PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 21

Tuesday 20 October 1987

 MEETING: The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly dated 24 September 1987. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.
 PRAYERS.

- 3. NOTICES: The following notices were given: Mr Coulter: To present the Superannuation Amendment Bill 1987 (Serial 71) and the Shire of Litchfield (Validation of Rates) Bill 1987 (Serial 72). Mr Lanhupuy: To present the Local Government Amendment Bill 1987 (Serial 74).
- 4. QUESTIONS: Questions were asked of Ministers.
- 5. AUDITOR-GENERAL'S ANNUAL REPORT, 1986-87; AND AUDITOR-GENERAL'S REPORT UPON TREASURER'S FINANCIAL STATEMENTS 1986-87 - PAPERS TABLED - PAPERS PRINTED - PAPERS NOTED: The Speaker (Mr Vale) laid on the Table the Annual Report of the Auditor-General for 1986-87 together with the Auditor-General's Report upon the Treasurer's Annual Financial Statements for 1986-87. The Treasurer (Mr Coulter) moved - That the reports be printed. Question - put and passed. Mr Coulter moved - That the Assembly take note of the papers. Question - put and passed.
- 6. KATHERINE GORGE NATIONAL PARK MINISTERIAL STATEMENT STATEMENT NOTED: The Chief Minister (Mr Hatton) made a statement relating to the Katherine Gorge National Park and the implications of the Report of the Aboriginal Land Commissioner, Justice Sir William Kearney.

Mr Hatton moved - That the Assembly take note of the statement. The Leader of the Opposition (Mr Smith) moved the following amendment -

Omit all words after "That", and insert in their stead:

"(1) this Assembly:

- (a) accepts the recommendations of Justice Kearney on the Jawoyn (Katherine Gorge) Land Claim;
- (b) recognises the right of the Jawoyn people to a form of title which will provide them with the security they desire; and
- (c) recognises the absolute imperative that the Katherine Gorge National Park continue as a National Park and the appropriateness of the Conservation Commission of the Northern Territory continuing to manage the Park; and
- (2) this Assembly calls on the Northern Territory Government to pursue negotiations with the Jawoyn people to effect a speedy and satisfactory resolution of these matters".

Debate ensued.

Suspension of sitting: The sitting was suspended between 11.58 a.m. and 2.00 p.m.

Debate continued. Mr Hatton, by leave, moved the following amendments together -

- Proposed sub-paragraph (1)(a), omit the sub-paragraph and insert in its stead -
 - (a) notes the recommendations of Justice Kearney on the Jawoyn (Katherine Gorge) land claim and reiterates its opposition to the grant of the National Park areas as Aboriginal Land under the Aboriginal Land Rights (Northern Territory) Act".
- 2. Proposed sub-paragraph (1)(b), omit the sub-paragraph.
- Proposed sub-paragraph (1)(c), omit all words after "as a National Park" and insert in their stead, "under Northern Territory legislation and under the management of the Conservation Commission of the Northern Territory".
- 4. Insert after proposed sub-paragraph (1)(c) -
 - "(d) recognises the absolute imperative that any grant of Aboriginal land by the Commonwealth Minister for Aboriginal Affairs must be conditional upon issues of detriment being resolved".
- 5. Proposed paragraph (2), omit all words after "pursue negotiations with" and insert in their stead -

"all of the interested parties, including in particular the Jawoyn people, to determine a management regime and the resolution of all detriment issues to maximise the benefits to the Jawoyn people, the town of Katherine, the Northern Territory and to all Australians". 6. At the end of the proposed amendment, add -

(3) That the terms of this resolution be forwarded to the Commonwealth Minister for Aboriginal Affairs forthwith.

Debate ensued.

Question - That the amendments moved by Mr Hatton to the amendment moved by Mr Smith be agreed to - put and passed. Question - That the amendment moved by Mr Smith, as amended, be agreed to - put and passed.

Question - That the motion, as amended, be agreed to -Debate ensued. Question - put and passed.

7. APPROPRIATION BILL 1987-88 (Serial 58):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed.

On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.

8. ADJOURNMENT:

The Attorney-General (Mr Manzie) moved - That the Assembly do now adjourn. Debate ensued.

Question - put and passed.

The Assembly adjourned at 8.20 p.m. until tomorrow at 10 a.m.

PAPERS:

The following papers were deemed to have been presented on 20 October 1987:

Annual Report:

Legislative Assembly Members' Superannuation Trust, 1986-87

Community Government Schemes:

Borroloola Community Government Council (Common Seal) By-laws Mataranka Community Government Council (Litter) By-laws

Regulations 1987:

No.38 - Amendment of the Legal Practitioners Regulations No.39 - Amendments to the Apprenticeship Regulations No.40 - Amendment to the Stock Diseases Regulations No.43 - Amendment of the Adoption of Children Rules

ATTENDANCE: All Members attended the sitting.

No. 22

Wednesday 21 October 1987

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Smith: To move - That this Assembly, having noted the Annual Report of the Auditor-General for the year ended 30 June 1987, is of the opinion that the Northern Territory Government should implement the recommendations contained therein as soon as possible.

Mr Leo: To move -

- 1. That the following provisional Standing Order, to operate on a trial basis as a Sessional Order, be agreed to:
- 21B LAW AND JUSTICE IMPLEMENTATION REVIEW COMMITTEE
- (1) A Standing Committee to be called the Standing Committee on Law and Justice Implementation Review to consist of five Members shall be appointed at the commencement of each Assembly.
- (2) The duties of the Committee shall be -
 - (a) to examine the implementation and relevance of existing law within the Northern Territory in its application to the residents of the Northern Territory;
 - (b) to report to the Legislative Assembly any changes to the justice system in the Northern Territory which the Committee considers appropriate and advisable;
 - (c) to inquire into and report to the Legislative Assembly on any matter which affects or may affect the implementation of law and justice which is referred to it -
 - (i) by resolution of the Assembly; or
 - (ii) by the Administrator or a Minister.
- (3) The Committee shall take care not to inquire into any matters which are being examined by a Select Committee of the Assembly especially appointed to inquire into such matters and any question arising in connection therefrom that may be referred to the Assembly for determination.
- (4) The Committee shall elect a Government Member as Chairman.

- (5) The Chairman of the Committee may, from time to time, appoint a Member of the Committee to be the Deputy Chairman of the Committee and the Member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or when the Chairman is not present at a meeting of the Committee.
- (6) In the event of an equality of voting, the Chairman, or the Deputy Chairman when acting as Chairman, shall have a casting vote.
- (7) The Committee shall have power to appoint sub-committees and to refer to any such sub-committee any matter which the Committee is empowered to examine.
- (8) Three Members of the Committee shall constitute a quorum of the Committee and two Members of a sub-committee shall constitute a quorum of the sub-committee.
- (9) The Committee or any sub-committee shall have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly.
- (10) The Committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the Committee, a daily Hansard shall be published of such proceedings of the Committee as take place in public.
- (11) The Committee may proceed to the despatch of business notwithstanding that all Members have not been appointed and notwithstanding any vacancy.
- (12) The Committee shall report annually and shall have leave to report from time to time and to report its proceedings and evidence taken; and any Member of the Committee shall have power to add a protest or dissent to any Report.
- (13) Unless otherwise ordered by the Committee, all documents received by the Committee during its inquiry shall remain in the custody of the Assembly: provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the Department or person from whom it was obtained.
- (14) The Committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the Committee.
- 2. The foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

3. That, unless otherwise ordered, the Committee consist of three Members nominated by the Chief Minister and two Members nominated by the Leader of the Opposition.

Mr Bell: To move - That -

- (1) a Select Committee to be known as the Select Committee on the Northern Territory Land Corporation be appointed to inquiry into and report upon the establishment, operation and accountability of the Corporation, with particular reference to -
 - (a) the role of the Northern Territory Land Corporation in the acquisition and disposal of land;
 - (b) the financial arrangements of the Northern Territory Land Corporation;
 - (c) the present lack of accountability of the Northern Territory Land Corporation to the Northern Territory Legislative Assembly; and
 - (d) whether there is a continuing need for the Northern Territory Land Corporation and, if so, what should be its role and legislative base;
- (2) The Committee consist of give Members to be appointed by a later resolution;
- (3) The Committee have power to send for persons, papers and records, to sit in public or in private session, notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations it may deem fit;
- (4) The Committee report to the Assembly as soon as possible;
- (5) The Committee be empowered to publish from day to day such papers and evidence as may be ordered by it and a daily Hansard be published of such proceedings as take place in public; and
- (6) The foregoing provisions of this resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.
- 4. QUESTIONS: Questions were asked of Ministers.
- 5. DISCUSSION OF MATTER OF PUBLIC IMPORTANCE INFORMATION RESOURCES MANAGEMENT SYSTEM: Mr Speaker informed the Assembly that the Leader of the Opposition (Mr Smith) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:

"The failure of the Government to put in place an information resources management system which -

- provides for the efficient storage and retrieval of information;
- (2) establishes uniform guidelines for all departments;
- (3) provides adequate safeguards and controls over access to and distribution of information;
- (4) provides an effective information base for future Government planning needs; and
- (5) protects the rights of individuals".

The proposed discussion having received the necessary support - Mr Smith addressed the Assembly. Discussion ensued.

Suspension of sitting: The sitting was suspended between 12.03 p.m. and 2.00 p.m.

Discussion resumed. Discussion concluded.

6. SUPERANNUATION AMENDMENT BILL 1987 (Serial 71): The Treasurer (Mr Coulter), pursuant to notice, presented a Bill for an Act to amend the Superannuation Act. Bill read a first time. Mr Coulter moved - That the Bill be now read a second time. On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

7. SHIRE OF LITCHFIELD (VALIDATION OF RATES) BILL 1987 (Serial 72): The Treasurer (Mr Coulter), pursuant to notice, presented a Bill for an Act to validate the purported declaration of rates by the council of the municipality known as the Shire of Litchfield in respect of the financial year 1986-87 and to amend the *Shire of Litchfield (Transitional Rating)* Act.

Bill read a first time.

Mr Coulter moved - That the Bill be now read a second time.

On the motion of the Member for Koolpinyah (Mrs Padgham-Purich) debate was adjourned.

- APPROPRIATION BILL 1987-88 (Serial 58): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. On the motion of the Member for Karama (Mr Palmer) debate was adjourned.
 FIREARMS AMENDMENT BILL (No.2) 1987 (Serial 56):
- The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Question - put and passed. Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

On the motion of the Chief Minister (Mr Hatton) the Bill was read a third time and passed to be a proposed law.

10. FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL 1987 (Serial 49): The order of the day having been read for the resumption of the debate on the guestion - That the Bill be now read a second time -

Debate resumed.

Question - put and passed.

Bill read a second time.

The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee (Chairman - Mr Dondas)

Clauses 1 and 2, by leave, taken together and agreed to. Clause 3 negatived after debate. Remainder of Bill, by leave, taken as a whole and agreed to. Bill to be reported with an amendment.

The Speaker (Mr Vale) resumed the Chair; and the Chairman (Mr Dondas) reported accordingly; and the report was adopted. On the motion of the Treasurer (Mr Coulter) the Bill was read a third

On the motion of the Treasurer (Mr Coulter) the Bill was read a third time and passed to be a proposed law.

11. JABIRU TOWN DEVELOPMENT AMENDMENT BILL 1987 (Serial 54):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

On the motion of the Treasurer (Mr Coulter) the Bill was read a third time and passed to be a proposed law.

12. STATUTE LAW REVISION BILL (No.2) 1987 (Serial 50):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed.

Debale resume

On the motion of the Leader of Government Business (Mr Hanrahan) debate was adjourned.

13. ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 6.26 p.m. until tomorrow at 10.00 a.m.

PAPER:

The following paper was deemed to have been presented on 21 October 1987:

Annual Report: Museums and Art Galleries Board, 1985-86

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ATTENDANCE:

All Members attended the sitting.

No. 23

Thursday 22 October 1987

 MEETING: The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

- 3. DISTINGUISHED VISITOR: Mr Speaker drew attention to the presence in the gallery of His Excellency Mr Joris Vos, Ambassador of the Netherlands. On behalf of all Members Mr Speaker extended a warm welcome to the distinguished visitor.
- 4. QUESTIONS: Questions were asked of Ministers.

5. OMBUDSMAN - NINTH ANNUAL REPORT, 1986-87 - PAPER TABLED - PRINT -MOTION TO NOTE PAPER: The Chief Minister (Mr Hatton) laid on the Table the Ninth Annual Report of the Ombudsman, 1 July 1986 - 30 June 1987. Mr Hatton moved - That the report be printed. Question - put and passed. Mr Hatton moved - That the Assembly take note of the paper. On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

6. PERSONAL EXPLANATION: The Member for Macdonnell (Mr Bell) made a personal explanation in relation to comments made by the Minister for Labour and Administrative Services during Question Time this day.

7. LOCAL GOVERNMENT AMENDMENT BILL 1987 (Serial 74): The Member for Arnhem (Mr Lanhupuy), pursuant to notice, presented a Bill for an Act to amend the Local Government Act. Bill read a first time. Mr Lanhupuy moved - That the Bill be now read a second time. On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned.

8. AUDITOR-GENERAL'S ANNUAL REPORT, 30 JUNE 1987 - MOTION TO IMPLEMENT APPROPRIATE RECOMMENDATIONS, AGREED TO:

The Leader of the Opposition (Mr Smith), pursuant to notice, moved - That this Assembly, having noted the Annual Report of the Auditor-General for the year ended 30 June 1987, is of the opinion that the Northern Territory Government should implement the recommendations contained therein as soon as possible.

Debate ensued.

The Treasurer (Mr Coulter) moved the following amendment -

Omit all words after "Northern Territory Government should", and insert in their stead "consider the recommendations contained therein and should implement those which prove to be appropriate, as soon as possible". Suspension of sitting: The sitting was suspended between 12.04 p.m. and 2.00 p.m.

Debate resumed. Question - That the Amendment be agreed to - put. The Assembly divided (the Speaker, Hon. R.W.S. Vale, in the Chair) -

AYES, 16

NOES, 4

Mr Collins Mr Coulter Mr Dale Mr Dondas Mr Finch Mr Finch Mr Hanrahan Mr Harris Mr Hatton Mr McCarthy Mr Manzie Mr Palmer Mr Poole Mr Reed Mr Setter Mr Ede Mr Leo Mrs Padgham-Purich Mr Smith

Mr Palmer Mr Poole Mr Reed Mr Setter Mr Vale And so it was resolved in the affirmative. Motion, as amended, agreed to.

- 9. LAW AND JUSTICE IMPLEMENTATION REVIEW COMMITTEE PROPOSED STANDING COMMITTEE - MOTION NEGATIVED: The Member for Nhulunbuy (Mr Leo), pursuant to notice, moved -
 - 1. That the following provisional Standing Order, to operate on a trial basis as a Sessional Order, be agreed to:
 - 21B LAW AND JUSTICE IMPLEMENTATION REVIEW COMMITTEE
 - A Standing Committee to be called the Standing Committee on Law and Justice Implementation Review to consist of five Members shall be appointed at the commencement of each Assembly.
 - (2) The duties of the Committee shall be -
 - (a) to examine the implementation and relevance of existing law within the Northern Territory in its application to the residents of the Northern Territory;
 - (b) to report to the Legislative Assembly any changes to the justice system in the Northern Territory which the Committee considers appropriate and advisable;

- (c) to inquire into and report to the Legislative Assembly on any matter which affects or may affect the implementation of law and justice which is referred to it -
 - (i) by resolution of the Assembly; or
 - (ii) by the Administrator or a Minister.
- (3) The Committee shall take care not to inquire into any matters which are being examined by a Select Committee of the Assembly especially appointed to inquire into such matters and any question arising in connection therefrom that may be referred to the Assembly for determination.
- (4) The Committee shall elect a Government Member as Chairman.
- (5) The Chairman of the Committee may, from time to time, appoint a Member of the Committee to be the Deputy Chairman of the Committee and the Member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or when the Chairman is not present at a meeting of the Committee.
- (6) In the event of an equality of voting, the Chairman, or the Deputy Chairman when acting as Chairman, shall have a casting vote.
- (7) The Committee shall have power to appoint sub-committees and to refer to any such sub-committee any matter which the Committee is empowered to examine.
- (8) Three Members of the Committee shall constitute a quorum of the Committee and two Members of a sub-committee shall constitute a quorum of the sub-committee.
- (9) The Committee or any sub-committee shall have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly.
- (10) The Committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the Committee, a daily Hansard shall be published of such proceedings of the Committee as take place in public.
- (11) The Committee may proceed to the despatch of business notwithstanding that all Members have not been appointed and notwithstanding any vacancy.
- (12) The Committee shall report annually and shall have leave to report from time to time and to report its proceedings and evidence taken; and any Member of the Committee shall have power to add a protest or dissent to any Report.

- (13) Unless otherwise ordered by the Committee, all documents received by the Committee during its inquiry shall remain in the custody of the Assembly: provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the Department or person from whom it was obtained.
- (14) The Committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the Committee.
- 2. The foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.
- 3. That, unless otherwise ordered, the Committee consist of three Members nominated by the Chief Minister and two Members nominated by the Leader of the Opposition.

Debate ensued. Question - put. The Assembly divided (Deputy Speaker, Mr Reed, in the Chair) -

AYES, 5 NOES, 16 Mr Bell Mr Collins Mr Ede Mr Coulter Mr Leo Mr Dale Mr Smith Mr Dondas Mr Tipiloura Mr Finch Mr Firmin Mr Hanrahan Mr Harris Mr Hatton Mr Manzie Mr McCarthy Mrs Padgham-Purich Mr Palmer Mr Poole Mr Reed Mr Setter

And so it was resolved in the negative.

- 10. NORTHERN TERRITORY LAND CORPORATION PROPOSED SELECT COMMITTEE MOTION: The Member for Macdennell (Mr Bell) moved - That -
 - (1) a Select Committee to be known as the Select Committee on the Northern Territory Land Corporation be appointed to inquiry into and report upon the establishment, operation and accountability of the Corporation, with particular reference to -
 - (a) the role of the Northern Territory Land Corporation in the acquisition and disposal of land;

- (b) the financial arrangements of the Northern Territory Land Corporation;
- (c) the present lack of accountability of the Northern Territory Land Corporation to the Northern Territory Legislative Assembly; and
- (d) whether there is a continuing need for the Northern Territory Land Corporation and, if so, what should be its role and legislative base;
- (2) The Committee consist of give Members to be appointed by a later resolution;
- (3) The Committee have power to send for persons, papers and records, to sit in public or in private session, notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations it may deem fit;
- (4) The Committee report to the Assembly as soon as possible;
- (5) The Committee be empowered to publish from day to day such papers and evidence as may be ordered by it and a daily Hansard be published of such proceedings as take place in public; and
- (6) The foregoing provisions of this resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

Question - That the question be now put - put. The Assembly divided (the Speaker, Hon. R.W.S. Vale in the Chair) -

> Mr Bell Mr Collins Mr Ede

Mr Smith

AYES, 14

NOES, 5

Mrs Padgham-Purich

Mr	Coulter
Mr	Dale
Mr	Dondas
Mr	Finch
Mr	Firmin
Mr	Hanrahan
Mr	Harris
Mr	Hatton
Mr	Manzie
Mr	McCarthy
Mr	Palmer
Mr	Poole
Mr	Reed
Mr	Setter

And so it was resolved in the affirmative.

Question - That the motion be agreed to - put.

The Assembly divided (the Speaker, Hon R.W.S. Vale, in the Chair) -

AYES, 3

Mr Bell

Mr Ede

Mr Smith

NOES, 17

Mr Collins Mr Coulter Mr Dale Mr Dondas Mr Finch Mr Firmin Mr Hanrahan Mr Harris Mr Hatton Mr McCarthy Mr Manzie Mrs Padgham-Purich Mr Palmer Mr Poole Mr Reed Mr Setter Mr Vale

And so it was resolved in the negative.

11. TERRITORY ENERGY RESOURCES - STATEMENT NOTED: The order of the day having been read for the resumption of the debate on the motion of the Member for Nhulunbuy (Mr Leo) (6 May 1987) - That the Assembly take note of the statement -Debate resumed. Question - put and passed.

12. ELECTORAL AMENDMENT BILL 1987 (Serial 37): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Question - put. The Assembly divided (Deputy Speaker, Mr Poole, in the Chair) -

AYES, 5 NOES, 14

Mr Collins Mr Bell Mr Ede Mr Coulter Mr Leo Mr Dondas Mr Smith Mr Finch Mr Tipiloura Mr Hanrahan Mr Harris Mr Hatton Mr McCarthy Mr Manzie Mrs Padgham-Purich Mr Palmer Mr Poole Mr Reed Mr Setter

And so it was resolved in the negative.

13. NORTHERN TERRITORY HERITAGE BILL 1987 (Serial 38): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Question - put and negatived. 14. LIOUOR AMENDMENT BILL 1987 (Serial 41): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Ouestion - put. The Assembly divided (the Speaker, Hon. R.W.S. Vale, in the Chair) -NOES, 12 AYES. 5 Mr Bell Mr Coulter Mr Dale Mr Ede Mr Finch Mr Leo Mr Hanrahan Mr Smith Mr Harris Mr Tipiloura Mr McCarthy Mr Manzie Mr Palmer Mr Poole Mr Reed Mr Setter Mr Vale And so it was resolved in the negative. 15. ADJOURNMENT: The Leader of Government Business (Mr Hanrahan) moved - That the Assembly do now adjourn. Debate ensued. Question - put and passed. The Assembly adjourned at 9.57 p.m. until 10.00 a.m. on Tuesday 27 October 1987. _____ PAPER: The following paper was deemed to have been presented on 22 October 1987: Annual Report: Northern Territory Treasury, 1986-87 ************* ATTENDANCE: All Members attended the sitting.

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No. 24

Tuesday 27 October 1987

1. MEETING: The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker, the Honourable R.W.S. Vale, took the Chair. 2. PRAYERS. 3. NOTICES: The following notices were given: Mr Hanrahan: To present the Territory Parks and Wildlife Conservation Amendment Bill 1987 (Serial 55). Mr Dale: To present the Juvenile Justice Amendment Bill 1987 (Serial 75). present the Interpretation Amendment Bill 1987 Mr Manzie: To (Seria] 60) and the Foreign Judgments (Reciprocal Enforcement) Amendment Bill 1987 (Serial 69). 4. OUESTIONS: Questions were asked of Ministers. 5. ALTERATION OF ORDER OF BUSINESS: The Leader of Government Business (Mr Hanrahan), moved - That Government Business, Order of the Day No.4, relating to the Appropriation Bill 1987-88 (Serial 58), be brought on forthwith. Question - put and passed. 6. APPROPRIATION BILL 1987-88 (Serial 58): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Suspension of Standing Orders: The Member for Ludmilla (Mr Firmin) moved - That so much of Standing Orders be suspended as would prevent the Treasurer from completing his speech. Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice. Debate continued. Question - put and passed. Bill read a second time. Suspension of sitting: The sitting was suspended between 11.47 a.m. and 2.00 p.m. The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill. In the Committee (Chairman - Mr Dondas)

In accordance with S.O. 188, the Committee first considered Schedule 2. Schedule 2 -Appropriation for Division 14 agreed to, after debate. Appropriation for Division 15 agreed to, after debate.

Appropriation for Division 16 agreed to, after debate. Appropriation for Division 11 agreed to, after debate. Appropriation for Division 10 agreed to. Appropriation for Division 31 agreed to, after debate. Appropriation for Division 30 agreed to, after debate. Appropriation for Division 86 read -Debate ensued. Suspension of sitting: The sitting was suspended at 5.23 p.m. until 5.36 p.m. Debate resumed. Appropriation for Division 86 agreed to. Appropriation for Division 51 agreed to, after debate. Appropriation for Division 85 agreed to, after debate. Appropriation for Division 20 agreed to, after debate. Appropriation for Division 27 agreed to, after debate. Appropriation for Division 25 read -Debate ensued. Paper tabled: The Treasurer (Mr Coulter), by leave, tabled a paper for incorporation into Hansard which listed Aboriginal outstations receiving Commonwealth and Northern Territory grants. Debate continued. Paper tabled: Ordered, pursuant to Standing Order 256 - That a paper quoted from by the Member for Stuart (Mr Ede) during debate be laid upon the Table. Mr Ede thereupon laid upon the Table the following paper: Northern Territory Local Government Grants Commission Funding Recommendations 1987-88. Debate continued. Appropriation for Division 25 agreed to. Appropriation for Division 26 agreed to, after debate. Appropriation for Division 29 agreed to. Appropriation for Division 46 agreed to, after debate. Appropriation for Division 47 agreed to. Appropriation for Division 45 agreed to. Appropriation for Division 23 agreed to, after debate. Appropriation for Division 90 agreed to, after debate. Appropriation for Division 55 agreed to. Appropriation for Division 38 agreed to, after debate. Appropriations for Divisions 39, 35 and 36, by leave, taken together -Debate ensued. The Member for Macdonnell (Mr Bell) moved - That the Chairman do report progress and ask leave to sit again. Question - put and negatived. Debate continued. The Member for Macdonnell (Mr Bell) moved - That the Chairman do report progress and ask leave to sit again. Question - put and negatived. Debate continued. The Member for Macdonnell (Mr Bell) moved - That the Chairman do report progress and ask leave to sit again. Question - put and negatived. Debate continued.

Appropriations for Division 39, 35 and 36 agreed to. Appropriation for Division 70 read -Debate ensued. The Member for Macdonnell (Mr Bell) moved - That the Chairman do report progress and ask leave to sit again. Ouestion - put and negatived. Debate continued. Appropriation for Division 70, agreed to. Appropriation for Division 13 agreed to, after debate. Appropriation for Division 12 agreed to. Appropriation for Division 81 agreed to. Appropriation for Division 60 read -The Member for Macdonnell (Mr Bell) moved - That the Chairman do report progress and ask leave to sit again. Question - put and negatived. Debate ensued. And the Assembly having continued to sit until 12 midnight -WEDNESDAY 28 OCTOBER 1987, A.M. Appropriation for Division 60, agreed to. Remainder of the Bill, by leave, taken as a whole and agreed to. Bill to be reported without amendment. The Speaker (Mr Vale) resumed the Chair; and the Chairman (Mr Dondas) reported accordingly; and the report was adopted.

On the motion of the Treasurer (Mr Coulter) the Bill was read a third time and passed to be a proposed law.

7. ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 12.33 a.m. until 10.00 a.m. on Wednesday 28 October 1987.

PAPERS:

The following papers were deemed to have been presented on 27 October 1987:

Annual Reports:

Northern Territory Technical and Further Education Advisory Council, April 1985 to December 1986 (First) Ombudsman Report 1986-87 - Erratum

ATTENDANCE:

All Members attended the sitting.

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MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 25

Wednesday 28 October 1987

1. MEETING: The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker, the Honourable R.W.S. Vale, took the Chair. 2. PRAYERS. 3. OUESTIONS: Questions were asked of Ministers. 4. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, THIRD REPORT -PAPER TABLED: The Member for Jingili (Mr Setter) laid on the Table the Third Report of the Subordinate Legislation and Tabled Papers Committee. 5. PUBLICATIONS COMMITTEE, FOURTH REPORT - PAPER TABLED - REPORT ADOPTED: The Member for Jingili (Mr Setter) laid on the Table the Fourth Report of the Publications Committee. Mr Setter moved - That the report be adopted. Question - put and passed. 6. ROAD SAFETY - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT: The Minister for Transport and Works (Mr Finch) made a statement relating to road safety. Mr Finch moved - That the Assembly take note of the Statement. Debate ensued. Paper tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table a proposed plan of bus routing for the Casuarina Shopping Centre area prepared by the Transport Worker's Union. Debate continued. On the motion of the Member for Ludmilla (Mr Firmin) debate was adjourned. Suspension of sitting: The sitting was suspended between 12 Noon and 2.00 p.m. 7. TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1987 (Serial 55): The Minister for Conservation (Mr Hanrahan), pursuant to notice, presented a Bill for an Act to amend the Territory Parks and Wildlife Conservation Act. Bill read a first time. Mr Hanrahan moved - That the Bill be now read a second time. On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned. 8. JUVENILE JUSTICE AMENDMENT BILL 1987 (Serial 75): The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the Juvenile Justice Act. Bill read a first time. Mr Dale moved - That the Bill be now read a second time. On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

9. INTERPRETATION AMENDMENT BILL 1987 (Serial 60): The Attorney-General (Mr Manzie), pursuant to notice, presented a bill for an Act to amend the Interpretation Act. Bill read a first time. Mr Manzie moved - That the Bill be now read a second time. On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned. 10. FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL 1987 (Serial 69): The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the Foreign Judgments (Reciprocal Enforcement) Act. Bill read a first time. Mr Manzie moved - That the Bill be now read a second time. On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned. 11. STATUTE LAW REVISION BILL (No.2) 1987 (Serial 50): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Question - put and passed. Bill read a second time.

The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee (Chairman - Mr Dondas)

Clauses 1 and 2, by leave, taken together and agreed to. New Clause -

The Attorney-General (Mr Manzie) moved - That the following new clause be inserted in the Bill -

"2A. AMENDMENT OF FOOD ACT

- "(1) Section 56(3) of the Food Act is amended -
- (a) by omitting from paragraph (a) '; or' and substituting
 ';'; and
- (b) by inserting after paragraph (a) the following:
 - '(aa) determined by the National Health and Medical Research Council and approved by the National Food Standards Council, as published in the *Commonwealth Gazette* at a particular time or as published from time to time; or'.

"(2) Subsection (1) shall come into operation or be deemed to have come into operation, as the case may be, on the commencement of the *Food Act 1986*.".

Proposed new clause agreed to. Mr Manzie moved - That the following further new clause be inserted in the Bill - "2B. AMENDMENT OF THE LOCAL GOVERNMENT ACT

"Section 212 of the *Local Government Act* is amended by inserting after paragraph (a) the following:

'(aa) a notice of infringement issued may, notwithstanding section 211(4)(a), be addressed to the person who is the owner of the motor vehicle or is apparently in charge of it by the person's name or, if the name is not known when the notice of infringement is being made out, by the person's designation as owner of the motor vehicle or person apparently in charge of it, as the case may be, identifying the motor vehicle by the number plate affixed to it or, where there is no number plate, by other sufficient description;'".

Proposed new clause agreed to. Clauses 3 and 4, by leave, taken together and agreed to. Schedule 1 -Mr Manzie moved the following amendment -

Omit from the entry relating to the *Juries Act* "the whole Schedule" and insert in its stead "the form of oath headed 'OATH BY JUROR IMPANELLED TO TRY WHETHER THE PRISONER IS INCAPABLE OF PLEADING TO THE INDICTMENT'".

Amendment agreed to. Mr Manzie moved the following further amendment -

Omit from the entry relating to the *Magistrates* Act "Section 4(1)(a)" and insert in its stead "Section 4(1)(b)".

Amendment agreed to. Mr Manzie moved the following further amendment.

Insert before the entry relating to the *Remuneration Tribunal Act* the following:

"Registration of Births, Deaths and Marriages Act

Section 13A(1)

'the Social Welfare Act' 'the Community Welfare Act'".

Debate ensued Amendment agreed to. Schedule 1, as amended, agreed to. Schedule 2 -Mr Manzie moved the following amendment -

Insert before the entry relating to the "Construction Safety Rules" the following:

"Adoption of Children Regulations				
Regulation 4(1) definition of 'adoption list'	'the Director' (twice occurring)	'the Minister'		
definition of 'the Master'	'appointed in pursuance of section 31 of the Northern Territory Supreme Court Act 1961'	'of the Supreme Court'		
definition of 'the Ordinance'	the whole definition			
Regulation 7(a)	'the Director'	'the Minister'		
Regulation 8(6)	'Matrimonial Causes Act 1959-1965'	'Family Law Act 1975 of the Commonwealth'		
First Schedule Form 1	'the Director'	'the Minister'".		
Amendment agreed to. Mr Manzie moved the following further amendment –				
		the "Crown Lands		
Amendment agreed to. Schedule 2, as amended, agreed to. Title agreed to. Bill to be reported with amendments.				

The Speaker (Mr Vale) resumed the Chair; and the Chairman (Mr Dondas) reported accordingly; and the report was adopted. On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

12. JURIES AMENDMENT BILL 1987 (Serial 61):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -Debate resumed. Question - put and passed. Bill read a second time.

Leave granted for a motion for the third reading of the Bill to be moved forthwith.

On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

13.	GOVERNMENT BUSINESS DISCHARGED - SUPERANNUATION AMENDMENT BILL 1987 (Serial 71):
	The Treasurer (Mr Coulter), by leave, moved - That Government Business, Order of the Day No.7, Superannuation Amendment Bill 1987 (Serial 71), be discharged from the Notice Paper. Question - put and passed.
14	URANIUM MINING (ENVIRONMENT CONTROL) AMENDMENT BILL 1987 (Serial 66):
17.	The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time - Debate resumed. Question - put and passed. Bill read a second time.
	Leave granted for a motion for the third reading of the Bill to be moved forthwith.
	On the motion of the Minister for Mines and Energy (Mr Coulter) the Bill was read a third time and passed to be a proposed law.
15.	REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES AMENDMENT BILL 1987 (Serial 65):
	The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time - Debate resumed. Question - put and passed.
	Bill read a second time. Leave granted for a motion for the third reading of the Bill to be moved
	forthwith.
	On the motion of the Attorney-General(Mr Manzie) the Bill was read a third time and passed to be a proposed law.
16.	PAROLE OF PRISONERS AMENDMENT BILL 1987 (Serial 63) and CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL 1987 (Serial 64): The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time - Debate resumed. Question - put and passed.
	Bills read a second time. Leave granted for a motion for the third readings of the Bills to be
	moved forthwith.
	On the motion of the Attorney-General (Mr Manzie) the Bills were read a third time and passed to be proposed laws.
17.	FURTHER NOTICE: The following further notice was given, by leave: Mr Finch: To present the Motor Vehicles Amendment Bill (No.2) 1987 (Serial 76).
18.	ADJOURNMENT: The Chief Minister (Mr Hatton) moved - That the Assembly do now adjourn. Debate ensued. Question - put and passed.
	The Assembly adjourned at 7.18 p.m. until tomorrow at 10.00 a.m.
	ATTENDANCE: All Members attended the sitting.

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No. 26

Thursday 29 October 1987

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

- 2. PRAYERS.
- 3. MESSAGE FROM THE ADMINISTRATOR: Mr Speaker read the following message from His Honour the Administrator:

Message No.4

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a Bill for an Act to amend the Superannuation Act in so far as the Bill proposes the appropriation of the Consolidated Fund for the purpose of the employer-financed component of benefits payable under the Northern Territory Government and Public Authorities' Superannuation Scheme under the Superannuation Act.

Dated this 28th day of October 1987.

(Sgd) E.E. Johnston Administrator

4. PETITIONS:

Mr Ede, by leave, presented a petition, not conforming with Standing Orders, from 45 citizens of the Northern Territory requesting that the Government urgently review the functions of the Community Education Centre of the Batchelor College.

Petition read.

Mr McCarthy, by leave, presented a petition, not conforming with Standing Orders, from 460 citizens of the Northern Territory requesting that the Government reject the Batchelor dam proposal. **Petition read.**

5. QUESTIONS:

Questions were asked of Ministers.

6. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly at its rising adjourn until Tuesday 24 November 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker pursuant to Sessional Order.

Question - put and passed.

7. LEAVE OF ABSENCE:

The Member for Arnhem (Mr Lanhupuy) moved - That leave of absence for this day be granted to the Member for Arafura (Mr Tipiloura) on account of pressing electorate business.

Question - put and passed.

- 8. DISCHARGE OF GOVERNMENT BUSINESS ORDERS OF THE DAY: The Leader of Government Business (Mr Hanrahan), by leave, moved - That Government Business, Orders of the Day, as numbered below, be discharged from the Notice Paper -
 - No.19 Auditor-General's Report 1985-86 Prescribed Statutory Corporations
 No.20 Resignation of the former Minister for Labour and Administrative Services
 No.21 Northern Territory Electricity Commission System April 1987
 No.22 relating to the Treasurer's June Economic Statement

Question - put and passed.

- 9. SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT CONSTITUTIONAL CONVENTION REPRESENTATION - PAPER TABLED - PRINT: The Chief Minister (Mr Hatton) laid on the Table a Discussion Paper on Representation in a Territory Constitutional Convention prepared by the Committee. Mr Hatton moved - That the report be printed. Question - put and passed.
- 10. MATTER OF PUBLIC IMPORTANCE ABORIGINALS IN TOURISM INDUSTRY: Mr Speaker informed the Assembly that the Member for Stuart (Mr Ede) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day:

"The need for the Government to positively acknowledge the importance to the Northern Territory of current and planned initiatives by Aboriginal people in the field of Tourism.".

The proposed discussion having received the necessary support -Mr Ede addressed the Assembly. Discussion ensued.

 $\ensuremath{\textit{Suspension of sitting:}}$ The sitting was suspended between 12.01 p.m. and 2.00 p.m.

Discussion resumed. Discussion concluded.

11. SUPERANNUATION AMENDMENT BILL 1987 (Serial 71): The Treasurer (Mr Coulter), by leave, reintroduced a Bill for an Act to amend the Superannuation Act. Bill read a first time. Mr Coulter moved - That the Bill be now read a second time.

On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.

12.	MOTOR VEHICLES AMENDMENT BILL (No.2) 1987 (Serial 76): The Minister for Transport and Works (Mr Finch), pursuant to notice, presented a Bill for an Act to amend the <i>Motor Vehicles Act</i> . Bill read a first time. Mr Finch moved - That the Bill be now read a second time. On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.
13.	SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES: The Treasurer (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Shire of Litchfield (Validation of Rates) Bill 1987 (Serial 72) passing through all stages at this sitting. Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.
14.	<pre>SHIRE OF LITCHFIELD (VALIDATION OF RATES) BILL 1987 (Serial 72): The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time - Debate resumed. Question - put and passed. Bill read a second time. Leave granted for a motion for the third reading of the Bill to be moved forthwith. The Treasurer (Mr Coulter) moved - That the Bill be now read a third time. Debate ensued. Question - put and passed. The Bill was read a third time and passed to be a proposed law.</pre>
15.	ORDER OF BUSINESS: The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day No.5, relating to the Ministerial Statement on the Chief Minister's visit to Indonesia be called on forthwith. Question - put and passed.
16.	CHIEF MINISTER'S VISIT TO INDONESIA - MINISTERIAL STATEMENT - STATEMENT NOTED: The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Hatton) (23 September 1987) - That the Assembly take note of the statement - Debate resumed. Question - put and passed.
17.	ORDER OF BUSINESS: The Leader of Government Business (Mr Hanrahan) moved - That Government Business, Order of the Day No.3, relating to the Buffalo industry be called on forthwith. Question - put and passed.
18.	BUFFALO INDUSTRY - MINISTERIAL STATEMENT - STATEMENT NOTED: The order of the day having been read for the resumption of the debate on the motion of the Minister for Industries and Development (Mr Perron) (22 September 1987) - That the Assembly take note of the statement - Debate resumed

Question - put and passed.

19. GRAIN INDUSTRY - MINISTERIAL STATEMENT - STATEMENT NOTED: The order of the day having been read for the resumption of the debate on the motion of the Minister for Industries and Development (Mr Perron) (17 September 1987) - That the Assembly take note of the statement -Debate resumed. Question - put and passed.

20. ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 6.32 p.m. until Tuesday 24 November 1987 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to sessional order.

PAPERS:

The following papers were deemed to have been presented on 29 October 1987:

Annual Reports: Northern Territory Local Government Grants Commission 1987 -Report on Distribution of Funds under the Local Government (Financial Assistance) Act 1986 Supplementary Report on Distribution of Northern Territory Operational Subsidies

ATTENDANCE:

All Members attended the sitting except Mr Tipiloura (on leave).

H.G. SMITH Clerk of the Legislative Assembly.

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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