected to be debated in these sittings.

The Territory Coordinator Bill has been four years in the making. It has been discussed at length, and I am sure many members will have contributions to make. I commend this Bill to the Assembly.

I look forward to the future when the Territory has economic development in our cities and our regions—an economic future that will see jobs for our children and financial benefits that will flow, enabling our government to deliver on a brighter future for all across the NT.

Mr EDGINGTON (Health): Madam Speaker, this is the most important economic reform the Territory has seen in a decade.

It was interesting to hear the support on this side and to listen to the members on the other side. I constantly heard that people want to know what projects it will help. The major projects list established under the Labor government had more than a dozen major projects for about eight years. Nearly all those projects were never delivered.

It was interesting to hear from the Members for Johnston and Gwoja that they could not remember discussing the Chandler mine during their scrutiny committee discussions. That project was discussed, and it ended up moving to Western Australia because the proponents could not get the approvals needed to bring that project to fruition.

It seems that the Member for Nightcliff is focused on doing nothing but opposing everything.

We heard from the Labor members that they are focused on attracting private investment, creating jobs and supporting economic development. I think one of them spoke about growing the economy; they had eight years to grow the economy but failed to do so. How can you grow the economy when you cannot even grow a vine on a shadeless structure in Cavenagh Street? That is what Labor delivered over eight years, so it is a bit rich for Labor members to start talking about investment, jobs and growing the economy.

The Territory Coordinator laws will herald a new way of developing the Territory. It will give us the competitive edge against other states that have not undertaken the same level of reform that we are undertaking. The Territory Coordinator signals to the world that we are a mature jurisdiction with the capacity and capability to play a major role in the advancement of energy security through our abundance of natural gas; minerals security through our land rich in mineral resources and rare earths; food security through our vast agricultural opportunities; and Defence security through our strategic importance in the Indo–Pacific.

The question about consultation was raised many times. The consultation report for the draft Bill was released in February following four months of consultation. By the end of that consultation period 321 participants had attended six community information forums across the Territory, 559 written submissions had been received and 89 meetings had been held with 267 individuals representing various sectors.

The Member for Braitling said that similar legislation was tabled in this House more than four years ago and was knocked back by the then Labor government.

This extensive consultation undertaken highlights our government's commitment to creating a framework that is robust, inclusive and designed to deliver real results. We are the ones who introduced a scrutiny committee. This legislation was taken to the scrutiny committee, and I thank all those who participated on that committee. A number of submissions were received. This legislation has been scrutinised through public consultations and the scrutiny committee.

The scrutiny committee report was tabled in parliament this morning. The amount of work the scrutiny committee did is incredible. This is what the scrutiny committee was put in place to do. The CLP brought back the scrutiny committee—after Labor scrapped it in 2020—to scrutinise legislation such as the Territory Coordinator Bill. We have done that. We delivered the report, did the consultation and are debating the Bill.

This is a game-changing initiative for the Northern Territory. It cuts through red tape. It is about fast-tracking approvals and streamlining processes. The Territory Coordinator role will drive economic growth and position the Northern Territory as a leader in investment attraction. It is all about creating jobs, delivering results and ensuring that the Territory remains competitive on both the national and global stage.

We listened to Territorians, and the feedback has been instrumental in shaping a framework that balances economic progress with accountability. The message is clear: the Territory is open for business.

Questions were asked about the *Local Government Act* being included in the Schedule. I will include this in the debate because it is important. The Member for Gwoja raised a number of concerns about this, and I will address some of those points.

All legislation was selected with the lens of its potential role to facilitate development of significant projects, programs of works and Territory development areas. The *Local Government Act 2019* plays an essential role in enabling development in local communities. Having the *Local Government Act* in the Schedule of Acts will be critical to the effective delivery of significant projects in the Territory development areas that will support economic development in the regions.

Given their level of commitment, it is essential that processes and assessments relating to local governments can be coordinated and integrated with all other regulatory approvals. Local governments play a key role in assessing the traffic, stormwater, waste, road and other infrastructure impacts on new developments and identifying solutions to ensure integration with local infrastructure. These processes form part of the multiple approvals that a significant development would undertake; therefore, it is essential that they are included in the scope of activities that the Territory Coordinator could coordinate in streamlining a project's regulatory approval. Before issuing any requests or notices to a local government council, the Territory Coordinator must consult with that council.

Another question was: how will the Territory Coordinator consider and understand local issues when issuing requests and notices? The Territory Coordinator's functions include coordinating the delivery of projects or developments of economic significance and facilitating collaboration between stakeholders, including proponents, the Territory and local communities. The Territory Coordinator will work with local governments to facilitate faster approvals, cut red tape and ensure that significant projects and Territory development areas that benefit local communities are delivered with the expertise brought by people who know their community. By supporting local governments in their decision-making processes, communities will see the benefits of investment sooner rather than later.

When exercising a key power or function under another Act, such as the *Local Government Act*, the Territory Coordinator must also have regard to the relevant objects, principles or considerations of that Act. This ensures that the minister or Territory Coordinator must consider the financial sustainability implications of decisions for a local government when exercising a power under the *Local Government Act.*

The Territory Coordinator Bill signals to the world that we are a mature jurisdiction with the capacity and capability to play a major role in the advancement of projects of significance. Once established, the Territory Coordinator will have a unique capacity to set cross-government strategic direction on projects and development areas of significance.

The key features of the Territory Coordinator Bill 2025 include:

- the primary principle, which provides an overarching guide for decision-making
- the designation of significant projects, programs of works and Territory development areas
- the declaration of infrastructure coordination areas
- the approval of Territory development area plans and infrastructure coordination plans
- a suite of requests and notices that the minister or Territory Coordinator may use to coordinate and streamline complex regulatory processes.

The Bill supports our government's commitment to rebuilding the Northern Territory economy. It is about creating jobs, driving growth and making the Territory a place where significant projects can get off the ground. This morning the Chief Minister released our Rebuilding the Economy strategy 2025–28.

The Territory Coordinator is intended to act as a strategic intermediary between government agencies and project proponents, providing a single touchpoint across government for complex projects of economic significance. The objective of the Territory Coordinator is to strengthen the way important and complex projects and significant private investments are handled, by driving strategic coordination and addressing hurdles to development. The Territory Coordinator will fast-track major investments, making it easier for investors to bring big ideas to life; streamline approvals across government, removing roadblocks to economic progress; and boost the Territory's competitiveness, attracting large-scale investments to fuel growth and development.

In developing its approach to the Territory Coordinator the government drew on frameworks from around the country.

This also delivers on a recommendation of the Langoulant report—another report that the Labor government failed to implement.

I thank the scrutiny committee for all the work it did. I thank all the staff who contributed to the design and construction of the Territory Coordinator Bill; those efforts are truly remarkable, given the amount of work that went into this Bill.

This Bill goes a long way to achieving the vision of our Rebuilding the Economy strategy 2025–28. I want the Territory to be the best place in Australia to live, work, visit and invest. The Territory Coordinator Bill goes a long way to achieving that vision.

I commend the Bill to the Assembly.

Mrs FINOCCHIARO (Territory Coordinator)(in reply): Madam Speaker, I will wrap up what has been an extensive debate on the most important economic reform that the Territory has seen in a decade.

We could not be prouder as a government, just six months into office, to have reached this point where we not only have drafted, consulted, prepared amendments and worked through this Bill comprehensively but also can put it to the parliament this evening. It truly has been a project that has extended itself to every opportunity, every Territorian and every industry group. Everyone who is interested and everyone who is concerned has had an opportunity to be a part of this.

I have been working on this for a long time. We took the Territory Coordinator to the 2020 election—albeit it has changed a lot since then, and definitely for the better. It is no surprise to any Territorian that we are proceeding in this direction. It is an important time for the Territory as we face this crossroads.

We had economic decline, population issues and a lack of project delivery at the same time that the former government told us that there was major project after major project in the pipeline. The term 'major project' has serious linkages to the Labor government in that it is such a hallmark of failure on its part—promise after promise never reaching potential.

The Territory went from a can-do Territory, a place where the fire was lit in people's bellies to achieve—you would come here for an opportunity and stay for the lifestyle. You would have your family here, bed down for the long haul and become a passionate lifelong Territorian, because you knew that your kids would have just as much, if not more, opportunity than you had. At the end of the day, is that not what we all want—to lay down a life and a foundation for our children to have better opportunities, better access to services and a better lifestyle than what we had?

That is pretty hard. I am a born-and-bred Territory kid, and I had a fantastic lifestyle growing up. We went fishing and hunting, not wearing shoes and running amok—Territory kids to the core. I want that for my children too. I want them to know that they can go to school here and achieve great things. I want them to know that they can stay and be whatever they aspire to be, or they can go and come back, and there is a path forward for them in whatever they choose. I think the Member for Drysdale said that as well. It is about having a future where kids have more than one opportunity, more than one thing that they have to pursue, where the world is open to them and where you as a parent and as a community deliver them to the point where they have that chance to make up their own mind and forge their own future.

The Territory Coordinator is an important part of that. It is not the only piece, but it is an important piece. It signals off the back of so much failure the need to do things differently. The Member for Fannie Bay said it well: if you oppose this, you are saying that you are accepting the status quo.

We are not accepting the status quo. That is exactly what we will not do. It is what we were elected to defeat—to challenge what has been done time and again, bring forward a different approach and try something new. If we continue to do the same thing over and again, as the Attorney-General said, we will get the same outcome. We do not want anything from the last eight years to be the same outcome going forward, so we have to try new things.

I get it; change for some people is hard and fear of the unknown can be hard. However, this has been well worked through. This piece of work has been consulted on up and down the Territory. We not only consulted with various groups, including land councils and other organisations, but also went out to public consultation for months and months, not just over Christmas as those opposite would have you believe. It was from Alice Springs to Nhulunbuy and everywhere in between. People had the opportunity to write submissions and we had the scrutiny committee process.

I thank the scrutiny committee; it is an exciting time. This is not only a major piece of economic reform and a major part of our platform but also the first time that the Legislative Scrutiny Committee came into operation. I thank the committee very much for its hard work.

We are accepting some recommendations, which the Deputy Chief Minister highlighted. We accepted eight in full, which were recommendations 7, 9, 11, 18, 19, 22, 23 and 25; two recommendations in part, which were 6 and 10; and we did not accept 15, which were recommendations 1 to 5, 8, 12 to 17, 20, 21 and 24.

I thank all the members for speaking on this Bill. I heard loud and clear that many will oppose it, and many proposed amendments. We will work through that diligently over however long it takes to support the process that will inevitably come.

Make no mistake: with an $11bn debt, economic failure and the Territory having the worst-performing economy in the nation, we need to do something different. This morning I launched our Rebuilding the Economy strategy 2025–2028, and the Territory Coordinator is a critical part of that. The Territory can be better.

There was a lot of doom and gloom today. You would think we were talking about something different, such is the imagination getting away from those opposite. I thank those who have contributed. We must get that balance right.

The Opposition Leader of all people should know that this comes off the back of economic failure. She was a senior minister in the previous government that abolished the scrutiny committee in the first place. Then she complained about it, even though we are the government that brought it back and she is from the government that scrapped it.

We heard from the Member for Mulka who was concerned about consultation in the bush. We thank him for his contribution. Our consultation with land councils happened early on, in those initial stages. The acting Territory Coordinator went to Nhulunbuy and other areas. There has been much public debate on this issue.

We have been clear that the legislation in the Schedule is the only legislation that the Territory Coordinator will have any power over. It is clear what legislation is not part of that, which includes sacred sites, native title—all those pieces of legislation are not in the Schedule, which means they cannot attract the powers of the Territory Coordinator.

The Member for Gwoja talked about the scrutiny committee process and fundamentally showed a misunderstanding of what this legislation does.

The Member for Nightcliff tended to use rather inflammatory language, if I could put it that way. She talked about the need to balance lifestyle. I could not agree more.

Members should take comfort in the fact that the CLP government stands on three clear pillars and commitments it took to the election to Territorians. One is reducing crime; one is rebuilding the economy, which this legislation deals with; and the third is restoring our beautiful cherished lifestyle—the lifestyle I talked about that I had the privilege of growing up with and which we want for future generations. These matters are front of mind for us in everything we do, because our government's prism and lens is through those three key areas.

The Members for Daly and Arafura also spoke on one hand saying that it would add more red tape and on the other hand saying that there is not enough process involved. I do not know that you can have it both ways.

There was a lot of talk about this all-powerful unelected official. The irony is that Labor had three commissioners of whatever they used to do. We heard nonsense from the other side.

I thank my team who spoke—the Deputy Chief Minister; the Members for Casuarina and Fong Lim; the Treasurer; the Members for Drysdale and Blain; the Attorney-General; the Member for Sanderson; the Minister for Lands, Planning and Environment; and everyone else.

There is much work ahead of us. I thank everyone, especially the hardworking public servants. I have been told by those same hardworking public servants that I am not meant to name any of them, so I will adhere to that code. I know there is a tonne of you sitting in the back room watching me speak; thank you. It has been a big piece of work with long hours and a lot of travel, but it has been engaging and inspiring to work with you, nutting out the issues and making sure that this is best practice, fit for purpose and cutting-edge.

We wanted it to be the most competitive. We went around the country and looked at how everyone else is doing this and how ours can be better. What is the edge for the Territory? Where do we get to say that we have the best regulatory environment? How do we position the Territory to take advantage of the

opportunities we have? We all believe in the future of the Territory, and we want it to stop being talked about as some sort of opportunity—like it is a concept that will never transpire into reality.

This huge piece of work that we commenced within a couple of days of forming government has now come to this point. I thank the team behind the Territory Coordinator. To everyone who had a role to play in this, thank you. It has been wonderful and I appreciate it, as does the entire team.

Thank you to my team for your unwavering belief in the fact that we have to do things differently if we want a different outcome. Many of my team spoke about their own experiences in project work. The Member for Karama spoke about his time in supporting the delivery of projects for the Territory and how this type of regulatory environment could have helped move things along. For some it will be the difference between a project going ahead and not.

I look forward to the consideration in detail stage. Given the number of amendments, we will need to patiently work through each clause.

Motion agreed to; Bill read a second time.

Consideration in detail

Mr DEPUTY SPEAKER: Honourable members, we have amendments from the government, opposition and Independents. As the Chief Minister flagged, we want to work through this in a respectful manner. I want everyone to have the opportunity to make their comments. When we come to decision-making I suggest that there will be divisions. Let us do that in a respectful manner. I want to give everyone the opportunity to put forward their amendments. Please recognise that there is a range of clauses, and sometimes all parties wish to make different amendments to the same clause and we need to work through that process.

Have patience with me, as this is the first time I have gone through such an extensive process. I want to be fair to all members.

I remind everyone we are in consideration in detail, so please direct your comments to the clause being considered. The debate is over, and everyone can now pose questions to the Chief Minister to seek clarification. Anything about the clause itself is fair game.

Clause 1, by leave, agreed to.

Clause 2:

Mr YOUNG: When does the legislation commence?

Mrs FINOCCHIARO: Whenever the Administrator has the opportunity to do that. We are hoping for sooner rather than later. You can see in the provision that it must be by the latest 8 February 2027, but it hopefully will be soon.

Mr YOUNG: Has there been any indication from the Administrator when the Bill would go through for him to sign off?

Mrs FINOCCHIARO: Not really. We have indicated that we want it done as fast as possible, but it is a matter for the Administrator to decide.

Mr YOUNG: Do you know the date for the next Executive Council?

Mrs FINOCCHIARO: Yes, I do.

Mr YOUNG: Can you tell us that date, please?

Mrs FINOCCHIARO: I am trying to think whether there is any reason I would be unable to. I believe it is Thursday morning.

Ms UIBO: Is it the intention that Executive Council would provide the recommendation to His Honour the Administrator to sign off on this legislation should it pass tonight?

Mrs FINOCCHIARO: In a technical sense it could happen Thursday. I do not know whether it will happen by Thursday. There is a process that happens prior to that and then it will be gazetted.

Mr YOUNG: Can you outline that process before it gets to Executive Council?

Mrs FINOCCHIARO: The Administrator's assent is sought following the passage of the Bill, following the usual processes. Clause 2 provides that the Act will commence on the day fixed by the Administrator by Gazette notice. That occurs after the assent. If the Bill does not commence before 8 February 2027 it commences on that day. Once the Bill receives assent, we will move swiftly to fix the commencement date by Gazette notice.

The appointment of the Territory Coordinator and the regulations cannot be made until the Act commences.

Mr YOUNG: Would there be any reason for delay for the Bill to get to the Administrator by Thursday, or to the Executive Council?

Mrs FINOCCHIARO: It is a matter for the Assembly, which sends it over to the Administrator's office. I have answered the question.

Clause 2 agreed to.

Clause 3:

Ms UIBO: I move amendment 1 in schedule 017OPP to omit the definition of 'exemption notice'.

Later we will also include the definitions of 'affected person' and 'reviewable decision'. We believe that this will provide Territorians with a mechanism for merits review. The scrutiny committee report included the definitions in the Bill and provided a recommendation. We want to make sure that the government-led scrutiny committee recommendation is adopted.

Mrs FINOCCHIARO: Does your clause 3 amendment propose to delete 'exemption notice'?

Ms UIBO: This amendment is part of our changes to remove the exemption notice powers from this Bill. We also want to insert the definitions for 'affected person' and 'reviewable decision', as I have mentioned, to help implement changes that can introduce a merits review mechanism so that Territorians can rest assured that there is a process of review.

Mrs FINOCCHIARO: Thank you for clarifying that. We will not support your proposed amendment.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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: I move amendment 2 in schedule 017OPP to insert definitions of 'affected person' and 'reviewable decision'.

In a similar vein, it is important to ensure that there is a merits review mechanism. We heard that through the scrutiny process and from those who spent a lot of time providing insight and expertise to improve this Bill. The Territory Labor opposition believes this will provide that opportunity. We want the CLP government to ensure it has listened to Territorians through that fulsome and robust, albeit rushed, process, so we will see the mechanisms available and, henceforth, recommendations by the government-weighted scrutiny committee to improve the Bill.

Mrs FINOCCHIARO: We do not accept this amendment to clause 3.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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: I move amendment 1 in schedule 017IND to insert the definitions of 'economic development' and 'excluded area'. The other terms in the proposed amendment are the same as those just considered.

The economic development definition is:

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

The scrutiny committee made a recommendation in relation to this, and I refer to the comments in the report. The committee noted that it was:

> *… not satisfied regarding the lack of a definition of economic development and considers that it would be beneficial if the term was specifically defined in the legislation.*

The report also states:

> *The Committee sought clarification of the definition of 'economic development' from the Department of the Chief Minister and Cabinet and was advised as follows:*
>
> *The definition of economic development technically means what it generally means … Economic development is not defined in the Bill. It would be determined in the context of the Bill and its ordinary meaning. What I imagine will be done—but this is a matter for the Territory Coordinator—is guidance might be provided around a range of things … that would be considered when determining what economic development is …*
>
> *it is not … defined …*

I am supporting the committee's recommendation that there be a definition in the Bill so that we know exactly what the guiding principle is.

Second to that, we will add my other bit, which is about excluded areas. That refers to section 7A, which I will talk to when we come to it.

Mr MALEY: I note that there are three amendments to clause 3 in the Independent amendment pack. Is it possible that we do all three in one—instead of doing clause 3 amendment, division; clause 3, another amendment; and clause 3, another amendment? Would it be appropriate that the Independent speaks on all three of her amendments to clause 3? That way we would consider them as a block, because they are all amending clause 3 …

Mr Young: Do you have a dinner to get to?

Mr MALEY: Yes.

Mr Young: That would be right.

Mr MALEY: I am trying to make it so that procedurally we have it in a pack, so we do not miss anything.

Mr DEPUTY SPEAKER: I will take the advice of the Clerk on this.

J DAVIS: I prefer to do them one by one because they refer to different aspects. There may be different views on them.

Mr DEPUTY SPEAKER: I take your point. Sorry, Deputy Chief Minister, I think the Member for Johnston has the preference.

Mrs FINOCCHIARO: Member for Johnston, we will not be accepting your amendment 1 to clause 3.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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: I move amendment 2 in schedule 017IND to amend the definition of 'eligible person'.

This is a consequential amendment to the definition of 'eligible person' to provide for the eligibility criteria set out in new clause 11A.

Mrs FINOCCHIARO: We will not accept this amendment.

Amendment not agreed to.

Mrs FINOCCHIARO: I move amendment 1 in schedule 017GOV to omit paragraph (b) from the definition of 'Scheduled law'.

This is a Legislative Scrutiny Committee recommendation that we accepted. It will remove 'an Act prescribed by regulation; or'. We will also remove any reference to paragraph (b) under the definition of 'Scheduled law'. Essentially, this confirms that new laws cannot be added to the Schedule by regulation; they will have to come to parliament to then be passed as law to end up in the Schedule. As we know, under the Territory Coordinator Act the powers must be for legislation listed in the Schedule. We have accepted the recommendation that if there is to be movement on that Schedule it should come to parliament first.

Mr PAECH: I acknowledge that the Chief Minister's amendment is a result of the Legislative Scrutiny Committee. It is an important and reasonable amendment that the committee put forward. I take the Chief Minister's point that this provides greater clarification for people in the community that it will be the role of the Legislative Assembly to debate on the floor of parliament any additional laws that are to be considered in the remit of the Territory Coordinator. We are prepared to support this amendment so that things are not amended by regulation in the future.

Amendment agreed to.

J DAVIS: My amendment 3 is now unnecessary.

Mr MALEY: The second amendment in schedule 017GOV is to paragraph (c) in 'Scheduled law'. We passed amendment 1, which omitted paragraph (b). We cannot forget that.

Mrs FINOCCHIARO: I move amendment 2 in schedule 017GOV to omit a reference to paragraph (b) in paragraph (c) in the definition of 'Scheduled law'. I described that earlier.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

J DAVIS: I move amendment 4 in schedule 017IND to insert new paragraph (e) 'public sector investment'.

Clause 4 provides that a project or development is of economic significance to the Territory or a region of the Territory if it facilitates private sector investment, job creation, population growth or development or advancement of an industry. The committee considered this and agreed that the meaning of economic significance should be amended to incorporate the potential for public sector investment.

K McNAMARA: I support this amendment. If this amendment is not supported by government, can we get a reason?

Mrs FINOCCHIARO: The government will not support amendment 4 to clause 4. Part of the reason is that it relates to public sector investment. Obviously, public sector investment is important, but this is about stimulating and supporting private sector investment. The definition of 'economic significance' is used to make decisions about significant projects or Territory development areas, which are specifically designed to facilitate private sector investment. If it is public sector investment, the Territory is undertaking that process itself. It does not require the level of oversight that private sector investment would, which is what the entire Bill is about supporting.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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.

Mr YOUNG: Which specific criteria determine a project's economic significance?

Mrs FINOCCHIARO: Clause 4, Meaning of economic significance, says:

A project or development is of economic significance *to the Territory, or a region …*

Basically, the criteria are its significance for private sector investment, job creation, population growth or development or advancement of an industry. It has to relate to one of those four paragraphs.

Ms UIBO: Can a project be declared significant without an independent cost–benefit analysis?

Mrs FINOCCHIARO: Yes, it can.

Mr YOUNG: Going back to determining a project's economic significance, with a mining project or private development, how would that be classified without an independent economic examination?

Mrs FINOCCHIARO: There will be an assessment. Not just any project will meet the threshold of being economically significant. That work will be done by the Territory Coordinator, having regard to the primary principle and making sure that it fits into one of the four categories. For example, a project might become economically significant because it is an enormous job creator, which is paragraph (b), or because it will yield a huge outcome for population growth. That is how the assessment will be done.

Mr YOUNG: Is there a mechanism for appeal if a community or local government disputes the economic significance of the project?

Mrs FINOCCHIARO: No.

Mr YOUNG: Why is there is no mechanism for dispute?

Mrs FINOCCHIARO: It is not dissimilar to when your government had its failed major projects scheme. That was just a determination made, and I assume you had criteria to base it on at the time. The criteria in this legislation are about economic significance because the whole point of the Territory Coordinator Bill is economic development and economic growth.

Ms UIBO: Noting your response, you alluded to the former government's processes for declaring a major project. Obviously, there were mechanisms for that. There were also appeals processes available to businesses, proponents and the public. You are saying that through this Bill there will be none of that. Are you saying that there is a declared process by the Territory Coordinator, with no mechanisms whatsoever for a review unlike that previously provided under the Labor government?

Mrs FINOCCHIARO: I think you are conflating several issues into one, and I will not pull them all apart. Clause 4 is the definition of 'economic significance'. A project or development must be economically significant to the Territory or a region of the Northern Territory. It reaches that threshold if it facilitates any of the following: private sector investment; job creation; population growth; or development or advancement of an industry. You asked me specifically whether there will be an appeals process for someone who presumably did not want it deemed to be economically significant or, conversely, wanted it to be deemed economically significant and it was not. There is no appeals process under clause 4.

Mr YOUNG: What guarantees exist to ensure that economic benefits from fast-tracked projects flow to Territorians rather than offshore corporations?

Mrs FINOCCHIARO: That is not relevant to the clause.

Ms UIBO: I think it is a valid question because, as per the clause, we are talking about a project or development being of economic significance to the Territory or a region. It is the economic significance to the Territory versus the beneficiary of that economic project. We want reassurance that if all these processes are short-circuited, loopholed, pipelined or fast-tracked—whatever—that they will benefit the Northern Territory as opposed to an offshore company.

Mrs FINOCCHIARO: By the very definition it must benefit the Territory. It must be economically significant to the Territory or a region, because it creates jobs, population growth or the development or advancement of an industry in the Territory. Pick any large-scale mining project or any other project you can think of …

[Editor's note: noise from gallery.]

Mr DEPUTY SPEAKER: People in the gallery, please remain quiet.

Mr YOUNG: Does the definition consider long-term economic, social and environmental sustainability?

Mrs FINOCCHIARO: This is the definition of 'economic significance', so it is strictly looking at what is economic significance. I go back to my earlier point about the four paragraphs.

Mr YOUNG: What safeguards exist to ensure that private sector interests do not disproportionately influence economic significance determinations?

Mr MALEY: A point of order, Mr Deputy Speaker! Standing Order 155; we are talking about the definition of 'economic significance'. The question asked is not relevant to this clause.

Mr YOUNG: It is relevant. The Chief Minister was about to answer before she was rudely interrupted by the Deputy Chief Minister.

Mr DEPUTY SPEAKER: I will allow the question this time.

Mrs FINOCCHIARO: The reality is that the entire Bill is designed to support growth in private sector investment. For example, in the last 10 years private sector investment in the Territory has grown by only about 33% compared with more than 100% for public sector investment. That is what we are trying to balance out by its very nature. This clause has the meaning of economic significance, and it sets out what economic significance looks like.

Clause 4 agreed to.

Clauses 5 to 7, by leave, taken together and agreed to.

After clause 7:

J DAVIS: I move amendment 5 in schedule 017IND to insert new clause 7A after clause 7.

This amendment identifies the excluded areas where the Territory Coordinator model cannot apply, which are sometimes called no-go zones. The areas proposed to be excluded are:

- a park, reserve or sanctuary declared under the *Territory Parks and Wildlife Conservation Act*
- the park as defined in section 3(1) of the Nitmiluk National Park Act
- a sanctuary as defined in section 3 of the *Coburg Peninsula Aboriginal Land, Sanctuary and Marine Park Act*
- a Commonwealth reserve as defined in section 528 of the *Environment Protection and Biodiversity Conservation Act*, including a park or reserve proclaimed under the *National Parks and Wildlife Conservation Act* that under section 3 of the *Environmental Reform (Consequential Provisions) Act 1990* was declared as a Commonwealth reserve
- 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
- special reserved land or general reserved land under the *Mineral Titles Act 2010*

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

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

We heard a lot about this through the consultation process in submissions and from witnesses. I will share some of what we heard. The Northern Land Council said:

> *Most of the Northern Territory's land and seas are either Aboriginal Land or land affected by native title. Without mandatory consultation requirements, the Northern Territory Government … is likely to prioritise expediency over processes that are optional. There is risk to the land rights of Traditional Owners, which could lead to irreversible damage of their economic, social and spiritual wellbeing. We are particularly concerned that Aboriginal Land and Exclusive Native Title Land is able to be declared a TDA or ICA without any prior consent or even consultation.*

To add to that, in oral testimony Mr Deen, the CEO of the NLC, noted:

> *All parks and reserves in the Northern Territory should be excluded from being declared a TDA unless there is permission from the relevant traditional owners. Aside from environmental concerns, complex legal issues will arise if there is no proper engagement with traditional owners. There are state parks and reserves that are jointly managed pursuant to ILUAs between the Northern Territory Government and traditional owners and under the Northern Territory parks legislation, hence why our position around TDAs and ICAs has been taken.*

The Central Land Council said that it:

> *… strongly objects to the Minister having a unilateral power and discretion to designate any area of Aboriginal land as a TDA, particularly without the free, prior and informed consent of Traditional Owners in accordance with the Land Rights Act.*
>
> *The same considerations apply to areas where exclusive native title has been determined to exist.*
>
> *…*
>
> *TDAs should not be established in environmentally important areas such as national parks, reserves and protected environmental areas.*

In oral testimony Ms Pedder, Protected Areas Manager of Keep Top End Coasts Healthy, noted:

> *The Bill does not exclude any areas from being potential development zones; everything is on the line—for example, marine parks and other conservation areas such as Cobourg Marine Park, which was established by the CLP Chief Minister Paul Everingham, and the Limmen Bight Marine Park, established by Minister Moss in 2020. None of these areas are excluded.*
>
> *The South Australian model is taking a different approach and has the ability to exclude areas which are too special to put on the line … in the Territory some places are too special, such as our protected areas, and they should not be infringed upon. There needs to be clear parameters and areas excluded.*

Our fellow member Mr Guyula similarly recommends that the Bill be amended to specifically protect certain geographic areas, including areas specified by Aboriginal landowners and custodians, from application of the Territory Coordinator model and to ensure there is community-led decision-making regarding environmentally sensitive areas.

The Environmental Defenders Office explained how the no-go zone approach is proposed in the South Australian State Development Coordination and Facilitation Bill, noting:

> *Although the SA model has not been finalised … it is important to note that the SA model includes some safeguards that do not appear in the TC Bill. The SA model incorporates 'no go zones'—areas where exemption powers cannot be exercised.*

K McNAMARA: I support this amendment. I expect that anyone in this Assembly who has uttered the phrase 'restore our Territory lifestyle' would also vote in favour of this amendment.

The Territory lifestyle is not hanging out at Casuarina shopping centre in the air con; our Territory lifestyle is our parks and wildlife. It is camping, fishing, hunting and four-wheel driving. It is Nitmiluk; it is Cobourg Peninsula. Every tourist ad the NT puts out highlights these places. What about Aboriginal Territorians' lifestyle? Where are their rights to protect certain sacred areas from the bulldozer that is this Bill? This is why land councils have spoken against this Bill. It is why people in the tourism industry made submissions.

If anyone wants to take our lifestyle seriously they need to protect the things that are laid out in this amendment. Therefore, if you are serious about protecting our lifestyle, I hope you will vote for this amendment.

Mr PAECH: I also support the Member for Johnston's amendment. The Territory Labor opposition will move amendments later in regard to exemptions and no-go zones.

The Member for Johnston's amendment is reasonable. It reflects the oral testimony given by a number of key witnesses to the Legislative Scrutiny Committee. When we reflect on the intention of the Bill and the comments made by the government in regard to protecting and looking after the Territory lifestyle, we see that environmental protections and no-go zones should be part of that lifestyle.

I will highlight a component the Member for Johnston raised. Several Northern Territory parks are subject to an ILUA (Indigenous land use agreement), which means they are jointly managed with Aboriginal Territorians. No-go zones are an important aspect because they would enshrine in the legislation and give confidence to Aboriginal people, who have not had a thorough consultation on this Bill, that the Territory Coordinator cannot enter that area of the Territory and it can be safeguarded.

The Territory has two wonderful marine parks and reserves. There are a number of wildlife parks and Indigenous protected areas. They are another key aspect of the Northern Territory's social and environmental fabric that needs to be protected.

We will support the Member for Johnston's amendment. It is reflective of 94% of the submissions that were presented to the Legislative Scrutiny Committee which talked about the need to have areas in the Act that are exempt. This will ensure that Aboriginal people and local tourism businesses in parks have certainty that economic development activities will not happen in a Territory wildlife park at the cost of a local tourism operator and that areas of land currently declared as Indigenous protected areas will have certainty and longevity well into the future.

We support the amendment, and we will move further amendments regarding exemptions and no-go zones.

Mrs FINOCCHIARO: The government will not accept amendment 5.

To give clarity to everyone, our beautiful natural environment—going to Litchfield on the weekend and all these things—are exactly what we are keen to preserve and, in fact, enhance for future generations and our tourism industry. There are five clear pillars of our economy. I launched our economic strategy today, and tourism is one of our five focus areas. You can rest assured that we will not do anything to jeopardise those opportunities.

We cannot accept this recommendation because if an infrastructure coordination area or a Territory development area needs to be looked at this legislation enables people to enter that land for those plans to be developed. That is why it is important. I remind members that nothing in the Territory Coordinator Bill impacts on the rights contained in Commonwealth legislation, and it does not change any of the rules for access to Aboriginal land or any of those other rights of entry.

Mr PAECH: Could there not be a provision where a TDA or an ICA is declared, but a portion of that declaration is shaded which highlights that it is a national park or reserve and indicates that it is a no-go zone—or is it the intention of the department to do that process anyway?

Mrs FINOCCHIARO: It is just more practical. If an ICA or a TDA went over Aboriginal land, for example—or a piece of a park, for argument's sake—all those ordinary principles and rules of access would apply. It might be that a surveyor needs to walk across a parcel of land to put up their tripod to survey the land. It is a non-invasive process that supports the development of a Territory development area, for example. All the land access rules under Commonwealth law and existing Aboriginal land laws still apply. Under the legislation at a different point all the land access arrangements are set out. It requires notification and all those other types of things. In and of itself it does not override the Commonwealth legislation, as we have discussed.

Mr PAECH: You talked about the current provisions and procedures that are in place for getting access to Aboriginal land, whether it is freehold Aboriginal land or part of an Aboriginal land trust. Can you confirm that part of a TDA or an ICA would still follow the appropriate process, whereby once that area is declared the appropriate landholder would be informed and consent would still need to be sought to access that portion of the land under that declaration?

Mrs FINOCCHIARO: Yes, definitely.

Ms UIBO: In the Member for Johnston's amendment section 7A(1)(b) specifies the *Nitmiluk (Katherine Gorge) National Park Act 1989*. For 35 years it has been a jointly managed park. It sits in the Arnhem electorate and borders the Katherine electorate. In terms of a tangible example of where a declaration may occur, if some of the private property and adjacent land that sits within the Katherine electorate was to be mapped and declared as a Territory development area, could the mapping then encompass Nitmiluk National Park? Could it mean that without prior notice the Territory Coordinator could encompass the Nitmiluk jointly managed park—with Jawoyn and the Northern Territory Government—and perhaps private property, but not necessarily speak to the landowners on the Nitmiluk side? How would that be stepped through in regard to this part of the Member for Johnston's amendment?

Mrs FINOCCHIARO: Yes is the short answer. That prior notice has to happen; it is enshrined in the legislation. Of course, if it exists in any of those other Acts that is the process that has to be followed.

Ms UIBO: If prior notice is provided—not permission sought—on the Nitmiluk park side, as a jointly managed park are there guarantees for the landowners and the joint managers that there will be no development on that part of the TDA unless there was that prior and predetermined consent, as opposed to a notice or declaration by the Territory Coordinator?

Mrs FINOCCHIARO: To do the Territory development area, if it was a mapping exercise—here is the map, that could be a Territory development area—does not require any notification. That actual declaration does not require anything. However, in deciding what is a Territory development area or an ICA if people need to access land to look around and conduct surveys or geological studies—or whatever it might be depending on the case—all those normal approvals have to apply. If it was on ALRA land, there would need to be a permit—all those types of things. If the area was established and development was to move ahead, all the approval processes would start.

Ms UIBO: That is clear. I will again use the example of Nitmiluk and the boundary. If a TDA existed over Nitmiluk, which is Jawoyn and NTG co-managed, there could be no development unless there was the consent of both parties—landholders—of the joint management?

Mrs FINOCCHIARO: There are two parts to it. One is to get onto the land to have a look around, effectively, to help inform the development of the area. If it was ALRA that would require the normal permits, but if it was a private landowner the Bill sets out the notice periods and those types of things. If the area was determined to be a Territory development area the project proponent would initiate all the ordinary processes.

The Territory Coordinator, as a body or an individual, will not be doing the building. For example, if they said, 'This is a fantastic area that would be great for agriculture', they would not be out there planting mangoes. If they said that a Territory development area has fantastic soil and great water et cetera, opportunities would be made available for proponents.

Ms UIBO: The Member for Johnston's amendment will directly affect my electorate. The Territory Coordinator's role is to look at other economic plans in the regions. I will use the Nitmiluk example, which is in the Big Rivers region. If there was no consent to access land on the park side could the Territory Coordinator then propose that proponents look at just the private land, even though it perhaps includes the park estate as well?

Mrs FINOCCHIARO: To use the member's example, it could end up part of the Territory development area, but if there was no consent you could not go on it, so it might just be on the map.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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: I move amendment 6 in schedule 017IND to clause 8(1)(a).

This amendment will omit 'the primary objective of driving' economic development and replace it with 'practising sustainable' economic development. The vast majority of witnesses and submissions in the scrutiny committee process raised significant concerns about the primary principle, noting that it should not be elevated above social and environmental outcomes, but should adhere to the principles of ecologically sustainable development and ensure that economic, social and environmental outcomes are considered with equal weighting. Given this, I propose that the primary principle be amended to ensure that economic development adheres to the principles of ecologically sustainable development.

Mrs FINOCCHIARO: We will not accept that amendment. It is clear that the primary principle is to make sure a project has economic benefit to the Territory. There also must be consideration of the social and environmental outcomes. It is deliberately done in that way, so it must be balanced when considering the potential social and environmental outcomes—which may be many and varied depending on the type of project—but the primary objective of driving economic development is the actual point of the primary principle.

Mr PAECH: This was raised by numerous individuals in their oral testimony to the Legislative Scrutiny Committee, and it is a concern. Some of the oral testimony highlighted that it seems as though economic development and sustainability are mutually exclusive and does not provide for a basis for the two in tandem. The Member for Johnston's amendment highlights that.

We understand that the intent of the Bill is economic development, but it should not come at the cost of sustainable development; rather, it should highlight the need to do the two things together. That would address a number of the key concerns of Territorians and organisations which are worried that this Bill is addressing only an economic narrative, not social and ecological sustainability.

Mrs FINOCCHIARO: I understand the Member for Gwoja's proposition. At the end of the day the primary principle is to be taken into consideration when exercising those key powers. There is a tendency to believe that this is all encompassing, but the reality is that it is not. The Schedule has the only pieces of legislation that the Territory Coordinator can use those key powers for. When the key powers are being used, the Territory Coordinator or the minister must turn their mind to the primary objective: is the project driving economic development for the Territory or a region? Then they look to paragraph (b) and must consider the potential social and environmental outcomes. The Bill does not ignore anything; the overarching principle is that economic growth story we desperately need in the Territory. That is the point of the legislation. In our view, we have struck the right balance with that primary principle.

J DAVIS: Does that mean the primary objective of driving economic development will override potential negative social and environmental impacts of this Bill?

Mrs FINOCCHIARO: No, that is not right. You have to consider both. Every time the key power is used the primary principle has to be considered, so you will be looking at economic development and the social and environmental outcomes to make your decision.

J DAVIS: Given that, can you explain why it needs to say 'primary principle' if they are equally weighted?

Mrs FINOCCHIARO: It is not about weighting. The overarching principle is about economic development. This is saying that you must consider the social and environmental outcomes.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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: I move amendment 7 in schedule 017IND to clause 8(2).

Currently, the Bill reads:

> *When exercising a power or performing a function under any other Act as mentioned in subsection (1), the Territory Coordinator or Minister must also have regard to the relevant objects, principles or considerations under the other Act but, to the extent of any inconsistency with the considerations in subsection (1), the considerations in subsection (1) prevail.*

My amendment will remove all words from 'but' to 'prevail'. The primary principle grants a level of authority that may conflict with the objectives, principles or considerations established by other legislation. Such a conflict risks undermining the objectives of existing laws within the Territory, and it introduces a significant degree of regulatory uncertainty. This uncertainty poses risks to not only the public's confidence in the Bill but also the Territory's attractiveness to potential investors who may be deterred by the lack of clarity. Existing regulatory frameworks often require decision-makers to balance a range of objectives and considerations which the powers conferred by this Bill could potentially override; therefore, I propose to amend the Bill to remove this uncertainty.

Mrs FINOCCHIARO: The government will not accept your amendment. This clause reinforces the deliberate way in which the legislation is structured around that primary principle when exercising those key powers. Subclause (2) creates clarity because it says that the Territory Coordinator or minister must have regard to the objects, principles and considerations of that other legislation, which is important, and when there is an inconsistency we revert to the primary principle. It clearly steps through what needs to happen to give the certainty that we are so desperate to secure in our regulatory environment.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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.

Mr YOUNG: The scrutiny committee heard from stakeholders that the primary principle raises economic concerns over social and environmental outcomes. Why does this clause prioritise economic development over existing laws and community rights?

Mrs FINOCCHIARO: That is a mischaracterisation, if I can put it that way. This is about having an overarching principle to make sure that the Territory Coordinator and the minister exercise their powers in a structured way. This is about making sure that the primary objective of driving economic development is a consideration and that the potential social and environmental outcomes are also considered. The Bill, by its nature, when exercising those key powers is about having to intervene—that may be a word you could use—in other processes. It is important if a decision will be taken to do that there is structure around why you would do that.

Mr YOUNG: How does this principle interact with native title protections, environmental protections and the local government framework?

Mrs FINOCCHIARO: You are conflating a few things. Remember if it is not in the Schedule, it is out; the Territory Coordinator does not have any powers enlivened. Native title is not available to the Territory Coordinator so that is out; it is not a concern.

Mr YOUNG: The other two were environmental protections and local government.

Mrs FINOCCHIARO: It depends what key powers you are using. For example, if are just asking for progression with an environmental process for a project that has been deemed significant—do not forget it has to go through a number of hoops to get to this point; it is a high threshold—the primary principle is in place, and you may be making a request utilising existing legislation. If that is a prioritisation request for the EPA, it would be for the EPA to prioritise a certain project in the list; it would not be stopping the EPA from doing its work or changing the work of the EPA. It just depends on what power in the context.

Mr YOUNG: How does this Bill align with international Indigenous rights agreements—for example, the Declaration on the Rights of Indigenous Peoples?

Mrs FINOCCHIARO: This Bill makes sure the Territory Coordinator has powers only for legislation that is in the Schedule. The Schedule has nothing in relation to Aboriginal land rights, sacred sites or anything like that, and ultimately it cannot override Commonwealth legislation. They are your protections.

Mr YOUNG: Why does this clause override consideration of other Acts rather than being required to align with them?

Mrs FINOCCHIARO: I just explained that to the Member for Johnston. I assume you are mainly referencing subclause (2). If the Territory Coordinator or the minister is performing a power or a function, they need to consider whatever the legislation is at the time, whatever the relevant objects, principles or considerations

are under that other Act, and when there is inconsistency they revert to this. It provides clarity, certainty and a pathway forward.

Clause 8 agreed to.

Clauses 9 and 10, by leave, taken together and agreed to.

Clause 11:

J DAVIS: I move amendment 8 in schedule 017IND to omit clause 11 and insert a new clause 11.

My amendment seeks to clarify what happens with the appointment of the Territory Coordinator and will change what is there currently to say that the appointment may be made only after receiving a recommendation of the Legislative Assembly and that the minister must table a copy of the appointment within six sitting days after the appointment is made.

Mrs FINOCCHIARO: We will not accept your amendment.

Amendment not agreed to.

Clause 11 agreed to.

After clause 11:

J DAVIS: I move amendment 9 in schedule 017IND after clause 11 to insert new clause 11A.

This is in relation to the eligibility of the Territory Coordinator. This is a scrutiny committee recommendation, and it is impossible to understand why the government has not accepted this recommendation. I cannot see any possible reason for not having stringent eligibility criteria for appointing this individual with vast powers. The committee said:

> *Given the functions and powers of the Territory Coordinator, the Committee is of the view that the appointment provisions should mirror those for other statutory officers, such as the Auditor-General, Ombudsman, Electoral Commissioner, and the Independent Commissioner Against Corruption.*
>
> *…*
>
> *In the interests of transparency and accountability and to ensure an appropriate level of parliamentary oversight, the Committee considers that the appointment provisions for the Territory Coordinator should align with the legislative requirements pertaining to other statutory officers in the Northern Territory.*

I have proposed that we insert the following amendment:

(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:

    (i) a judicial officer; or

    (ii) a member of an Australian parliament; or

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

    (iv) a member of a political party; or

    (v) 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 officer 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 …

There is a list of definitions that I will not read out because people have that in front of them.

This is a scrutiny committee recommendation. The proposed Territory Coordinator will have extremely wide-ranging powers, including powers to override decisions that are made by ministers and elected representatives. If the government insists on passing this Bill despite the strong and well-founded opposition to it, the public must be able to be confident that whoever holds the title of Territory Coordinator is beyond reproach, independent of any past or current vested interests and possesses strong qualifications to undertake the role. I cannot see any reason why the government did not accept this recommendation from the committee.

Mr PAECH: I support the Member for Johnston in putting forward this amendment. I acknowledge the members of the Legislative Scrutiny Committee who also discussed the option of putting forward this amendment. I agree with the member; I do not understand what is prohibiting the government from agreeing to this important amendment. It provides certainty to Territorians on a number of key elements.

The appointment should be in line with, as the Member for Johnston said, the Ombudsman, Electoral Commissioner, Children's Commissioner, Anti-Discrimination Commissioner and the ICAC. They are all important roles. People need to have certainty that there is not a political affiliation, donations have not been made to political parties and there is not a membership that could create a perceived, potential or real conflict in the Territory Coordinator's role. That is important.

The Territory is a small jurisdiction; potential, perceived and real conflicts can be difficult to manage. This amendment removes that by saying the person should not have a political affiliation, should not have donated to a political party and should not be involved in related entities or a local government. We have these requirements for the Electoral Commissioner, the ICAC, the Children's Commissioner, the Information Commissioner, the Ombudsman and so forth. Given that this position has powers to make certain decisions, that individual needs not to be put in a position where they will be compromised.

K McNAMARA: I support this amendment. The Territory Coordinator position must be impartial. We have seen the considerable public response to this Bill—an enormous outcry by hundreds of individuals. Not only must this position be truly impartial but also crucially the public must have confidence that the Territory Coordinator is impartial. The government is already struggling to get social licence for this Bill. It has had enormous pushback from the public. The public deserves accountability and the independence and impartiality of whoever is appointed Territory Coordinator. This is how you show respect to the public—by holding the Territory Coordinator to the highest standard possible. We have such a problem in the Northern Territory with corporate vested interests infecting political parties and political decisions that we must ensure true impartiality of this incredibly powerful position.

I remind all members opposite that you can vote how you want. If you want this Bill to have integrity, vote for this amendment. If members are not voting for it, why not?

Mrs FINOCCHIARO: I thank everyone for their contributions. The government will not accept the amendment, and I will explain why.

There is a conflation of multiple issues. The Member for Johnston said that the Territory Coordinator has the power to override ministers. They do not. There are conflict management processes in the Act.

All three of you made the argument why we are not accepting the amendment. It is because all the people you talked about are integrity commissioners; they have integrity functions. That is why their eligibility is written in the way that you proposed. Ours aligns with similar legislation in Queensland and South Australia to make sure that it is the best person for the job and with other statutory appointments such as the Chair of the Planning Commission and the Development Consent Authority.

Mr PAECH: Should the Territory Coordinator not have integrity? What is stopping us from putting in the legislation tonight that this person should not have a political affiliation or have donated to a political party? Is it because the government has already lined up a coordinator who was a CLP candidate or has made a donation?

Mrs FINOCCHIARO: I will not dignify your ridiculous drivel with an answer. I have made it clear that the Electoral Commissioner and the ICAC are integrity commissioners. I correct the members opposite; the Children's Commissioner does not have the same criteria. This is much more in line with the Chair of the Planning Commission or the DCA in terms of the statutory functions they have. There are provisions about conflict, integrity and those things. You are being rather pathetic.

Mr PAECH: Can you confirm that this legislation has nothing to prohibit the government from appointing someone to be the Territory Coordinator who previously has been a member of parliament or a candidate or has made a political donation? Is there nothing that would stop a person who has done one of those three things from being appointed the Territory Coordinator?

Mrs FINOCCHIARO: I will say it for the last time: the proposed amendment has eligibility criteria for an integrity commissioner-type function. The criteria proposed in the Territory Coordinator legislation are for someone who understands the economy and is the best person for the job. Ultimately, those processes are properly set out in the legislation. It is not suitable or necessary to have integrity commissioner-level criteria for the Territory Coordinator function. That is the decision the government has made.

J DAVIS: Can you explain which things in this list would be inappropriate to consider in the appointment of the Territory Coordinator?

Mrs FINOCCHIARO: I have answered this question.

J DAVIS: Do you think it would be appropriate for the Territory Coordinator to be eligible if they were any of these things on this list?

Mrs FINOCCHIARO: I have answered this question.

J DAVIS: Is the answer yes, Chief Minister?

Mr YOUNG: Yes or no.

Mr DEPUTY SPEAKER: The Chief Minister said that she has answered the question.

Mr YOUNG: She has not.

K McNAMARA: Does that mean a potential Territory Coordinator could be any of these?

Mr EDGINGTON: A point of order, Mr Deputy Speaker! Standing Order 158; this is getting repetitious, asking the same question repeatedly. The Chief Minister has answered the question.

Mr DEPUTY SPEAKER: I take the point. This question has been asked a number of times, and the Chief Minister has given the same answer every time.

J DAVIS: Can you explain the process for making the decision to remove this? Even the scrutiny committee was not privy to the submissions given to the government in relation to the draft Bill and the new Bill. I am interested in what submissions were given in terms of removing this provision from the draft Bill.

Mr MALEY: A point of order, Mr Deputy Speaker! Standing Order 155; the question must be relevant to the clause. What submissions were given to a separate inquiry is not relevant to this clause.

Mr DEPUTY SPEAKER: I will allow the question to stand.

Mrs FINOCCHIARO: I cannot speak to a specific submission, but I will say that we conducted a lot of our own research and canvassed broadly across the Northern Territory. In my concluding remarks I talked about us being conscious of making sure that our Bill was best practice, fit for purpose and had a competitive edge on similar legislation in other jurisdictions. Simplifying the eligibility criteria to have similar requirements to those for Queensland's Coordinator-General and what is proposed in South Australia—South Australia is in the infant stages; it is a bit behind us—is the policy decision we took.

Mr PAECH: The Chief Minister highlighted that the government will not support the amendment.

Clause 11 deals with the appointment of the Territory Coordinator. Clause 11(2) says:

> *A person is an eligible person if the person has suitable qualifications or experience relating to the Territory Coordinator's functions.*

Given you have made it clear that this is about economic development, what would be suitable qualifications to fulfil the role of the Territory Coordinator?

Mrs FINOCCHIARO: Subclause (2) talks about suitable qualifications or experience relating to the functions. The Territory Coordinator's functions are clearly set out in the Bill, and they relate to the key powers that we spoke about. The entire role hinges on supporting economic development in the Northern Territory. It might be economic-type qualifications, extensive experience in various industries or industry-specific experience. There is a number of different experiences and qualifications that a person would have over their lifetime that would lead them to be the best person for the job.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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:

Mr YOUNG: What checks and balances exist to ensure that the coordinator is not politically appointed?

Mrs FINOCCHIARO: Do you have an amendment?

Ms UIBO: I think I missed my chance.

Madam SPEAKER: We are up to clause 12. Leader of the Opposition, you can move amendment 3 now.

Ms UIBO: We are eager to ask questions on clauses for clarification as much as making sure we have amendments that have been proposed and circulated prior.

I move amendment 3 in schedule 017OPP to 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.

We have moved this amendment to ban lobbying for the Territory Coordinator for five years and have included all the definitions of lobbying.

K McNAMARA: I support this amendment. The lobbyist register implemented recently by the government is as limp as wet lettuce. The CLP's lobbyist register has given the public no confidence in this government's ability to manage lobbyists and vested corporate interests in our parliament.

Once again, this government has no social licence for this Bill. If the government wants to earn the public's trust it needs to show integrity, be accountable and operate to the highest standard. This is a practical and vital amendment to ensure the integrity of the Territory Coordinator role. It would speak volumes for those opposite to vote against it. Indeed, if they do vote against it I will be incredibly curious as to why.

Mrs FINOCCHIARO: The government will not support this amendment.

K McNAMARA: Why?

Mrs FINOCCHIARO: Similar to previously, the terms and conditions of the appointment are clearly set out, and it is the policy decision we have made.

K McNAMARA: Does that mean you think it is appropriate for the Territory Coordinator to continue to be a lobbyist after their role has finished?

Mr MALEY: A point of order, Madam Speaker! Standing Order 155; it is not relevant to the clause.

Mr YOUNG: Speaking to the point of order, I believe that the Member for Nightcliff's question is relevant to this clause.

Madam SPEAKER: That is up to the Chief Minister.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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.

Mr PAECH: Clause 12 deals with the term and conditions. Clause 12(1) states:

Subject to this Part, the Territory Coordinator:

(a) holds office for the period, not exceeding 5 years, specified in the appointment; and

(b) is eligible for reappointment.

For the period prescribed is the intention that you could have a coordinator who is, say, appointed for four years then has an option for four years and can continue to have options of that long, or are they appointed for a period of four years and only get another option for an additional four years or prescribed term?

Mrs FINOCCHIARO: No. They will be appointed for a period not longer than five years. As that period is reaching its expiration and they are doing a great job, they are eligible to be reappointed. It is not like a five-plus-five contract or something like that. It has to be a reappointment.

Mr PAECH: We have had other appointments when they are only offered two full terms of the term that is offered. For example, we could have a Territory Coordinator who might be doing a great job, and they could be there for 10 years because each review deems that they are okay; it is not that they are allowed to do only an eight-year term.

Mrs FINOCCHIARO: Yes, that is right.

Clause 12 agreed to.

Clauses 13 to 17, by leave, taken together and agreed to.

Clause 18:

Mrs FINOCCHIARO: I move amendment 3 in schedule 017GOV to clause 18(1).

This is a scrutiny committee amendment which we accepted. It confirms that any delegation by the Territory Coordinator is in writing, which the scrutiny committee in its deliberations felt was important. Therefore, we will amend clause 18 so that it must be made in writing.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clause 19, by leave, agreed to.

Clause 20:

Mrs FINOCCHIARO: I move amendment 4 in schedule 017GOV to clause 20(2)(c).

This is a scrutiny committee recommendation. This amendment deletes 'regarding a proposed ICP or proposed TDA plan' so that clause 20(2)(c) will say, 'undertake public consultation'. In effect, this clause will confirm that the Territory Coordinator has the power to undertake public consultation in accordance with their functions, as the scrutiny committee recommended.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clauses 21 and 22, by leave, taken together and agreed to.

After clause 22:

Ms UIBO: I move amendment 4 in schedule 017OPP to insert new clauses 22A and 22B after clause 22 in Part 2.

This amendment will insert new clause 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.

It will also insert new clause 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.

This goes to the heart of being open and transparent. The Territory Coordinator is an appointment of the government, so this provides the opportunity for further accountability and openness around this position. This is apparently not an integrity appointment, as the Chief Minister said. This would allow Territorians and proponents to know who is meeting with the Territory Coordinator, the decision-maker for some components of the Bill. For example, they are the prescriber of Territory development areas. This will make sure that there is openness and accountability. Of course, having that displayed in real time will go a long way, hence the opposition has proposed this amendment.

K McNAMARA: I support this amendment. Once again this goes to integrity, which is surely the role of this Chamber. The government puts forward legislation, and although the crossbench and opposition may not like the legislation we will still work to improve it to get the best outcomes for Territorians and make the best laws possible.

I cannot see any reason why you would not want to operate to the highest standards possible and put integrity throughout this Bill. This is an entirely appropriate amendment. If it is not supported by the government, I want to know why.

Mrs FINOCCHIARO: I appreciate the contributions. The government will not accept this amendment. We have already gone past it, but clause 16 allows the appointment of an Acting Territory Coordinator. It is specifically about whether there is an actual or perceived conflict of interest, so it deals with that issue. Part of the employment terms and conditions requires the Territory Coordinator to declare conflicts of interest, so it has just been dealt with in a different way.

Ms UIBO: Does that endorse the real-time publication of those meetings with the Territory Coordinator?

Mrs FINOCCHIARO: We do not accept your amendment. How conflicts of interest are managed is set out in the Bill. Clause 16 allows for an Acting Territory Coordinator to be appointed if there is an actual or perceived conflict of interest. Separate to that, their employment terms and conditions require declarations of conflicts of interest.

Ms UIBO: Will those conflicts of interest be published or made available publicly in any way, shape or form?

Mrs FINOCCHIARO: No, they are not required to be published as part of the declaration. However, when there is an Acting Territory Coordinator people will know there is one.

Ms UIBO: How will people know if there is no publication about that position?

Mrs FINOCCHIARO: In a practical sense you would be declaring your conflict by saying, 'You are not dealing with me anymore; you are dealing with whoever.' It is a transfer of power to someone else. The proponents or anyone involved would be aware of it.

Ms UIBO: Would it be by gazettal notice so that people know officially that there is an Acting Territory Coordinator?

Mrs FINOCCHIARO: No.

Ms UIBO: Can I clarify whether it will be by word of mouth?

Mrs FINOCCHIARO: If you want to be smart about it that is totally fine. I have answered the question. I understand what you are getting at. I understand your amendment. We have taken the decision not to accept the amendment. We feel strongly that conflict management is adequately covered in the employment terms and conditions and in clause 16.

Amendment not agreed to.

Clauses 23 and 24:

Mr YOUNG: How does this Bill ensure that traditional owners, landholders and councils are consulted before a project is designated?

Mrs FINOCCHIARO: I reconfirm that nothing in the Act will be able to override Commonwealth legislation. In designating a significant project the minister must have regard to the primary principle. There is no requirement for public consultation on the determination of a significant project.

Mr YOUNG: Should there be an independent review process for project designations?

Mrs FINOCCHIARO: There will be a review of the Act every five years—that is set out in the legislation—not in relation to specific projects.

Mr YOUNG: Why is there no requirement to consider community opposition before designation?

Mrs FINOCCHIARO: There are clear criteria for what would be a significant project, so the minister has to believe on reasonable grounds that it is of economic significance. We went through that definition earlier. It is of a complex nature or regional significance in terms of its scale or impact, so it has to be significant. The language we have adopted in the Bill is plain-speaking so that it gives effect to the intention. Any additional criteria can be prescribed by regulation.

Mr YOUNG: If I was a regular member of the public, where would I find the criteria?

Mrs FINOCCHIARO: If there were criteria they would be in the regs; otherwise, it is the criteria set out in clause 23.

Mr YOUNG: What public consultation will occur before a project is designated?

Mrs FINOCCHIARO: There is no requirement for public consultation on the designation of a significant project. The project must be of significance to the Territory, so it has to be highly beneficial to either a region or the Territory itself, complex and of regional significance in terms of its scale or impact. Going back to the

primary principle, we have to look at its economic impact. The definition of 'economic significance' has four criteria; one criterion was job creation, and another was population growth. If a project is of significant size that it would generate economic development, perhaps in population growth or another metric, it could be determined to be a significant project.

Mr YOUNG: How can affected landholders such as pastoralists, mango farmers and traditional owners challenge a project's designation?

Mrs FINOCCHIARO: You cannot challenge a project's designation. A project being designated means that the key powers are available to be used for that project, but the project still has to go through all the processes. It is for when there is duplication or the process is going too slow. For example, project A has been designated as a significant project, so it goes to the DCA or EPA or has to get a water licence or whatever regulatory approval. If the approval being sought is taking too long, the Territory Coordinator could ask for it to be prioritised or exercise any of the other key powers. It does not mean that the significant project magically happens; it provides a streamlined pathway to move through duplication, delays or anything like that.

Mr YOUNG: Why is there no appeal mechanism for communities impacted by significant projects?

Mrs FINOCCHIARO: Being designated a significant project gives a project the opportunity to be a part of the Territory Coordinator process. The community has opportunities to be involved throughout the remainder of that project's development. One project will need many and varied approvals at every point. It might be a subdivision, a water licence, health, land access or something else, so those processes need to happen. The community then has the opportunity through all those things. If any of the key powers are used there are notification provisions and it has to be published on the website, for example.

J DAVIS: You may have answered this and I missed it. Did you say that the regulations would outline the criteria for a significant project?

Mrs FINOCCHIARO: Not exactly. I said that there could be additional criteria in the regulations.

J DAVIS: I heard you define it in what, to me, sounded like broad terms. For what passes the level of being significant, can you give the community any more indication of what that might mean?

Mrs FINOCCHIARO: It is designed to be flexible to suit the process. A significant project has to be of economic significance. The definition of 'economic significance' has the four criteria we went through earlier. It has to meet this criteria. We have allowed provision that if additional criteria are required, they can be set out in the regulations.

Looking at it by itself it may appear to you that there are not enough criteria, but put it all together. We do not intend to be deliberately constrained in what that looks like. The nature of economic benefit to the Territory is broad, so it needs to be flexibly applied.

J DAVIS: I draw your attention to the Local Government Association submission which addressed this directly. It saw risks in the loose definition of 'significant project', including inconsistent interpretation and decision-making; a lack of clarity and predictability of process if proponents are not clear about the classification of their project from the outset; and the unintended consequence of potential undue influence on decision-makers by developers seeking to have their projects fast-tracked. It pointed out:

> *The lack of definition also threatens to create murkiness … The issue with this is that in the Territory context, with a low population base and a small number of developers (compared to the rest of the country), most developers will consider themselves to be proposing 'significant' projects when really, they are small housing subdivisions and industrial precincts. There is a need to define what 'significant' means in a Territory context to make that clear for local businesses …*

That is the intent behind my question.

Mrs FINOCCHIARO: I understand the concerns and considerations that have been raised as part of the process and with you. We do not agree with that proposition. We do not think it makes it murky. This is deliberately structured so that there are definitions of 'economic significance' and 'significant project' because it needs that flexibility. For example, a mine is a different proposition from a housing estate. How many houses? What is the proposal? Is it social housing and therefore there will be access to population growth?

There is a number of considerations you would have. It depends on the nature of the project. I can comfortably say that if a proponent does not have a clear plan about their project, it will not achieve the threshold.

J DAVIS: To clarify for the people who are interested in this, what will be the communication and decision-making process for significant projects? At what point will people know whether their project is a significant project?

Mrs FINOCCHIARO: There are notice provisions set out in clause 24. Clause 23 is the definition, if you want to call it that, or the criteria, and clause 24 is the notice of designation or revocation.

Clauses 23 and 24 agreed to.

Clause 25:

Ms UIBO: I move amendment 5 in schedule 017OPP to 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.*

As the Member for Gwoja said, our team has put forward this amendment to provide clarity. I anticipate that the government will not agree to this amendment, and I note the Chief Minister said that all land related to Commonwealth legislation is off the table. If this amendment is not agreed to I appreciate that we have that reassurance from the Chief Minister and the government.

Mr PAECH: This amendment has come forward as a result of the Legislative Scrutiny Committee. Expert witnesses who gave oral testimony about their concerns spoke of the need to have those areas declared and that the minister must not declare any part of land or water under those sections.

I acknowledge the Chief Minister spoke about this as a whole in relation to the Member for Johnston's amendment about definitions. This amendment goes to the heart of particular sections. It is important to highlight the position around these areas, given the complexities and that this would provide certainty to many Aboriginal Territorians about any ongoing development that could or could not happen.

Mrs FINOCCHIARO: I will clarify this. Our legislation cannot override Commonwealth law, so if it was ALRA land it would need consent. It does not mean that people cannot have the benefit of the Territory Coordinator, but it requires that consent because the Territory Coordinator cannot override Commonwealth law.

We will not accept the Opposition Leader's amendment for all the reasons I stated earlier. I have a good example as to why the opposition might not want to go ahead with it either. Essentially, it stops Aboriginal people on their land being able to consent to activity. I will use the mining in Gove as an example. When the Gove lease ends, the opposition's proposed amendment would prevent Gumatj from working with the Territory Coordinator to realise their economic aspirations for their land. That is an unintended consequence of the opposition's amendment. In any event we will not accept it, as I have outlined.

Ms UIBO: Thank you for that tangible and practical example. In my understanding of the *Aboriginal Land Rights (Northern Territory) Act*, there would still be a requirement for the free, prior and informed consent of traditional owners. In the example provided, if Gumatj wanted activity on their land for economic development, as long as the traditional owners provided consent, the Territory Coordinator role could still kick in because it is Aboriginal land that has free, prior and informed consent to any decision or proposed notice by the Territory Coordinator.

Mrs FINOCCHIARO: That is what would happen under our legislation. Your amendment does not do that. Pretend your amendment does not exist; my answer to your question is yes.

Ms UIBO: Through the Aboriginal Land Rights Act and our amendment in relation to the *Native Title Act* Aboriginal Territorians who are considered traditional owners would still be able to provide consent on

Aboriginal land, regardless of whether the Territory Coordinator position exists. They still have that right to do so.

Mr MALEY: Your amendment states that the minister must not declare any land or water that is Aboriginal land. Read that bit by itself; if you are an Aboriginal owner and you provide free consent, you cannot get the minister to help you.

Ms UIBO: The point of this amendment is that the minister cannot. When we talk about the step-in step-out powers of the Territory Coordinator, they still have their role under this new legislation which is being developed and finalised. This specifically means that if a minister were to jump over any regulation or processes it protects that, as opposed to what is separately being proposed through the Territory Coordinator role. A minister cannot overstep their power because a minister could not override Commonwealth legislation in this instance. This amendment is essentially a double protection.

Mrs FINOCCHIARO: I definitely understand what you are trying to achieve, but it does not achieve that because even if you go through all those consents and the TOs say, 'Yes, let us do this. We are keen for whatever it might be', and those processes happen this still says that the minister must not, so it cannot, even with consent. That is what your amendment will do, whereas our legislation will allow that to happen with consent.

Amendment not agreed to.

J DAVIS: I have an additional amendment to that, which is:

> An area of land or water that is an excluded area …

Under my proposed section 7A:

> must not be declared as an ICA.

The list of excluded areas would be much longer than the list read out by the Chief Minister. I understand that was not supported, so I know this amendment will not be supported. Nevertheless, I move it.

Mrs FINOCCHIARO: We will not support your amendment.

Amendment not agreed to.

Mr YOUNG: How will affected communities be informed before an infrastructure coordination area (ICA) is declared?

Mrs FINOCCHIARO: It is similar to earlier in that if it is an ICA there does not need to be any consultation, but when it moves to being an ICP that is when all of that kicks in. That is in clause 27.

Mr YOUNG: Between the process of an ICA to—what did you say? I missed that.

Mrs FINOCCHIARO: The infrastructure coordination area can be declared much like a significant project. There are similar requirements for both, so there is no requirement to consult or anything like that. If we were to create the infrastructure coordination plan that requires different consultation. That is in clauses 28 and 29; you have to skip ahead for that. Clause 29 is titled 'Public consultation'.

Mr YOUNG: Will landholders—for example, pastoralists and mango farmers—be compensated for infrastructure developments impacting their land?

Mrs FINOCCHIARO: That is not part of this clause. I am not sure I understand the question, but you cannot just walk onto someone's land and build a mango farm; you would have to lease or buy the land from them. All sorts of processes would have to happen.

Mr YOUNG: What safeguards ensure public infrastructure is not built primarily for private corporate benefit?

Mrs FINOCCHIARO: I think you asked a similar question earlier. This is about investigating an infrastructure coordination area. It is looking at whether infrastructure needs to be done at the same time or it requires a high level of sophisticated coordination and planning to achieve the outcome of that significant project. It is

specific; the area does not require the consultation, but once a plan is put in place that becomes a separate process.

Clause 25 agreed to.

Clause 26, by leave, agreed to.

Clause 27:

Mrs FINOCCHIARO: I move amendment 5 in schedule 017GOV.

This amendment was identified as part of the scrutiny committee process. It is a small amendment to insert 'all' in the first line so that it will read:

> *An infrastructure coordination plan (an* ICP*) is a plan in relation to a significant project that does all of the following …*

That is followed by paragraphs (a), (b) and (c). It means that an infrastructure coordination plan in relation to a significant process must do all those things; it has to do (a), (b) and (c)—not 'or'.

Mr PAECH: This is a committee recommendation. I acknowledge that the government has accepted it. It is important to highlight that this change, although it looks small and technical in nature, will make sure that all three are done together and not done in isolation. I support the amendment.

Amendment agreed to.

Mr YOUNG: Should local governments retain the right to reject an infrastructure plan that conflicts with their priorities?

Mrs FINOCCHIARO: What does that even mean? An infrastructure coordination plan may then trigger …

Mr YOUNG: A local government might have its own master plan, for example.

Mrs FINOCCHIARO: That would be fleshed out through the consultation process, so it would have the opportunity to be heard and put forward its master plan, to follow your example.

Clause 27, as amended, agreed to.

Clause 28, by leave, agreed to.

Clause 29:

J DAVIS: I move amendment 13 in schedule 017IND to clause 29(b).

This is in relation to public consultation. Paragraph (b) says:

> *undertake public consultation on the proposed plan in accordance with the regulations.*

I will propose that we insert new clause 94A. I will explain quickly what that means so that it makes sense. We need to be clear about what public consultation means. We have seen the shortcomings of this in relation to this process and the community dissatisfaction; therefore, I will offer a definition under what will be new section 94A. Several clauses will refer to that new section.

Government members said that they believe there has been a robust consultation process, but many people in the community have said that they do not agree with that, so it is imperative that we have a definition of 'consultation'. Individuals and organisations worked incredibly hard to present well-thought-through cases and concerns in relation to this Bill, and nearly all those concerns raised have been ignored. I remind the Assembly that it is our job to represent our constituents and communities. Neglecting those needs and issues that have been raised does not benefit us or the communities we serve.

I quoted this earlier, but the Northern Land Council spoke for many people when it said:

> *The NLC is disappointed that the vast majority of issues raised in the NLC's previous submission were either unaddressed or exacerbated by the Bill's amendments. The bill in its current form is now less protective of Aboriginal Territorians' rights than the draft bill was.*

Therefore, it is imperative that we have a clear definition of 'public consultation'. I believe that should be part of the Act, not a regulation because we do not know what that will say. When we get to new clause 94A, I will go through what those regulations might be.

Mr PAECH: I support the amendment because it is important. It would be useful to get an understanding from the Chief Minister on what the government believes constitutes good consultation.

We heard from committee members that they had concerns about elements and areas of the Territory that they did not feel were consulted thoroughly. I highlight that a number of organisations and Aboriginal Territorians raised concerns about the lack of consultation being done in First Nations languages. I note that there was a consultation by the interim Territory Coordinator in Nhulunbuy, but there was concern that the consultation did not go any further into remote communities.

Building on the Member for Johnston's amendment and proposed section 94A, it would be good to get an understanding about how consultation is to be considered in this Bill, moving forward.

Mrs FINOCCHIARO: We will not accept the amendment, and I will explain why. Public consultation has to happen; that is enshrined in the clause. Information needs to be published on the website, for example, and public consultation needs to be undertaken. The reality is that public consultation could be different for every ICP and it will depend on where it is. For example, if the ICP was for somewhere near Nhulunbuy it would be entirely appropriate to consult with that community, but it would not apply to people in Alice Springs.

We will not be accepting the amendment, but we accepted the recommendation. The scrutiny committee also did a recommendation on this which was that consideration had to be had to put the four issues into the regulations, and that has been accepted.

Mr PAECH: I apologise, Chief Minister. Can you repeat that last section?

Mrs FINOCCHIARO: Yes, sorry. We will not accept the amendment, but we accepted recommendation 23 which asked that consideration be given to including the following four things in the regs: minimum consultation periods; a requirement that materials be provided in First Nations languages; where practicable, holding in-person information sessions; and a requirement that submissions to public consultations are published on the Territory Coordinator website. Consideration is being given for all those for the regulations.

J DAVIS: When you say you accepted them, where is that? How do we know that?

Mrs FINOCCHIARO: The Deputy Chief Minister and I talked about it in parliament today.

J DAVIS: You said that will be regulations. It will not be part of the Act; is that correct?

Mrs FINOCCHIARO: Yes, that is correct. It is for consideration in the regulations.

J DAVIS: That will be for consideration in the regulations, so it may or may not be there depending on how the regulations are developed; is that correct?

Mrs FINOCCHIARO: Yes, it would depend. We are applying this flexibly. You have to imagine the environment across the Territory will be different. The decision has been made to leave that with the Territory Coordinator. We have accepted that it was for consideration, so it has been considered. It will then be looked at to go into the regulations; it will not be part of the Act. At a minimum we will put into the regulations the minimum consultation periods.

J DAVIS: Are you saying that as a minimum that will definitely be in the regulations?

Mrs FINOCCHIARO: Yes.

J DAVIS: Is that just in regard to timeframes?

Mrs FINOCCHIARO: Sorry; I will say it differently. The regulations for the Territory Coordinator will outline minimum consultation periods, and the Territory Coordinator will have consideration to the other four items that were raised as part of the scrutiny committee recommendation 23.

Amendment not agreed to.

Mr YOUNG: Is public consultation mandatory for all major infrastructure projects?

Mrs FINOCCHIARO: This is for an infrastructure coordination plan, so there must be consultation on that.

Clause 29 agreed to.

Clause 30:

Mrs FINOCCHIARO: I move amendment 6 in schedule 017GOV to omit subclause (1) and insert a new subclause (1).

This amendment is from the scrutiny committee. It will reword subclause (1) to say:

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).

This amendment confirms that the Territory Coordinator will provide the minister a summary of the submissions received during the public consultation process on the proposed ICP.

Mr PAECH: This is a constructive recommendation put forward by the Legislative Scrutiny Committee. I thank the Chief Minister for acknowledging its importance. The Territory Coordinator must provide the minister with a summary of submissions received during the public consultation because it is an important opportunity for the minister to consider the position of Territorians.

Amendment agreed to.

Clause 30, as amended, agreed to.

Clause 31, by leave, agreed to.

Clause 32:

Mrs FINOCCHIARO: I move amendment 7 in schedule 017GOV to clause 32(2)(b).

This is an amendment from the scrutiny committee. It confirms that the Territory Coordinator must undertake public consultation on a proposed variation to an ICP if the minister considers the variation would effect a material change to the ICP. The amendment inserts 'or the Minister', so paragraph (b) will read:

if the proposed variation would in the opinion of the Coordinator or the Minister effect a material change to the ICP, undertake public consultation on the proposed variation in accordance with the regulations (if any).

If the variation will effect a material change, public consultation on that variation would need to happen.

Amendment agreed to.

Clause 32, as amended, agreed to.

Clause 33:

J DAVIS: I move amendment 16 in schedule 017IND to omit 'a summary of the submissions' and insert 'copies, and a summary, of the submissions'.

Several parts of the Bill refer to this. The Chief Minister spoke about this earlier. The committee was of the view that as a safeguard against any potential or perceived bias in making their decision the minister should consider all submissions received during the public consultation. It would protect the minister against any perception of bias if they received all of them rather than just a summary.

This applies to several clauses. I could move all those amendments at once, but they are scattered throughout the Bill. I am unsure.

Madam SPEAKER: We will do it clause by clause, so it will not be confused.

J DAVIS: Thank you.

Mrs FINOCCHIARO: We will not accept this amendment.

J DAVIS: Can you explain why you will not accept it?

Mrs FINOCCHIARO: It is similar to a previous clause. Essentially, a summary of the submissions during the public consultation will be provided to the minister to approve that proposed variation or not. It is unnecessary to provide all of it to the minister.

J DAVIS: I reiterate that the committee was of the view that it was important for the minister to receive all submissions to guard against any potential or perceived bias. We have talked a lot about the importance of how this position is perceived by the community as well as how it acts, so I reinforce that.

Mrs FINOCCHIARO: I understand the point you are making. Rest assured that the minister always has the power to direct the Territory Coordinator to request all the submissions at the minister's discretion. The minister has that opportunity.

Amendment not agreed to.

Clause 33 agreed to.

Clause 34:

J DAVIS: I move amendment 17 in schedule 017IND to omit 'any summary of submissions' and insert 'each submission'.

As before, this amendment will ensure that there is no potential or perceived bias of the minister in making their decision.

Mrs FINOCCHIARO: The same rationale applies; we will not accept that amendment.

Amendment not agreed to.

Clause 34 agreed to.

Clauses 35 to 38, by leave, taken together and agreed to.

After clause 38:

J DAVIS: I move amendment 18 in schedule 017IND to insert new clause 38A, Excluded areas:

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

That is defined in proposed section 7A.

Mrs FINOCCHIARO: We will not accept your amendment because we did not accept the excluded areas.

Amendment not agreed to.

Clause 39:

Mr YOUNG: Will the Territory Coordinator's program of works be subject to an independent review?

Mrs FINOCCHIARO: The only independent review is of the Act after five years.

Mr YOUNG: What transparency measures exist to ensure that there are no conflicts of interest?

Mrs FINOCCHIARO: That was dealt with in clause 16, which has the acting coordinator role, and there is the employment contract we discussed earlier.

Mr YOUNG: Should public hearings be required before a program of works is approved?

Mrs FINOCCHIARO: No, there is no consultation on a program of works. Programs of works will generally be public infrastructure.

Mr YOUNG: Will there be independent oversight or audit requirements for the coordinator's work programs?

Mrs FINOCCHIARO: No. This is program of works, which is different. You could say that it is like a category. It is a sequence of small projects that would need to happen—things like utilities or other services and those types of things that are required. An example is a major housing development in a remote community, or something like that, which may need multiple services to be delivered. That would be envisaged by clause 39.

Mr YOUNG: What mechanisms prevent political interference in project selection?

Mrs FINOCCHIARO: There are clear criteria. We talked about the criteria for economic significance and significant projects. All the key powers have their own structure and criteria within the legislation. It has to meet those criteria or it will not enliven any of the provisions.

Clause 39 agreed to.

Clause 40, by leave, agreed to.

After clause 40:

J DAVIS: I move amendment 19 in schedule 017IND after clause 40 to insert new clause 40A.

This amendment is in relation to preparing a program of works. It will insert:

> 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.

Mr PAECH: I support the Member for Johnston's amendment. The committee heard the oral testimony of people who are concerned about the Territory Coordinator legislation. They said there needs to be a thorough and comprehensive consideration and determination of what public consultation is and how that information will be distributed and made available. People raised concerns about the process if public hearings were to be undertaken. This amendment represents the view of a large number of community members who gave testimony at the hearings.

The Chief Minister will respond in a moment. She has previously stated the provisions that will be, I believe, in the regulations once they are developed. This amendment has a good mechanism to consider enshrining in the legislation.

Mrs FINOCCHIARO: The government will not accept the amendment.

I confirm that there is no requirement for public consultation as part of that program and performance of works. Clause 40(3)(a) provides that there must be consultation with a public body, public entity or person who has been identified in the plan as responsible for delivery. Clause 40(3)(b) says:

> *may consult with any other person the Coordinator considers appropriate.*

Therefore, there is opportunity for consultation.

J DAVIS: How will communication happen with the public in relation to proposed programs?

Mrs FINOCCHIARO: This is for programs of works, which are, generally speaking, types of utilities. Member for Johnston, I imagine where you live if Power and Water was fixing the powerlines down the street you probably would not know about it; its people would just be doing it.

The requirement is to have consultation with the relevant stakeholders—if you want to call them that—as set out in clause 40(3)(a), but it also gives the opportunity to consult with any other person that the Territory Coordinator considers appropriate.

The notifications are in clause 41(3), which states:

If the Minister approves the program, the Minister must:

(a) give written notice on the Territory Coordinator or Agency website that the Minister:

(i) approves the program of works; and

(ii) authorises its implementation … and

(b) publish a statement of reasons …

There will be transparency mechanisms, so people will understand why. It will be made available. That component is in clause 41. Clause 40(3)(b) allows for consultation if required. It would be based on the situation, the location and all those types of factors.

J DAVIS: There would be public communication after a decision was made, but not prior to it; is that correct?

Mrs FINOCCHIARO: There would be publishing of a statement of reasons, which is important so that people can understand it. There would be written notice that a program of works has been approved and will be implemented by the Territory Coordinator, so people will understand the detail of what that looks like and what those works might be.

There is no requirement per se to broadly consult with a community, but the Territory Coordinator must consult with a public body, public entity or person to be identified in the plan as responsible for delivery. They may also consult more broadly.

Mr PAECH: As you highlighted those actions would be loosely after the activity has occurred, not prior to the activity occurring. As an example, when there is activity happening with DOLI—I think that is the new department of Infrastructure—or Power and Water they notify the key stakeholders prior to doing particular things such as sealing a road. After the activity has happened there is a mechanism where it is published or made available, so if people ask questions they can locate the information.

Mrs FINOCCHIARO: That gives me a good opportunity to clarify this. Nothing stops the Territory Coordinator or the public body—whoever it might be—from doing that consultation. The normal process still applies. Although no consultation is required under section 40 for the program of works—yes, there is a requirement after the decision has been made to make sure it is transparent—the ordinary processes for a program of works still has to happen. I will use the Power and Water example. If the ordinary process for Power and Water when it is putting up power poles or running water pipes—whatever it might be—is that there is consultation about where that has to go or there are notices in people's letterboxes, those normal regulatory processes will still happen. It is just that there is no overarching consultation on the program of works.

Madam SPEAKER: The question is that the amendment be agreed to.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
K McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	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, by leave, taken together and agreed to.

Clause 43:

Ms UIBO: I move amendment 6 in schedule 017OPP after clause 43(1) to 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*.

This goes to an earlier proposed amendment, which was not agreed to by the government, to establish no-go zones to protect Aboriginal land, native title areas and parks and reserves. We heard strong submissions through the public hearings from the four Aboriginal land councils, as well as other entities and organisations, regarding legislative protections in this Bill to provide certainty from the government—regardless of who is in government—that there would be no concerns about those three areas being overridden. I am sure the Chief Minister will provide a similar answer, but we have moved this amendment to provide further advocacy for those who provided public submissions.

Mrs FINOCCHIARO: We will not accept this amendment for the same reason as earlier, when you had a mirror section. That may have been in relation to ICPs or something like that. This applies in the same way for Territory development areas. We would not want to stop utilisation of the Territory Coordinator legislation when there was consent, which is why we will not support your amendment.

Amendment not agreed to.

J DAVIS: I move amendment 20 in schedule 017IND to amend clause 43(1).

The power under this clause has far-reaching consequences. Once an area of land or water is part of the TDA, the powers under this Bill can be used to affect that land and water without the consent of traditional owners, native title rights holders or interest holders. The purpose of this amendment is to require the minister to obtain the consent of traditional owners and exclusive native title rights holders, as well as other landowners, and that consultation should be required for non-exclusive possession-type interests.

I will propose that we insert:

(1A) An area of land or water that is an excluded area must not be designated as a Territory development area.

(1B) The Minister must not make a designation under this section unless:

(a) all of the following have given written consent to the designation:

(i) the registered owner of any estate in fee simple in the proposed Territory development area;

(ii) the traditional owners of any Aboriginal land in the proposed Territory development area;

(iii) any native title holders who hold native title rights and interest under the *Native Title Act 1993* (Cth) comprising rights of possession, occupation, use and enjoyment of land in the proposed Territory development area to the exclusion of all others;

(b) the Minister has consulted with the following:

(i) any native title holders who hold native title rights and interests other than those mentioned in paragraph (a)(iii) in respect of land in the proposed Territory development area; and

(ii) a person who holds a lease from the Crown under the *Crown Lands Act 1992* or *Special Purposes Leases Act 1953* in respect of land in the proposed Territory development area.

The purpose of this amendment is to ensure, in particular, any areas that are proposed to become a TDA cannot do so without the consent of traditional owners, native title holders who hold native title rights or interest holders and other people I mentioned.

Mrs FINOCCHIARO: We will not accept that amendment, and I will explain why. There is no requirement for consultation for the designation of a Territory development area. Reflecting on an earlier conversation we had, that mapping and designation process—for example, it might be Middle Arm, an area for a specific type of industry or purpose or agricultural land.

A Territory development area plan requires consultation. Any activity within it triggers that. If it was ALRA land it would require consent. If it was private property—a cattle station, for example—there are provisions in the Act for notification before entry on land and all those things.

For designation there is no consultation, but the Territory development area plan requires it. In any event, to do anything on that land you then need to go through whatever the correct process is.

Amendment not agreed to.

Ms UIBO: Why are parks, reserves and environmentally sensitive areas not automatically excluded from TDAs?

Mrs FINOCCHIARO: It is similar to a conversation we had earlier. Essentially, the Territory development area is the area on the map that might be suitable as a development area; within that comes the plan and then the activity. There are multiple layers to it. There is also a requirement, for example, that there be a statement of reasons for that designation and there are other transparency mechanisms, including publishing the notice.

Ms UIBO: Will there be any need for approval for environmental assessments for a TDA?

Mrs FINOCCHIARO: Yes. All the normal approvals processes would happen, but because it is a Territory development area if a proponent was moving through a regulatory process that was taking an extraordinary amount of time—for argument's sake—that would allow the Territory Coordinator to use a key power, for example, to step in or make it a priority. Any of those could be enlivened or utilised by the Territory Coordinator, but it does not circumvent that process. It depends on which power the Territory Coordinator was using, because there is exemption power as well. We deal with that later.

Ms UIBO: What stops the Territory Coordinator from declaring the whole of the Northern Territory as a TDA?

Mrs FINOCCHIARO: That would mean the Territory Coordinator thinks highly of the Territory. I am a proud and passionate Territorian who loves this place dearly and believes in its economic potential, but do I believe that the whole of the Northern Territory has the potential for development of economic significance? No. Clause 43(2) has the criteria that deal with that. It must have potential for development of economic significance. Going back to the original definition that we dealt with earlier, the area must have potential for construction of infrastructure that would enable or be enabled by a development of economic significance, and there may well be additional criteria set out in the regulations. There is still a framework to move through.

Ms UIBO: Could the Territory Coordinator declare a whole region—for example, Big Rivers, Barkly, Top End, East Arnhem or Central?

Mrs FINOCCHIARO: Just to confirm, the minister declares the Territory development areas, not the Territory Coordinator. Remind me of your question.

Ms UIBO: I asked whether the Territory Coordinator could declare a whole region. You referred to the minister. Would that be the Chief Minister as the responsible portfolio holder?

Mrs FINOCCHIARO: Because I am the Chief Minister and the responsible portfolio minister, yes, but no. It is right now. For argument's sake, the Minister for Territory Coordinator would be the responsible minister to designate a Territory development area.

Ms UIBO: Would the Territory Coordinator or the responsible minister be able to declare a whole region?

Mrs FINOCCHIARO: When you say 'region', are you talking about the way we traditionally carve up the Territory?

Ms UIBO: Yes—Central, Barkly, Big Rivers, East Arnhem and the Top End, which obviously has Darwin and Palmerston.

Mrs FINOCCHIARO: No, I do not …

Mr EDGINGTON: Only the Barkly.

Ms UIBO: What about the Barkly?

Mrs FINOCCHIARO: The Barkly probably would be the only one that you …

Ms UIBO: Big Rivers is all right too.

Mrs FINOCCHIARO: Big Rivers is wonderful.

It still must have the adequate consideration. The minister would need to go through the process of considering whether there is economic significance or potential for the construction of infrastructure. It is not intended to be wholesale chunks of the Territory.

Ms UIBO: Would that go back to the four elements that were at the start of the Bill?

Mrs FINOCCHIARO: Yes, because that is how you define economic significance. Clause 43(2)(a) says 'has potential for development of economic significance', so you would go back to those four.

Clause 43 agreed to.

Clause 44:

J DAVIS: I move amendment 23 in schedule 017IND to omit clause 44(c).

This is a consequential amendment to the removal of Part 8, which deals with entry to land and which we have not yet come to.

Clause 44(b) says:

> *engage a person to undertake investigations or studies or prepare reports required for the development of a proposed TDA plan …*

Mrs FINOCCHIARO: Government will not be accepting your amendment.

Amendment not agreed to.

Ms UIBO: My question is about landholder objections. Where would that be held? Is it just the judicial process if somebody wants to object to a TDA?

Mrs FINOCCHIARO: There is always the opportunity for someone to seek judicial review of the decision, but there is no other review outside of judicial review for that.

Ms UIBO: Will the Territory Coordinator be able to override any existing planning laws without parliamentary approval?

Mrs FINOCCHIARO: He cannot override anything. The exemption power cannot be used by the Territory Coordinator; it is for only the minister. It is not the Territory Coordinator but the minister who could exempt a certain process. To use your example, it could be a planning process. The criteria must apply, such as whether it is duplicating a process. There must be a reason to do that.

Ms UIBO: Could the Territory Coordinator override any master plans et cetera in retrospect that has already been granted prior to the Territory Coordinator Bill coming into effect? Could a planning decision be overridden by the Territory Coordinator once the Territory Coordinator exists in legislation?

Mrs FINOCCHIARO: That is not this clause. You are looking for the condition variation notices, which are at Division 5. It is clause 83.

Clause 44 agreed to.

Clauses 45 to 47, by leave, taken together and agreed to.

Clause 48:

J DAVIS: I move amendment 24 in schedule 017IND to omit 'the regulations' and insert 'section 94A'. This is in relation to public consultation.

Mr MALEY: We will not accept the amendment. New clause 94A will not be agreed to, so that amendment will be unworkable.

Amendment not agreed to.

Clause 48 agreed to.

Clause 49:

J DAVIS: I move amendment 25 in schedule 017IND to omit 'a summary of the submissions' and insert 'copies, and a summary, of the submissions' to ensure that there is no perception of bias in terms of the submissions that the minister will receive from the coordinator.

Mrs FINOCCHIARO: This is similar to previous amendments. We will not accept this amendment. I reinforce and remind members that the minister can at any time request all the submissions.

Amendment not agreed to.

Clause 49 agreed to.

Clause 50:

J DAVIS: I move amendment 26 in schedule 017IND to omit 'the summary of submissions' and insert 'each submission'.

Mr MALEY: We will not accept that, based on the fact that the minister can ask for those submissions if required when making that decision.

Ms UIBO: In making its recommendation the scrutiny committee said:

> *… the Committee is of the view that, as a safeguard against any potential or perceived bias, in making their decision the Minister should consider all submissions received during the public consultation.*

Therefore, the scrutiny committee recommended that clause 50 be amended. We support the work of the committee, which had a government majority. I find it strange that the government would not accept the recommendations.

Mr MALEY: We will not be accepting it. As the Chief Minister said, the minister can ask for those submissions when making their decision. The minister will be responsible and, of course, the minister is an elected official.

Ms UIBO: What if the minister does not know to ask the question or is misinformed by the information they have received and makes an error in their decision-making? How is that a safeguard if a decision is made on the incorrect information?

Mr MALEY: Ultimately it is for the minister to make the decision. The minister is an elected official, and they can ask for any information as they see fit.

Your question is hypothetical because, as you know as a former minister, ministers make decisions all the time. They could get the wrong information, but it is unlikely because government departments, and the Territory Coordinator, will do a great job. To any public servants listening, you do a great job, and we thank you for your support.

Amendment not agreed to.

Clause 50 agreed to.

Clauses 51 to 54, by leave, taken together and agreed to.

Clause 55:

Mrs FINOCCHIARO: I move amendment 8 in schedule 017GOV to amend clause 55(2)(b).

Clause 55 deals with the variation of a TDA plan. This amendment came from the scrutiny committee. It is similar to an amendment we made earlier to insert 'or the Minister'. Amended clause 55(2)(b) will read:

> *If the proposed variation would in the opinion of the Coordinator or the Minister effect a material change …*

It confirms that the Territory Coordinator must also undertake public consultation on a proposed variation to a TDA plan if the minister considers that the variation would effect a material change to the TDA plan.

Amendment agreed to.

Clause 55, as amended, agreed to.

Clause 56:

J DAVIS: I move amendment 28 in schedule 017IND to amend clause 56(b) to omit 'a summary of the submissions' and insert 'copies, and a summary, of the submissions'.

This is on the recommendation of the scrutiny committee.

Mr MALEY: We will not accept the amendment because, as we said earlier, the minister makes the decision, and copies of those submissions can be requested if the minister sees fit.

Amendment not agreed to.

Clause 56 agreed to.

Clause 57:

J DAVIS: I move amendment 29 in schedule 017IND to omit 'any summary of submissions' and insert 'each submission'.

Mr MALEY: We will not accept the amendment, based on the reason I gave earlier. The minister makes the decision, and the minister can request to see all the submissions if they see fit.

Amendment not agreed to.

Clause 57 agreed to.

Clauses 58 to 62, by leave, taken together and agreed to.

Clause 63:

Mrs FINOCCHIARO: I move amendment 9 in schedule 017GOV to amend clause 63(2).

This is to update an incorrect section number, so instead of reading '85(2)' it will be '86(2)'.

Amendment agreed to.

Clause 63, as amended, agreed to.

After clause 63:

J DAVIS: I move amendment 30 in schedule 017IND after clause 63 to insert new clause 63A, Application of Part in relation to excluded area.

The purpose of this amendment is to ensure it is clear that the application of the Part in this section cannot apply to an excluded area. The amendment reads:

> *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.*

Mrs FINOCCHIARO: We will not accept that amendment because we have not accepted that there are excluded areas.

Amendment not agreed to.

Clause 64, by leave, agreed to.

Clause 65:

J DAVIS: I move amendment 31 in schedule 017IND to omit clause 65(1) and insert new clause 65(1).

This is about progression-related requests. This clause allows the Territory Coordinator to make a progression-related request that a statutory process be completed within a set period. We heard during the scrutiny committee process that statutory deadlines already exist for much of the statutory processes that this power could be used for. This Bill creates unnecessary complexity by imposing potentially arbitrary deadlines using this power. It also risks diluting the quality of the assessment processes. Therefore, this amendment will 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.

Mrs FINOCCHIARO: We will not adopt your amendment. The Bill requires the Territory Coordinator to give notice to start, complete, pause or continue. Your amendment would remove 'start or complete' which would entirely change the operation of the clause and the legislation, which we do not accept.

Amendment not agreed to.

Clause 65 agreed to.

Clauses 66 and 67, by leave, taken together and agreed to.

Clauses 68 and 69:

Mr YOUNG: Which criteria determine when the Territory Coordinator can override regulatory bodies?

Mrs FINOCCHIARO: A step-in notice is a key power that the Territory Coordinator can avail themselves of if it is a significant project, a works project, an IC activity or a TDA activity. That is the framework in which that type of power can be used.

Mr YOUNG: Should the affected agencies have the right to challenge a step-in decision?

Mrs FINOCCHIARO: No, the legislation has not been designed in that way. The Territory Coordinator must have regard to certain things before being able to do that—for example, the primary principle of driving economic development and the social and environmental outcomes for the region. Ultimately, if the Territory Coordinator has to take the measure of stepping in, in place of the responsible entity, it means there has been a form of failure on the part of the responsible entity.

Further to that—your question is spread out across a number of clauses—clause 70 requires consultation with that responsible entity. They would have to talk to the entity about what is going on and why things are not progressing et cetera, and consult with the entity about that.

Mr YOUNG: Are there criteria set out for that? For example, if the Territory Coordinator wants to go through the environmental protections, is there a process for the Territory Coordinator to override that agency?

Mrs FINOCCHIARO: The criteria are set out in the clause. I mentioned in answer to your previous question that for the Territory Coordinator to do that there would be some sort of failure; however, it will not always be the case that there has been a failure. It might be that because the Territory Coordinator has considered the primary principle that they will make a different decision. It is available to the Territory Coordinator to make a different decision from the conclusion that the public entity came to.

Mr YOUNG: How does this align with the principles of local governance and agencies' independence?

Mrs FINOCCHIARO: The entire purpose of this Bill is to provide a process for projects of significance with regard to that primary principle to give a way through where there are unnecessary blockages or duplicated processes when projects are significantly complex. We have been through all the criteria that get us to this point. The step-in notice is one of a number of key decisions that the Territory Coordinator can utilise once all those hurdles have been overcome to get to this point.

Mr YOUNG: Under what circumstances can the coordinator take over a statutory decision from a responsible government agency?

Mrs FINOCCHIARO: A few things must happen. Obviously, it has to be legislation that is in the Schedule to start with and then it has to be a significant project, a works project, an ICA activity or a TDA activity. There are many thresholds to get to this point. There is a requirement for consultation under clause 70, which allows a responsible entity to make the Territory Coordinator aware of any issues that might impact on the decision or proposed notice. It gives that entity the opportunity to raise specific considerations under whatever the relevant legislation might be.

Mr YOUNG: What are the legal risks of the Territory Coordinator overriding decisions that have been made by those agencies?

Mrs FINOCCHIARO: We are on step-in notices, which means that the decision has not been made. They are stepping into the role of the decision-maker—pick any statutory decision-maker or any of the other regulatory frameworks you would have to go through, depending on the type of project. It is the Territory Coordinator consulting on why something might be happening a particular way. If they take on that responsibility as if they were the original decision-maker, they are the one who will go through the process of making the decision in consultation with the entity that would normally make the decision.

Mr YOUNG: Are there any legal risks to that?

Mrs FINOCCHIARO: It is a power in this legislation, so as long as the process is followed properly it is allowable.

Ms UIBO: We spoke earlier about legal challenges through the judicial process. Is it reasonable to assume that there could be a delay on a project if someone goes through that judicial process to stop, challenge or override a possible decision by the Territory Coordinator?

Mrs FINOCCHIARO: Playing out your example in this situation, the public entity that is being stepped in on would have to be the one to go through that process.

Ms UIBO: That could create delays because the legal challenge would have to be concluded, resolved or agreed to in some way, shape or form to then allow the process to be either cleared or resolved when it comes to a final decision.

Mrs FINOCCHIARO: Opposition Leader, I have been indulgent about hypotheticals, but that is too much of a hypothetical for me to give you an answer.

Ms UIBO: I appreciate your indulgence, as everyone has different angles. To put it bluntly, if a legal challenge was enacted, no further decision could be made by the Territory Coordinator until that challenge concluded?

Mr MALEY: It depends on the legal challenge and the court order. The court order could be an injunction stopping someone from doing something. If there is no injunction and the court order allows work to continue, it would continue. We are playing hypotheticals, and the answer is it depends on what the court orders.

Ms UIBO: Would the answer be yes if there was a court injunction?

Mr MALEY: As per anyone making a decision, if there is a court involved, the Supreme Court overrides.

Mr YOUNG: Is there a requirement for the coordinator to issue a public justification before stepping in?

Mrs FINOCCHIARO: Not before but afterwards.

Mr YOUNG: Why not before?

Mrs FINOCCHIARO: What would the notice say if it was before? I am encouraging you to play that out.

Mr YOUNG: I assume there are criteria, so the Territory Coordinator will knowingly step in. Would a notice be given then, or is it after the fact?

Mrs FINOCCHIARO: It is after the fact. It does not make any sense to have it before. If a step-in notice is issued, the notice will be published.

Clauses 68 and 69 agreed to.

Clause 70:

J DAVIS: I move amendment 35 in schedule 017IND to omit clause 70 and insert a new clause 70.

This is a recommendation from the scrutiny committee. This amendment is about when step-in notices may be given. I oppose clause 70 altogether, but I moved this amendment to minimise the harm done when the Bill passes. The amendment says:

> *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.*

If the step-in powers remain in the Bill when it passes, I propose that the responsible entity whose function is to be replaced, be given the final say over whether the Territory Coordinator or minister steps in.

Mrs FINOCCHIARO: We will not support that amendment because it defeats the whole purpose.

Mr PAECH: I support the Member for Johnston's amendment. I do not support this clause, but this amendment is an important safeguard that the committee recommended. It appears that the government members of that committee are voting against their own recommendations, but equally it is an important recommendation that should be embedded in the legislation.

Mr MALEY: Thank you for your view.

Mr PAECH: Are you still speaking on behalf of the Chief Minister?

Mr MALEY: I answered your question.

Mr PAECH: Great; good to see you.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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.

Mrs FINOCCHIARO: I will correct the record about clause 70. There is no scrutiny committee recommendation for clause 70, so the Member for Gwoja's comments …

Mr PAECH: My apologies; I referred to clause 73. I acknowledge that the committee voted against every other recommendation.

Clause 70 agreed to.

Clauses 71 and 72, by leave, taken together and agreed to.

Clause 73:

J DAVIS: I move amendment 39 in schedule 017IND to clause 73(2).

This is a recommendation of the committee. The committee recommends that clause 73(2) be amended to clarify that unless an exemption notice has been issued in relation to the making of a statutory decision the Territory Coordinator may impose only conditions that the coordinator considers necessary or desirable to promote the primary principle if they are consistent with the law under which the coordinator is making a statutory decision.

Concerns were raised with the committee that:

> *The drafting of this section makes it unclear whether or not conditions imposed by the Coordinator to promote the primary principle must also be 'permissible under the relevant law.' The use of the word 'also' here implies that the Territory Coordinator would be able to impose conditions outside of the law which they are exercising their step-in powers over, so long as those conditions promote an extremely broad and subjective definition of economic development.*

Professor Aughterson also raised concerns about this in his advice to the committee. The committee's response was:

> *To avoid any doubt as to the intended operation of this clause, the Committee is of the view that it should be amended to clarify that the relevant law for the statutory decision still applies unless an exemption notice has been issued.*

This amendment reflects the committee's recommendation.

Mrs FINOCCHIARO: We will not accept that amendment because it defeats the clause's purpose and intention.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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 agreed to.

Clauses 74 to 76, by leave, taken together and agreed to.

Clause 77:

Ms UIBO: I move amendment 7 in schedule 017OPP to insert:

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

The reason for our amendment is to address conflicts of interest by prohibiting exemption notices that solely benefit private corporations. Feedback from the process of public scrutiny was that we should try to provide another layer of accountability and scrutiny to the Territory Coordinator role to provide comfort to Territorians that there is an avenue that essentially prevents the influence of a private corporation on any decision-making by the Territory Coordinator.

Mrs FINOCCHIARO: We will not accept that amendment. Essentially you are saying that it would remove significant projects. That is a huge part of Bill, for obvious reasons. I remind you that exemption notices can be issued by only the minister, not the Territory Coordinator.

Amendment not agreed to.

Clause 77 agreed to.

Clause 78:

J DAVIS: I move amendment 45 in schedule 017IND to omit clause 78 and insert new clause 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.

This removes paragraph (a) which undervalues the function of regulatory processes and introduces discretion that the scrutiny committee heard is to a level that is unsatisfactory to the community.

Mrs FINOCCHIARO: We will not accept your amendment.

Amendment not agreed to.

Clause 78 agreed to.

Clause 79:

J DAVIS: One amendment is no longer relevant, but I have two more amendments.

I move amendment 48 in schedule 017IND to amend clause 79(2)(b) by omitting 'may' and inserting 'must' so that consultation is compulsory not discretionary.

Mrs FINOCCHIARO: That amendment is not supported by the government.

Amendment not agreed to.

J DAVIS: I move amendment 49 in schedule 017IND to omit clause 79(3)(a) and insert:

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

The purpose is so that the community can have an understanding of the basis for the decision being made.

Mrs FINOCCHIARO: The government will not accept your amendment.

Amendment not agreed to.

Mr YOUNG: Why does the minister, rather than an independent authority, have final approval over exemption notices?

Mrs FINOCCHIARO: In the legislation it would be the Territory Coordinator or the minister, and given the ability to exempt legislation or processes, bringing it to the minister gives it an additional layer of consideration, I suppose.

Mr YOUNG: What safeguards exist to ensure that those exemption powers are not used for the benefit of politically connected industry or developers?

Mrs FINOCCHIARO: Much like every other time you have asked that question, there is a number of thresholds and tests embedded throughout the Bill. To extend my earlier answer about why the minister does it, it also then makes that decision disallowable by the parliament. It brings the decision into the parliament which again is another layer of transparency, scrutiny and accountability, as it gives the parliament the opportunity to vote on the minister's decision.

Mr YOUNG: Can you outline the thresholds and tests you indicated to ensure the safeguards are there?

Mrs FINOCCHIARO: No, because they are not in clause 79. They are embedded from clause 1 through to clause 79, and we have been over them extensively.

Clause 79 agreed to.

Clause 80:

J DAVIS: I move amendment 51 in schedule 017IND to amend clause 80(2)(b).

This amendment means that the Territory Coordinator 'must' consult not 'may' consult. This is a committee recommendation. The committee stated:

> *Given the potential impact of an exemption notice on the rights of individuals, such as the requirement to give notice to and obtain the consent of landowners prior to conducting preliminary exploration on land … the Committee is of the view that consulting with any other person the Coordinator or Minister considers may be affected by the proposed exemption notice should not be optional.*

I support that committee recommendation.

Mrs FINOCCHIARO: We did not accept that scrutiny committee recommendation and do not accept your amendment.

J DAVIS: Can you explain why you did not accept that recommendation?

Mrs FINOCCHIARO: Yes, it comes down to there needing to be a level of discretion because it will depend on the individual situation. The way it is drafted allows for consultation if that is deemed necessary and appropriate at the time.

Amendment not agreed to.

Clause 80 agreed to.

Clause 81:

Ms UIBO: I move amendment 9 in schedule 017OPP to insert:

(3) This section is subject to section 82.

This is part of our amendments to remove exemption notices.

Mrs FINOCCHIARO: This amendment is not accepted by the government.

Amendment not agreed to.

Clause 81 agreed to.

Clause 82:

Ms UIBO: I move amendment 11 in schedule 017OPP to clause 82(1).

We are calling for real-time publicly accessible reporting on the Territory Coordinator's website; reports indexed by project, industry and type of exemption or variation; and justifications for all decisions supported by economic and environmental impact statements. Additionally, we will amend clause 82, Tabling and disallowance, to require that any exemption notices, if retained, must be tabled in the Legislative Assembly before taking effect. This will ensure that parliament and the public will have the opportunity to review and provide input before works commence. The amendments have been circulated.

Mr MALEY: We will not accept this amendment because it goes against the principles of trying to speed up things and make it easier to do business; it may slow down doing business in the Northern Territory.

Amendment not agreed to.

Ms UIBO: I move amendment 12 in schedule 017OPP to clause 82(2).

This leads on from what was previously discussed. The amendment will omit ', whether or not it has been tabled'.

Mr MALEY: We will not accept the amendment because it goes against the principle of what the Territory Coordinator Bill is trying to do.

Amendment not agreed to.

Ms UIBO: I move amendment 13 in schedule 017OPP to clause 82(3) to omit all words after 'given' and insert 'within 6 sitting days after it is tabled'.

Mr MALEY: We will not accept this amendment due to the fact it goes against the principles of the Territory Coordinator Bill we are trying to enact to make the Territory a better place to do business.

Amendment not agreed to.

Ms UIBO: I move amendment 14 in schedule 017OPP to omit clauses 82(4) and (5) and 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).

Mr MALEY: We will not accept the amendment as it goes against the principles of the Territory Coordinator Bill which is to make the Territory the best place to do business. We are trying to speed up approval times, which is what this legislation does.

J DAVIS: You said that this amendment goes against the intention of the Bill. My understanding of the amendment is that the exemption notice is tabled not on the next sitting day. The committee heard it could be up to four months after the exemption notice had been put in place and that nothing done under that exemption notice is reversible. Is that the intention of this legislation?

Mr MALEY: Member for Johnston, you answered your own question. This legislation is trying to speed up approval processes and get rid of delays. These exemption notices are made by the minister, not by the coordinator; therefore, an elected official does that. That person will be held to account, because they are a minister of the government. It will move to the next sitting day, and the minister will consider all the options. As we have gone through with the rest of the legislation, the minister can seek all the submissions and will be responsible to make a decision. If that decision is made, it should be upheld. It could be reversed—or go forward—and there would be a delay, which we are trying to stop.

J DAVIS: I remind the Assembly of what I said earlier which was the committee's legal advice was that the minister having power, not only the Territory Coordinator, was not particularly comforting in terms of making sure we were following democratic processes. The significant concern raised in our legal advice and by many people who gave evidence to the committee was that this is presumably in place to give comfort to people who might be concerned about fast-tracking processes without the Legislative Assembly having oversight. It does not achieve that aim because the nature of our sitting calendar is such that six sitting days could be four months, in which time irreversible work could have been done that the House may not support.

Mr MALEY: That is why this decision rests with the minister and not the Territory Coordinator. The minister makes the decision about exemption notices because of the gravity of them. The minister will not make that decision lightly. The minister will consider all the information before making a decision based on the best interests of all Territorians.

J DAVIS: Is there a rationale for why it could not come to the Chamber earlier than six sitting days?

Mr MALEY: We are trying to avoid delay and speed up the approval processes. Giving an exemption notice is a big thing to do, which is why the minister makes that decision.

Amendment not agreed to.

Clause 82 agreed to.

Clauses 83 to 85, by leave, taken together and agreed to.

Clause 86:

J DAVIS: I move amendment 60 in schedule 017IND to insert subclause (4).

This is in relation to condition variation notices and refers to a further amendment that I will propose, which is a new clause before clause 88. This amendment will insert:

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

Mrs FINOCCHIARO: We will not accept your amendment.

Amendment not agreed to.

Clause 86 agreed to.

Clause 87, by leave, agreed to.

After clause 87:

J DAVIS: I move amendment 61 in schedule 017IND after clause 87 to insert new clause 87A in Part 7, Division 5.

This amendment relates to tabling and disallowance. Clause 87 allows the minister to issue a condition variation notice. This is a far-reaching power that could affect decisions made before this legislation even comes into effect. It allows significant modifications of conditions, including allowing new conditions that could not usually be imposed under the primary legislation under which the decision was made. This power should be subject to the same parliamentary scrutiny as the exemption notice; it should be tabled and disallowable. It also should not take effect until the time for tabling and disallowance has passed.

We heard about this during the scrutiny committee process. The Central Land Council said:

> *Under the Bill there is no obligation to consult with nor seriously consider the views of interested parties or other people whose rights and interests may be affected by:*
>
> *…*
>
> *Variation of a condition on an existing approval or decision.*
>
> *An example is where a decision might require a proponent to undertake a social and cultural impact assessment in a particular manner. Variation to that condition would impact the people whose society and culture was to be the subject of that assessment. They ought to be given opportunity to comment on and have input into any proposed variation, and have their views seriously considered.*

Similarly, the Utilities Commission said that the Territory Coordinator is given a power to excuse a project proponent from complying with a condition already imposed. Placing that power in the hands of the Territory Coordinator undermines the authority given by parliament to the entity that imposed the original condition.

The Environmental Defenders Office said:

> *Condition variation notices may be inconsistent with principles of natural justice. The Bill allows the Territory Coordinator to vary conditions already imposed as a result of completion of a statutory decision-making process … In situations where conditions are included following public consultation but then are removed by a condition variation notice, submitters would be denied procedural fairness. Conditions imposed on their request would have changed, and they have no opportunity to comment … before the variation is made.*

I therefore propose that we insert clause 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 early of the following:

  (a) the day on which the 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.

Mrs FINOCCHIARO: We will not accept your amendment.

Amendment not agreed to.

Clause 88:

Mrs FINOCCHIARO: I move amendment 10 in schedule 017GOV to omit clause 88 and insert new clause 88.

This is a scrutiny committee recommendation. It confirms that all requests and notices must be published, but a statement of reasons is required to be published only for notices. New clause 88, Publication of requests and notices, will read:

(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, as amended, agreed to.

Clauses 89 and 90, by leave, taken together and agreed to.

Clause 91:

Mrs FINOCCHIARO: I move amendment 11 in schedule 017GOV to omit clause 91 and insert new clause 91.

This amendment confirms that the minister must table a copy of the completion notice given to the minister under section 90(1) and that a report on that notice is not required to be tabled.

Amendment agreed to.

Clause 91, as amended, agreed to.

Clause 92:

Mr YOUNG: Why is no warrant required to enter private or Aboriginal land?

Mrs FINOCCHIARO: This Part sets out the powers to enter land. Clause 92 has details regarding how a person can be authorised to enter land to do specific things. There must be at least 14 days' notice prior to entry. The notice must do a range of things so that the person whose land it is will be well aware of the activity. It cannot override federal legislation such as the Aboriginal Land Rights Act.

Mr YOUNG: Does this mean the Territory Coordinator would need to apply for a permit to enter Aboriginal land?

Mrs FINOCCHIARO: Whoever the person entering the land is; it will not be the Territory Coordinator.

Mr YOUNG: If it was?

Mrs FINOCCHIARO: It would not be. It would be a geophysicist or a technical person on the land doing something.

Mr YOUNG: That person would be instructed by the Territory Coordinator, and the Territory Coordinator would need to apply for a permit?

Mrs FINOCCHIARO: Correct.

Mr YOUNG: Will landholders be notified before government officials enter their property?

Mrs FINOCCHIARO: Yes, it clearly says 14 days' notice is needed. That notice must provide a range of details set out in subsection (3).

Mr YOUNG: How is that 14 days' notice to enter that land, property or parcel of land administered? Is it through a phone call or a written letter? How will someone know that the landowner has received it?

Mrs FINOCCHIARO: It must be written notice.

Mr YOUNG: How would you know that the landholder received that written notice?

Mrs FINOCCHIARO: Clause 92(4) says:

> *… the person must not enter premises under this section without the consent of the owner or occupier of the land.*

Clause 92(6) says:

> *The person must show the written authorisation to enter the land to the owner or occupier of the land on request.*

Therefore, safeguards are built into it. This is not the only piece of Northern Territory legislation that has the power to enter land. This has been modelled off those existing laws.

Mr YOUNG: You said 'if consent is given'. If consent is not given by that landholder, what would happen in regard to the person entering that parcel of land?

Mrs FINOCCHIARO: It is entry into land; you are not allowed into the premises. You are allowed into the premises if, obviously, the owner consents to it. 'Premises' is a building.

If consent is not received to enter the land within the 14 days—is that your question?

Mr YOUNG: Yes.

Mrs FINOCCHIARO: The land can be entered without the owner or occupier's consent, but not the premises.

Mr YOUNG: Sorry; could you repeat that? I got the premises one.

Mrs FINOCCHIARO: As long as a notice has been provided in writing and it complies with all the requirements of this clause, then without the owner or occupier's consent a person can enter the land—for example, to look at a water meter, a bore, a fence line or something like that—but they cannot go into a premises because they would need consent for that.

Mr YOUNG: They could enter that land. For example, I live in a house on one acre at Wagait Beach. Obviously they could not enter my house, but could they walk through my property to the backyard to do whatever activity the Territory Coordinator has authorised?

Mrs FINOCCHIARO: I will not engage in your hypothetical because, quite frankly, it sounds ridiculous.

Mr YOUNG: It is not a hypothetical; it is a reality …

Mrs FINOCCHIARO: It is a hypothetical; it is not reality. I do not know where your backyard is, but if it is in a Territory development area you live somewhere pretty strange. It has to be in a Territory development area or an ICA, so let us give it some context.

Mr YOUNG: If it was a pastoralist a person could not enter their house or their property, but you are saying they are allowed on their land under the Territory Coordinator's direction?

Mrs FINOCCHIARO: Yes, as long as they have complied with all the requirements of clause 92, as is allowed in many other pieces of Territory legislation. This is modelled off existing laws, probably laws your government brought in.

Mr YOUNG: Can the Territory Coordinator be sued if they wrongfully enter private property or cause damage to sacred sites?

Mrs FINOCCHIARO: You rightly know that if someone damages a sacred site there are provisions in the Sacred Sites Act to deal with it, so that is a different course of action. What was your first question? If there was damage there are provisions for compensation in clause 94, which we are not up to.

Mr YOUNG: The other part of that question was: if the Territory Coordinator wrongfully enters a property or issues someone to enter that property, can the Territory Coordinator be sued?

Mrs FINOCCHIARO: That is hypothetical. What is 'wrongful entry of a property'? If they have complied with clause 92, it is compliant. If they have not, it is not compliant.

Ms UIBO: If within 14 days the proposed entry of an authorised person is refused, can the Territory Coordinator use their step-in power to grant access through other legislation?

Mrs FINOCCHIARO: It is not a yes or no question. This is about giving a person the right amount of notice; it does not mean asking them for their consent or otherwise. It means making sure that notice is given with that 14-day period and that all the details are set out in it. In a practical sense if the owner or occupier was on holiday, would not be there, work was happening or there was an issue, they would phone the number at the bottom of the notice, make contact and work through those arrangements. That is a practical way it would work. Clause 92(2) does not require consent; it requires notice.

Ms UIBO: I will give you an example about written notice. Some constituents in my electorate do not have a mailbox. Is there a requirement for either registered mail or hand delivery? I am not playing games; I am thinking of the context. There are very big private residential properties in the northern part of my electorate, in those high-yielding agribusiness parts of the Big Rivers region. Will the written notice be provided in person or by a registered process or mail delivery? People in the northern part of my electorate are concerned about how they would receive notice.

Mrs FINOCCHIARO: I understand your question. The Territory Coordinator will get the owner or occupier information from the land system. Whoever the registered person is or whatever information they can obtain will be how they provide that written notice. There is nothing in this clause that stops the Territory Coordinator from hand delivery or whatever it might need to be, but there is nothing that requires them to go beyond providing written notice. If it is cattle station X they would look that up and there would be a post office box, an Australia Post outlet or wherever it is that people can get their mail.

Ms UIBO: Can a written notice also be digitally received or administered for the provision of clause 92(2)?

Mrs FINOCCHIARO: It is required to be written. It is probably a bit too hypothetical. In a realistic sense, how would you obtain someone's email address? If you are cattle station X …

Ms UIBO: I am thinking of the example of an email. We would say, 'I have written you an email'. It is making sure that person has access to the notice, because geographically, Wet Season road inaccessibility—what are the practical ways to ensure that people are informed of a written notice? If it can be digital that means it is more likely the authorised person, through the Territory Coordinator, would have another avenue to provide that information to an owner or occupier of the land they are intending to enter.

Mrs FINOCCHIARO: It would be the ordinary meaning in the *Interpretation Act*. We are just pulling that up for you, if you have other questions.

Ms UIBO: Yes, I have a couple.

Mrs FINOCCHIARO: As long as it is written.

Mr YOUNG: Is there an appeal process when a written notice is given to those landholders? Can they appeal it?

Mrs FINOCCHIARO: Can they appeal the decision? No. There are no specific appeal mechanisms in the clause, but judicial review is always available.

Mr YOUNG: Farmers may have certain activity happening on their property or have cattle in certain yards for which the Territory Coordinator has issued a written notice. If they cannot move that activity or the cattle to other yards, what will happen? Where do they appeal that decision or be given a longer time, because 14 days is quite short?

Mrs FINOCCHIARO: They would contact the Territory Coordinator and explain why that was not feasible.

Mr YOUNG: If the Territory Coordinator came back and said, 'No, we will go ahead anyway', they may need to be reimbursed for moving cattle from yards or off their property. Obviously, that is a cost to their business.

Mrs FINOCCHIARO: This is getting far too hypothetical to give an appropriate answer.

Mr YOUNG: No, it is just to clarify where they go to appeal that process. That is likely to happen.

Mrs FINOCCHIARO: I already told you it is judicial review. You are giving wide-ranging hypotheticals that, quite frankly, make no sense. I will not answer your hypothetical because it would be inappropriate in the circumstances.

Mr YOUNG: It makes sense to those property owners, considering that they run big businesses on their land. Why is a warrant not required, given that land rights and privacy is at stake?

Mrs FINOCCHIARO: Because this is just the power to enter land once appropriate notification has been given which specifies what people will do there, who they are and all those other things. It is the type of works needed to develop a proposed ICP, so it is investigation. People might be going there to look at flora and fauna, conduct surveys or look across sightlines or topography. It is of a scientific nature, you could say.

Clause 92 agreed to.

Clause 93:

Ms UIBO: I move amendment 17 in schedule 017OPP to 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).

This amendment will further ensure that there are protections for Aboriginal land and sacred sites from the powers of entry. In light of the joint submission from the four Aboriginal land councils, this would provide further reassurance.

Mrs FINOCCHIARO: The greatest assurance we can give people is that it is not in the Schedule. That is all the assurance you would need. If it is Commonwealth legislation it cannot be overridden.

Amendment not agreed to.

Clause 93 agreed to.

Clause 94:

J DAVIS: I move amendment 65 in schedule 017IND to clause 94(1).

This is a scrutiny committee recommendation in relation to compensation for entering land. A concern was raised with the committee that the Bill as drafted provides that the amount of compensation, if any, is to be determined by the Territory Coordinator and that there was potential for a conflict of interest in relation to this. It was felt that compensation for damage being determined by the Territory Coordinator is not an appropriate level of scrutiny for a potentially significant financial burden borne by a landowner. That is why, at the very least, rather than the Territory Coordinator reviewing the compensation, it would be in keeping for those kinds of powers to be with the minister.

The committee, following consideration of the evidence, agreed that it was not appropriate for the Territory Coordinator to determine the amount of compensation, if any, for damage caused to land. The committee

was of the view that compensation should be determined by the minister or an independent third party. I therefore propose this amendment to omit 'Territory Coordinator' and insert 'Minister or an independent third party appointed by the Minister'.

Mrs FINOCCHIARO: We will not accept this amendment. It is well placed. It is important we have compensation, and that is why it is in here. That goes to some of your earlier questions, Member for Daly.

Bear in mind that this is very low impact activity; it is people wandering around or a car being driven around. In any event, accidents happen. Someone might reverse into a bore, fence or gate. That could foreseeably happen, which is why we have the compensation clause.

The Territory Coordinator will not be driving around in his HiLux checking which species of grass are there. That is not the job. However, it is a much more flexible, agile, quick and efficient process to have the Territory Coordinator conduct that because if they have authorised someone to enter premises it is for a clear purpose and if something happened, there is a straightforward, quick process for the owner or occupier to have a speedy resolution.

J DAVIS: I understand it may not be the Territory Coordinator who enters the land or causes the damage, but they will be the decision-maker. I note that in other schemes the person who is the decision-maker and responsible is not the same person who would make decisions about the amount of compensation. I repeat my point that, as the committee raised, there is a conflict of interest. To protect the legislation and the community, it would be preferable that an independent third party or the minister made the determination about compensation.

Mrs FINOCCHIARO: Noted.

Opposition Leader, in response to your question, yes, writing includes electronic notice.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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: I will not move amendment 66 in schedule 017IND to insert new subclause (1A) because it relates to an amendment that was not passed, so it is obsolete.

Mr YOUNG: How will the government ensure landowners are fairly compensated for damage?

Mrs FINOCCHIARO: This sets out the scheme for compensation for damage. They would have to show there is damage and, presumably, how much damage resulted or what it will cost to fix. It says:

> *… as the case requires, the amount, if any, that is determined by the Territory Coordinator to be the amount of the damage.*
>
> *… damage to land includes loss suffered as a result of any of the following:*

The criteria are there.

Mr YOUNG: Why will the Territory Coordinator make that ruling for compensation and not an independent body?

Mrs FINOCCHIARO: Because that will cause delay, cost and complication for the landowner, and we want it to be resolved as quickly as possible.

Mr YOUNG: Is there a mechanism or a body for the landowner to appeal the Territory Coordinator's decision about the compensation if they do not feel it is just?

Mrs FINOCCHIARO: There is always the courts.

Mr MALEY: Judicial review, yes.

Mr YOUNG: What compensation rights do landholders have if the property is damaged during an inspection?

Mrs FINOCCHIARO: The ones set out in clause 94.

Mr YOUNG: How will cultural damage to Indigenous sites be valued and compensated?

Mrs FINOCCHIARO: That is under the Sacred Sites Act.

Ms UIBO: Would that also apply if there was damage to a heritage site, given the *Heritage Act* is in the Schedule?

Mrs FINOCCHIARO: There is the ability for compensation for damage. There would have to be damage, and someone would have to show there is damage and the cost of that damage. It is there specifically for this purpose; it is not a strange trick. We put in compensation provisions for any damage or loss suffered which would be a rare event, given the low-impact nature of the authorisation.

Ms UIBO: I was thinking of a recent unfortunate example in the Northern Territory of a heritage site on a pastoral property that was damaged. I want to apply that example to the process in clause 94 for compensation for damage. If the *Heritage Act* is included in the Schedule, does that mean compensation claims would be obsolete because it is one of the 32 laws in the Schedule?

Mrs FINOCCHIARO: It would be set out in the *Heritage Act*.

Ms UIBO: My understanding is that the Schedule lists the 32 laws that the Territory Coordinator can have power over. Does that mean they could, essentially, jump over the compensation part of that Act, or would it still stand in its own right?

Mrs FINOCCHIARO: No, the minister would have to issue an exemption notice. It would need to be significant. Do not forget you would need to go straight to the front of this legislation to start the entire process over that heritage building or whatever it might be. Yes, it would not get there. It would not meet those criteria because …

Ms UIBO: Would they still be eligible to apply for compensation?

Mrs FINOCCHIARO: Yes, but it would be under the *Heritage Act*, just like the Sacred Sites Act. They have their own schemes. This is for the kind of stuff like reversing your Hilux into a fence.

Clause 94 agreed to.

After clause 94:

J DAVIS: I move amendment 68 in schedule 017IND to insert new clause 94A before clause 95 in Part 9.

This is in relation to public consultation requirements. I heard the government say that it is not open to considering this amendment; nevertheless, will read it out to Chamber. Other members have explained the need to have robust consultation processes that the public can trust. To that end, this amendment proposes minimum requirements for public consultation. I heard from the Chief Minister that there would be in the regulations a minimum requirement of timeframes and potentially three other things would be considered. This amendment says:

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

(a) a proposed ICP …

(b) a proposed variation to an ICP …

(c) a proposed program of works …

(d) a proposed TDA plan …

(e) a proposed variation of a TDA plan …

(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 …

(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 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 … 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.

I have previously spoken about the importance of this amendment. I will not spend more time on it now, but I encourage people to support it.

Mrs FINOCCHIARO: We will not support the amendment.

Amendment not agreed to.

Clause 95:

Ms UIBO: I move amendment 18 in schedule 017OPP to omit clause 95 and 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.

There is a footnote, but I will not read it out.

This amendment will provide for merits review of decisions made by the Territory Coordinator with the NT Civil and Administrative Tribunal (NTCAT) responsible for reviewing the coordinator's decision. Many Territorians believe—as seen in the submissions that have been provided, the feedback on this Bill and in the committee process—this would lend itself not to having only one endpoint for reviewing decisions.

The only avenue we have heard so far from the government is judicial review. That is a costly process. It is not always accessible for the everyday Territorian to go through court or a legal proceeding of that nature. A high threshold is required for a judicial review process, so it would probably knock out a lot of Territorians who want to pursue a review of decision. This amendment will provide NTCAT with a review process, a mechanism based on merit, which we heard time and again would be important for Territorians to have faith in the process. It would go a long way if the government adopted this amendment for this extra level of protection to allow for review.

Mrs FINOCCHIARO: We will not accept the amendment. Given the decisions that can be made under the Act, we feel that judicial review is the appropriate form of review.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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.

Mr YOUNG: How is this clause legally consistent with principles of administrative law which generally allow for review mechanisms?

Mrs FINOCCHIARO: It is a review mechanism.

Mr YOUNG: Should affected communities have access to judicial review or an independent tribunal?

Mrs FINOCCHIARO: Judicial review.

Mr YOUNG: Why does the Bill remove appeal rights for landowners and community members?

Mrs FINOCCHIARO: It does not repeal any rights; it sets out the opportunity to have a judicial review, as per clause 95.

Mr YOUNG: Does the removal of appeal rights increase the risk of legal challenges under federal administrative law?

Mrs FINOCCHIARO: Federal law does not apply. This is Territory law.

Ms UIBO: Further to the Member for Daly's question in regard to someone choosing to appeal or challenge a decision, when it comes to those Commonwealth laws would that be in harmony or friction with this legislation?

Mr MALEY: If you have a right under any Commonwealth Act, you have that right; this legislation does not impinge on that. If you have a right under common law or a jurisdiction for a federal law, you have that power, no matter what it might be. It is basically called judicial review in the Supreme Court or the Federal Court.

Clause 95 agreed to.

Clause 96:

Ms UIBO: I move amendment 19 in schedule 017OPP to clause 96(1) to insert paragraph (h):

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

This is in a series of amendments to clause 96 as part of a suite of changes to increase the transparency of this legislation. These amendments will create the requirement for real-time, publicly accessible reporting on the Territory Coordinator's website; reports indexed by project, industry and type of exemption or variation; and justifications for all decisions, supported by economic and environmental impact assessments. We will deal with these amendments individually, so I will stop there.

Mrs FINOCCHIARO: We will not accept your amendment. The information required to be kept on the register is laid out as intended in the clause.

Amendment not agreed to.

Ms UIBO: I move amendment 20 in schedule 017OPP to clause 96(3) to omit 'make reasonable endeavours to ensure the register is kept updated' and insert 'ensure the register is updated within 24 hours of a new entry or change to an entry required by subsection (1)'.

This is part of the suite of measures that we hope will provide more transparency and comfort for Territorians.

Mrs FINOCCHIARO: I understand what you intend to achieve, but that would be an unachievable outcome. It is not practical to do that, so we will not accept your amendment.

Amendment not agreed to.

Ms UIBO: I move amendment 21 in schedule 017OPP to omit clause 96(4) and 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.

Mrs FINOCCHIARO: We will not accept the amendment.

Amendment not agreed to.

Clause 96 agreed to.

Clauses 97 and 98, by leave, taken together and agreed to.

Clause 99:

Ms UIBO: I move amendment 22 in schedule 017OPP to omit ', exemption notice' in clause 99(2).

This amendment removes references to the exemption notices in line with our other amendments.

Mrs FINOCCHIARO: We will not accept it because exemption notices are in the legislation, and I assume you would prefer them to be noted in the annual report.

Amendment not agreed to.

Clause 99 agreed to.

Clause 100:

J DAVIS: I move amendment 70 in schedule 017IND to clause 100(1).

This is a committee recommendation in relation to reviews into matters relevant to the Territory Coordinator's functions. The committee noted, as did much of the evidence given to the committee, that this clause means the Territory Coordinator will be reviewing themselves. The committee had significant concerns about this; therefore, it recommended:

> *… that clause 100 be amended to provide that reviews of any matter the Minister considers is one with which the Coordinator should be concerned in the general operation of the Coordinator's functions are to be undertaken by an independent entity.*

Therefore, the amendment omits 'conduct' and inserts 'arrange for an appropriately qualified independent third party to conduct' a review.

Once again, this amendment goes to public perception of trust in the Territory Coordinator role. I encourage government members to listen to the committee recommendations. The committee members read more than 300 submissions, listened to expert witness statements and made recommendations to try to ensure that this Bill will be as robust as possible.

K McNAMARA: I support this amendment. It is late and I am tired, but it is confusing to me that this amendment has come directly from the scrutiny committee recommendations, yet the Chair and other CLP members of the scrutiny committee are voting against their own recommendations. I cannot understand that.

It has not gone unnoticed by members of the public who have been watching. They question why the Chair and other members keep voting against their own recommendations. I do not get it. There will be questions from members of the public, particularly those who participated in the committee process, as to why the Chair and other CLP members cannot think and act for themselves and stand by their recommendations. I would love an answer to that, but I understand I will not get one here.

I still cannot understand the reason why the members opposite would not vote for things that are simply trying to improve this Bill and make it more accountable to the public. What are you afraid of?

Mr EDGINGTON: Is that a question or a statement?

K McNAMARA: It is my statement in support of that. Feel free to answer why you are voting against your own recommendations.

Mrs FINOCCHIARO: I can explain. It is because you do not understand this clause. This is not the Territory Coordinator reviewing themselves. If the Territory Coordinator has been continuously stepping in, for example, in certain points of certain regulatory frameworks they can ensure that there is a review into that legislation or whatever it interfaces. It is not the Territory Coordinator themselves; if they continue to hit the same hurdle over and again they can trigger a review into whatever that hurdle looks like.

We will not accept the amendment.

J DAVIS: My reading of subclause (1) is that the Territory Coordinator may conduct a review into any matter that is one with which the coordinator should be concerned in the general operation of the coordinator's functions. To my reading that would also include the actual operation and functions of the coordinator themselves. Am I misunderstanding that?

Mrs FINOCCHIARO: I suppose you could interpret it that way; that is entirely up to you, Member for Johnston, but that is not what that clause does. The five-year review set out in the legislation does that.

J DAVIS: The review process for the Territory Coordinator is that in five years' time there will be a review into the person in that role; is that correct?

Mrs FINOCCHIARO: No, it is into the Act. It is standard; a vast swathe of legislation has a time period for review.

J DAVIS: Are you saying clause 100 is about the functions of the Territory Coordinator, not the Territory Coordinator themselves, and that a review will happen, which may be about the Territory Coordinator themselves in five years?

Mrs FINOCCHIARO: No. Let us stick to clause 100. We will get to the other type of review, because I think they are converging. Clause 100 allows the Territory Coordinator to review matters they have come across that could be resolved in another way. It is not to review themselves, their performance and how they are operating. It is about other interfaces they are having.

Amendment not agreed to.

Clause 100 agreed to.

Clause 101, by leave, agreed to.

After clause 101:

Mrs FINOCCHIARO: I move amendment 12 in schedule 017GOV to insert new clause 101A.

This is from the scrutiny committee. This new clause will require the minister to arrange for an independent review. This is that review process now, Member for Johnston. There will be an independent review of the Act as soon as possible five years after the Act commences. It also requires a report on the outcome of the independent review to be tabled in the Legislative Assembly within 12 months after the end of the five-year period since the commencement of the Act. An independent review will happen, and it will be tabled in parliament.

Mr PAECH: I note that the agreed position is a review as soon as possible five years after the commencement of the Act. The amendment states:

> *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.*

Essentially, we could be looking at not knowing the outcome of the review for six years; is that correct?

Mrs FINOCCHIARO: In a technical sense, yes, but it depends how long that review process goes for. It could be a number of months. It could be six months for the process to be undertaken and then there is the time for writing. All it intends to do is give adequate time for a fulsome process.

Ms UIBO: We had a similar amendment to this. We were to propose three years. I am wondering about the decision to have five years, so we can understand that, as opposed to three years.

Mrs FINOCCHIARO: The committee recommended five years.

Amendment agreed to.

Clauses 102 and 103, by leave, taken together and agreed to.

Clause 104:

Ms UIBO: The opposition sought a briefing, and we have an understanding of this question, but it is important for the public to have this information as well through the consideration in detail process. Can you tell Territorians why the Bill grants full legal immunity to the Territory Coordinator?

Mrs FINOCCHIARO: In clause 104, there is protection for a person acting in good faith in the exercise of their powers. There are criteria around that. This type of protection from liability is standard across government. Basically, the person is not civilly or criminally liable if they acted in good faith in the exercise of their power. That applies to the Territory Coordinator, a member of the coordinator's staff or a person acting for or on behalf of the coordinator.

Ms UIBO: Can the Territory Coordinator be held personally accountable for misconduct?

Mrs FINOCCHIARO: Misconduct is not this clause. For clarity, misconduct would be under the terms and conditions of employment. This is only when a person is in good faith exercising their powers.

Ms UIBO: Sorry, maybe I should have read my two questions together. The second part of my question leading on from that was to ask you whether the Territory Coordinator could be personally liable in cases of misconduct. Sorry, I was waiting to join those two questions.

Mrs FINOCCHIARO: That is too hypothetical to answer. This clause does not deal with that.

Clause 104 agreed to.

Clause 105, by leave, agreed to.

Schedule:

Ms UIBO: I move amendment 24 in schedule 017OPP to omit item 10 from the Schedule.

This amendment will remove the *Heritage Act* from the Schedule. There is an amendment to remove item 14 and another amendment to insert Schedule 2, Reviewable decisions.

The two main Acts we are concerned about, which came up many times in the community feedback on the Bill, are the *Heritage Act 2011*—item 10 on the Schedule—and the *Local Government Act 2019*. This amendment will remove the *Heritage Act 2011* from the Schedule. Community members and key stakeholders contacted us about this, even tonight. I assume that they also contacted government, Independent and crossbench members.

This amendment allows for a merits review of decisions made by the Territory Coordinator, setting out who and what can be reviewed within the Schedule. It also gives better oversight of the Territory Coordinator and promotes natural justice to those affected by coordinator decisions. We think the insertion of new Schedule 2, Reviewable decisions, will round off some of the clear feedback from the community and the expectations people have in regard to the processes, extra accountability and mechanisms to get clarity or to review decisions.

As I mentioned, we have been contacted by people concerned about the *Heritage Act 2011* and the *Local Government Act 2019.* Those who watched, listened to or participated in the scrutiny committee process would have heard that people want the government to remove those two laws from the Schedule because of their concerns. We do not need to go over it; I think many people are familiar with that. That is our focus through this amendment.

J DAVIS: I support this amendment. Significant concerns were raised with the scrutiny committee about the inclusion of specific Acts in the Schedule, particularly the *Local Government Act* and the *Heritage Act.* Generally, in the committee hearings it was noted that it is unclear why some Acts were in and some out. We discussed the fact that the *Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004* was removed, but when the committee asked questions about that the Department of the Chief Minister and Cabinet witness was unable to advise on the rationale for including or excluding any Acts in the Schedule, saying, ‘We don’t know what we don’t know’.

In general, I believe the list of scheduled Acts should be reconsidered and there should be a rationale for the inclusion of each Act. However, in relation to this specific amendment, I support that items 14 and 10 are omitted from the Schedule. I note that omitting item 14 from the Schedule is a committee recommendation.

We heard strong witness statements about the importance of excluding the *Local Government Act* from the Schedule. Concerns were raised that the *Heritage Act* was moved between the exposure draft and the current Bill. The Heritage Council was not consulted or informed about that removal.

Mr PAECH: I acknowledge the comments made by the Member for Johnston and the Leader of the Opposition. As a member of the Legislative Scrutiny Committee I acknowledge the firm advocacy from the Local Government Association of the Northern Territory to have the *Local Government Act 2019* removed from the Schedule, as well as Palmerston City Council which advocated strongly for the removal of the *Local Government Act* from the Schedule.

Regarding the *Heritage Act*, we heard from the Heritage Council and a number of other key witnesses giving oral testimony. Again, they were not given the appropriate information or rationale as to why the *Heritage Act* and the *Local Government Act* needed to remain in the Schedule. As the Member for Johnston said, the committee was told by the department, ‘We don’t know what we don’t know. That is why they are in there.’ That is a pathetic excuse as to why those two pieces of legislation should be in the Schedule.

Tonight the Assembly passed an amendment that any Act that is to go in the Territory Coordinator Act should come to parliament and be debated. Therefore, it would be easy to remove the *Heritage Act* and the *Local Government Act* tonight. If there are any changes it could come back to parliament and the government could signal why those two pieces of legislation need to be included in the Schedule.

We are yet to have articulated why they need to be in there. We heard from the Local Government Association and Palmerston City Council that local government in the Northern Territory is not like other local government entities; they do not have the same level of planning, approvals and permissions. They have some jurisdiction over traffic management. They felt that what was proposed for planning decisions was not appropriate.

We support the removal of the *Local Government Act* and the *Heritage Act* from the Schedule.

Mrs FINOCCHIARO: I do not appreciate the verballing of the people from the Department of the Chief Minister and Cabinet who made submissions to the scrutiny committee. Equally, there is a big difference between not wanting to be in the Schedule and not understanding why you are there in the first place. The minister for Local Government made it clear in his submission why it was important that they were in and that local government is an important part of supporting economic development and growth, particularly in the regions. They are important in terms of integrating with processes and regulatory approvals. Equally, the *Heritage Act* came as no surprise to anyone because it was in the consultation paper.

We will not accept the amendments and will proceed with the Schedule as printed.

Ms UIBO: I apologise; I did three in one by accident. Amendment 24 will remove item 10 from the Schedule. The Member for Gwoja has an amendment that will be circulated by the Table Office which will omit item 14, as does the Member for Johnston's amendment. My amendment 25 is for the insertion of Schedule 2. I wanted to clarify that at this late hour. There is the three-in-one that I spoke about; all have similar purposes to the amendment proposed.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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: I move to omit item 14 from the Schedule, which is the *Local Government Act*.

I have already spoken about this, so I will not again.

Mrs FINOCCHIARO: We will not accept it.

The Assembly divided:

Ayes 6	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
K McNamara	Ms Cahill
Mr Paech	Mrs Carlson
Ms Uibo	Mr Charls
Mr Young	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 agreed to.

After Schedule:

Ms UIBO: I move amendment 25 in schedule 017OPP to insert Schedule 2.

This is the one where I jumped the gun; I spoke about it when discussing amendment 24 by accident. The Labor opposition proposes the insertion of Schedule 2, Reviewable decisions, for all the reasons that I provided before and which I will not repeat. There are nine reviewable decisions laid out in Schedule 2, and that amendment document was circulated. This will provide the opportunity for Territorians to see that there are specific decisions that can have affected persons. They are clearly laid out. This should be part of the legislation because people will look to it as guidance, being a brand-new law. The more information the better, hence we proposed this amendment.

Mrs FINOCCHIARO: We will not accept your amendment. We feel that for the decisions that are being made, judicial review is adequate.

Amendment not agreed to.

Remainder of the Bill:

Mr YOUNG: I still have questions. Why was the decision made to include the *Heritage Act*?

Mrs FINOCCHIARO: We put this in our consultation document, seeking feedback and indicating that we would include it in the Schedule. In the end we made the decision to include it because there is a regulatory interface with decision-making and decision-making timeframes. It is important that the Territory Coordinator has the opportunity, if and when a situation arises, to utilise the key powers for the *Heritage Act*.

Mr YOUNG: Can you give an example of the powers that the Territory Coordinator may use in regard to the *Heritage Act*?

Mrs FINOCCHIARO: It would be all the key powers in the Act. They would go back to page one and work through the process so that the Territory Coordinator could use their powers.

Mr YOUNG: Why is the *Local Government Act* not excluded, as the scrutiny committee recommended?

Mrs FINOCCHIARO: I have already answered that.

Mr YOUNG: Can you answer that question, though?

Mrs FINOCCHIARO: I sure did—about 10 minutes ago.

Mr PAECH: Do not worry; the committee is still waiting too—her own members.

Mr YOUNG: It is relevant to this clause. I will put the question in a different way. Why was the decision made to include the *Local Government Act*?

Mrs FINOCCHIARO: I have answered this question.

Mr DEPUTY SPEAKER: I believe the Chief Minister answered that previously.

Mr YOUNG: She has not answered it in this clause.

Mrs FINOCCHIARO: Where do you think I answered it?

Mr YOUNG: It is in this. I am asking a question to this clause. It needs to be answered in this clause.

Mr DEPUTY SPEAKER: She has answered it as part of the discussion on the Schedule.

Mr YOUNG: No, it is to this clause—the Schedule, so she needs to answer that.

Mr EDGINGTON: She has answered.

Mr DEPUTY SPEAKER: We are on the Schedule; that is all we are talking about. We are past the Schedule now …

Mr YOUNG: The question is to the Schedule.

Mr DEPUTY SPEAKER: We have gone past the Schedule. I believe the Chief Minister has answered that question many times. Are there any new questions?

Mr YOUNG: You said, 'We are at the Schedule' and then 'We are past the Schedule'. Where are we?

Mrs FINOCCHIARO: What is past the Schedule?

Mr DEPUTY SPEAKER: The last amendment raised by the Leader of the Opposition was after we passed the Schedule.

Members interjecting.

Mr DEPUTY SPEAKER: I will continue. You will recall I got to the stage where I said, 'Is it the wish of the Assembly that the remainder of the Bill be taken together?' The Member for Daly wanted to talk, which he has now done.

Mr YOUNG: You said the remainder of the Bill, after the Schedule. I said no, so it goes back to that.

Mr DEPUTY SPEAKER: I am advised that we are now into the preamble and the long title. The question is that the remainder of the Bill stand as printed.

The Assembly divided:

Ayes 17	Noes 6
Ms Boothby	Mr Brown
Mr Burgoyne	J Davis
Ms Cahill	K McNamara
Mrs Carlson	Mr Paech
Mr Charls	Ms Uibo
Mr Edgington	Mr Young
Mrs Finocchiaro	
Mrs Hersey	
Mr Howe	
Mr Kerle	
Mr Mackay	

Mr Maley
Mr O'Gallagher
Mr Patel
Dr Rahman
Mr Yan
Mrs Zio

Remainder of the Bill agreed to.

Mr DEPUTY SPEAKER: The question is that the Bill be agreed to.

J DAVIS: The Chief Minister said that the *Heritage Act* was flagged in the consultation process and people were asked for their view about removing the *Heritage Act* from the Schedule. We asked this in the scrutiny committee as well and did not get a satisfactory answer. You decided to include the *Heritage Act* based on the consultation. Can you tell us whom you spoke to that informed that decision? We know it was not the Heritage Council.

Mrs FINOCCHIARO: I have answered this question.

Ms UIBO: No, you have not.

Mrs FINOCCHIARO: I have. We talked about this in the Schedule.

Mr PAECH: A point of order, Mr Deputy Speaker! The Member for Johnston is asking a question. The original proposal talked about having it, then it was removed, then when the Bill came to the committee it was included again. It has been in there, it has been talked about not being in there, and it has been in there again. The Member for Johnston is asking a simple question: who informed that decision for it to remain? The real Chief Minister, the Member for Barkly, can sit down.

Mr DEPUTY SPEAKER: Member for Gwoja, take your seat, please.

I remind all members the question is that the Bill be agreed to. We have already been through the Schedule. We will now answer the question that the Bill be agreed to.

Mr YOUNG: A point of order, Mr Deputy Speaker! Standing Order 1; I want clarification. We can ask questions when it comes to the whole of the Bill. You cannot silence us from doing our job.

Mr DEPUTY SPEAKER: I am advised that if you want to go into detail you need to recommit the Schedule, but I am staying with this. The question is that the Bill be agreed to.

Ms UIBO: We know this is important to get right, regardless of the time of the evening. We have been given clear questions and concerns from Territorians. We want to make sure we get the answers for them. We know it will pass; we know what the numbers are; we are not stupid. We honestly want clarification about the two bits of legislation. We want to ensure we have asked that. We know the government wants to ignore the questions from Territorians, but we need to know, by rights of standing orders …

Mr DEPUTY SPEAKER: Leader of the Opposition, take your seat, please.

Ms UIBO: Are we allowed to ask this question in this section?

Mr DEPUTY SPEAKER: I ask you again to take your seat.

Mr EDGINGTON: The questions relating to the Schedule have already been asked, and we have moved on from that part of the questions.

Mr DEPUTY SPEAKER: I agree. I say it again one last time: the question is that the Bill be agreed to.

The Assembly divided:

Ayes 17	Noes 6
Ms Boothby	Mr Brown
Mr Burgoyne	J Davis
Ms Cahill	K McNamara
Mrs Carlson	Mr Paech
Mr Charls	Ms Uibo
Mr Edgington	Mr Young
Mrs Finocchiaro	
Mrs Hersey	
Mr Howe	
Mr Kerle	
Mr Mackay	
Mr Maley	
Mr O'Gallagher	
Mr Patel	
Dr Rahman	
Mr Yan	
Mrs Zio	

Bill agreed to.

Mr DEPUTY SPEAKER: I thank everyone for their contribution and perseverance.

Mrs FINOCCHIARO (Territory Coordinator): Mr Deputy Speaker, I move that the Bill be now read a third time.

The Assembly divided:

Ayes 17	Noes 6
Ms Boothby	Mr Brown
Mr Burgoyne	J Davis
Ms Cahill	K McNamara
Mrs Carlson	Mr Paech
Mr Charls	Ms Uibo
Mr Edgington	Mr Young
Mrs Finocchiaro	
Mrs Hersey	
Mr Howe	
Mr Kerle	
Mr Mackay	
Mr Maley	
Mr O'Gallagher	
Mr Patel	
Dr Rahman	
Mr Yan	
Mrs Zio	

Motion agreed to; Bill read a third time.

PAPER TABLED
Auditor-General's Public Information Referrals Report

Madam SPEAKER: Honourable members, I table the Auditor-General's Public Information Referrals Report.

ADJOURNMENT

Mr EDGINGTON (Leader of Government Business): Madam Speaker, I move that the Assembly do now adjourn.

Motion agreed to; the Assembly adjourned.