



29<sup>th</sup> November, 2016

**Attention:** the Secretary, Select Committee on Opening Parliament to the People,

**Re:** Inquiry into Opening Parliament to the People

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NT Greens welcome the Greenpaper on parliamentary reform, and this opportunity to explore the proposals raised in recent discussion papers.

### **Electoral reform**

Given the landslide result of this year's Territory election, some might challenge the claim that this assembly '*is diverse and represents broad community views perhaps more than any other Assembly*'. The current overwhelming dominance of the government party would suggest that the speaker might best be drawn from government ranks.

NT Greens support proposals to publicly fund party activities, with a cap on spending. Donations to parties should be reported continuously, giving (near) real time transparency. The debacle of Foundation 51 shows that the current regime is weak and porous. It should be considered what changes to legislation and resourcing may be required to give all stakeholders confidence that any future attempts to bypass transparency and evade scrutiny of the probity of financial support to political parties will be fully prosecuted. Far more significant than thresholds and penalties is the establishment of a shared certainty that breaches of funding disclosure laws will be prosecuted.

NT Greens appreciate any effort to broaden enrolment. We've welcomed the abolition of 'the gauntlet' through new electoral procedures that exclude electioneering from within 100m of a polling place. We rather the Optional Preferential voting system that was recently instituted for this year's Territory election, to the alternative proposal of Automatic Allocation. Optional preferencing frees voters from pretending to prefer one objectionable non-option to another. Automatic allocation would deny this freedom, while risking the unhelpful misconception of clandestine manoeuvring behind the automatic allocation, as per the old federal senate group voting ticket system.

### **NT ICAC**

We recommend continued development of the reforms discussed in the 'Restoring Integrity' discussion paper, for an Independent Commission Against Corruption that has the power to investigate allegations of corruption. An NT ICAC, and an Integrity Commissioner, are important reforms that should be pursued as a priority.

### **Scrutiny Committees**

NT Greens welcome the new scrutiny committees. It is perhaps disappointing that neither the discussion paper nor the more recent greenpaper acknowledge the Council of Territory Cooperation, a sessional committee that performed some of these functions. The discussion may have benefited from consideration of this recent experience, however the proposed super committees appear to provide a useful perspective and an appropriate structure for scrutinising new legislation and the performance of government agencies.

But it is unfortunate that, despite acknowledging that recent irregular approvals have eroded community confidence in our planning systems, the minister appears to have already dismissed another well formed proposal for a Select Committee to Review Planning Decisions.

NT Greens recognise this kind of review project as a highly appropriate response to the many irregular decisions by the previous government's planning ministers. We find great value in the proposed function of reporting on the decisions of planning ministers of the previous government regarding:

- all major rezoning, exceptional development and special purpose use of applications
- where extraordinary powers were exercised by the minister.

The original proposal identified a number of likely priorities, including Lowther Road, Gardens Hill, Dundee Beach shop, Freds Pass Road, Bayview expansion and the subregional Litchfield plan. Others might include the pre-emptive lease over (the prospective) Nightcliff Island; the failure to prosecute illegal clearing on Boulter Rd, and subsequent reward of rezoning; and the bizarre rejection of the Heritage Commission's decision to list Kulaluk.

Despite acknowledging "*a heightened distrust of the previous government's way of going about its job when it came to planning,*" the new minister has expressed concerns, regarding "*messages of uncertainty that may send out*" - echoed by the opposition's claim that "*it would create exactly the kind of uncertainty that strategic land use planning is designed to avoid.*"

But there is also danger in sending the false signal that proponents can safely take advantage of poor process, and be rewarded for doing so. The public deserve certainty just as much as any developer. Territorians deserve the certainty that can come from a clear message that breaches like illegal clearing will not be rewarded with subsequent approvals; that institutions like the heritage committee will be respected; and that the minister's power to make unilateral decisions will only be invoked where necessary, and with appropriate public scrutiny.

NT Greens also support the extension of third party merit appeals to planning decisions: a long standing proposal that should now be enacted.

## **Other**

NT Greens welcome the proposals for parliament to debate petitions that exceed a certain threshold. We welcome FOI reforms that limit costs and strengthen the presumption in favour of disclosure.

One glaring opportunity for better opening parliament to Territorians is for improved language services, that enable representatives to speak in their first language, or a local language of their electorate. NT Greens urge this government to review standing orders to better accommodate Territory languages in our parliament.

We commend the committee for their work, and look forward to any opportunities to contribute further.

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