

PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 48

Tuesday 4 October 1988

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly of 25 August 1988. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. RETURN TO WRIT - FLYNN DIVISION - PAPER TABLED:

The Clerk produced and laid on the Table the Return to the Writ issued by the Acting Administrator for the election of a Member for the Division of Flynn to fill the vacancy caused by the resignation of Raymond Allan Hanrahan.

By the endorsement on the writ, it was certified that Enzo Alido Floreani had been elected.

4. MEMBER FOR FLYNN - Mr E.A. FLOREANI - OATH:

The Member for Flynn, Enzo Alido Floreani, was admitted to the Assembly, made and subscribed oaths of allegiance and of office, and was conducted to his place.

5. QUESTIONS:

Questions were asked of Ministers.

6. ADJOURNMENT AS MARK OF RESPECT:

The Leader of Government Business (Mr Coulter) moved - That the Assembly, at its rising, adjourn until tomorrow at 11.00 a.m. to enable Members to attend a Memorial Service for Mr John Hickman.

Question - put and passed.

7. OFFICE OF THE AUDITOR-GENERAL, ANNUAL REPORT, 1987-88 - PAPER TABLED:

The Speaker laid on the Table the Annual Report of the Office of the Auditor-General for the year ended 30 June 1988. (Parliamentary Paper No.25 of 1988)

8. ECONOMIC DEVELOPMENT STRATEGY FOR 1990s - TERRITORY ON THE MOVE - PAPER TABLED - MOTION TO NOTE PAPER:

The Chief Minister (Mr Perron) laid on the Table a paper entitled "The Territory on the Move - Northern Territory Economic Development Strategy".

Mr Perron moved - That the Assembly take note of the paper.

Debate ensued.

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

9. OFFICE OF THE AUDITOR-GENERAL, ANNUAL REPORT, 1987-88 - PAPER PRINTED:

The Leader of Government Business (Mr Coulter), by leave, moved - That the Annual Report of the Office of the Auditor-General for the year ended 30 June 1988 be printed.

Question - put and passed.

10. MATTER OF PUBLIC IMPORTANCE - FLYNN BY-ELECTION - NOT SUPPORTED:

The 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 judgment of the people of Flynn on the Government's failure to adequately address matters of concern to the Territory and Territorians."

And less than the number of Members required by Standing Order 94 having risen in support of the proposed discussion - The Speaker called on the Business of the Day.

11. APPROPRIATION BILL 1988-89 (Serial 127):

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 sitting: The sitting was suspended between 11.56 a.m. and 2.00 p.m.

Debate continued.

Personal explanation: The Minister for Education (Mr Harris) made a personal explanation relating to comments attributed to him by the Member for Stuart (Mr Ede) during debate.

Debate continued.

Papers tabled: The Member for MacDonnell (Mr Bell), by leave, laid on the Table the following documents -

- Memorandum to the Treasurer from the Minister for Health and Community Services, undated
- Letter to Mr Paul Phillips, Toshiba Australia Pty Ltd from Stephen Moo, Assessment Committee Chairman, Royal Darwin Hospital, dated September 1988
- Letter to Mr Peter Anderson, Medical Applications Pty Ltd from Stephen Moo, Assessment Committee Chairman, Royal Darwin Hospital, dated September 1988

Debate continued.

On the motion of the Member for Fannie Bay (Mr Perron) debate was adjourned.

12. ADJOURNMENT:

The Attorney-General (Mr Manzie) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
The Assembly adjourned at 5.37 p.m. until tomorrow at 11.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 4 October 1988:

Annual Reports:

Territory Insurance Office, 1987-88

Financial Administration and Audit Amendment Act:

Direction by the Administrator in pursuance of s.13(1)(a) -
Technical and further Education Advisory Council to
Department of Education and Darwin Institute of Technology,
dated 28 September 1988

Lands Acquisition Act:

Statement of reasons to compulsorily acquire easements over
Sections 1535 and 713, Hundred of Cavenagh, as a matter of
urgency pursuant to section 44(3)

Regulations 1988:

No.36 - Alice Springs (Public Libraries) By-laws
No.38 - Amendments of the Territory Wildlife Regulations
No.39 - Darwin Institute of Technology (Common Seal) By-laws
No.40 - Amendment of the Legal Practitioners Regulations
No.41 - Amendments to the Water Supply and Sewerage Regulations
Nguiu Community Government Council (Litter) By-laws

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 49

Wednesday 5 October 1988

1. MEETING:

The Assembly met at 11.00 a.m., pursuant to adjournment. The Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. NOTICE:

The following notice was given:

Mr Perron: To present the Ombudsman (Northern Territory) Amendment Bill 1988 (Serial 147).

4. QUESTION TIME - STATEMENT BY THE SPEAKER:

The Speaker advised Members that Question Time would not be broadcast by 8 Top-FM Radio and Radio 8-CCC FM due to the late starting time and prior commitments. The Speaker also advised that an ABC Television crew would be filming Members this morning, to update video footage files.

5. QUESTIONS:

Questions were asked of Ministers.

Papers tabled: The Member for Stuart (Mr Ede), by leave, laid on the Table the following papers -

- Facsimile copy of letter from John Crouch, Senior Executive Officer, Minister for Economic Development and Trade, Western Australia to Mr Terry Smith, undated
- Facsimile copy of memorandum to Mr John Crouch, Office of the Minister for Economic Development and Trade from Mr C.E. Green, Manager, Ministerial Services, dated 3 October 1988
- Facsimile copy of sample letter from Bernard Stapleton, Director, Technology and Industry Development Authority of Western Australia, undated

Further questions were asked of Ministers.

6. DISTINGUISHED VISITOR - Ms DAWN LAWRIE:

The Speaker informed the Assembly that Ms Dawn Lawrie, recently appointed Administrator of the Cocos (Keeling) Islands and a former Member of the Legislative Assembly, was present in the Gallery. The Speaker welcomed Ms Lawrie; congratulated her on the appointment and wished her well in the future.

Suspension of sitting: The sitting was suspended between 12 Noon and 2.00 p.m.

7. MATTER OF PUBLIC IMPORTANCE - HEALTH, SAFETY, ECONOMY AND HERITAGE IN ALICE SPRINGS:

The 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:

"this Government's failure to protect the Health, Safety, Economy and Heritage of the people of Alice Springs."

The proposed discussion having received the necessary support -

The Speaker called on Mr Smith to address the Assembly.

Discussion ensued.

Paper tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table a draft confidential submission relating to new sewerage treatment lagoons and pump station in Alice Springs.

Discussion continued.

Paper tabled: The Minister for Mines and Energy (Mr Coulter) laid on the Table a copy of a Memorandum from the Director, Aboriginal Sacred Sites Protection Authority to the Minister for Lands and Housing, dated 1 September 1988.

Discussion continued.

Discussion concluded.

8. APPROPRIATION BILL 1988-89 (Serial 127):

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)

In accordance with Standing Order 188, the Committee first considered Schedule 2.

Schedule 2 -

Appropriation for Division 14 agreed to.

Appropriation for Division 15 agreed to.

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 25 agreed to, after debate.

Appropriation for Division 26 agreed to, after debate.

Appropriation for Division 29 agreed to, after debate.

Appropriation for Division 46 agreed to, after debate.

Appropriation for Division 47 agreed to.

Appropriation for Division 45 agreed to, after debate.

Appropriation for Division 23 -

Debate ensued.

Question - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 14

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

NOES, 10

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Appropriation for Division 91 agreed to, after debate.
Appropriation for Division 55 agreed to, after debate.
Appropriation for Division 31 agreed to.
Appropriation for Division 30 agreed to, after debate.
Appropriation for Division 86 agreed to, after debate.
Appropriation for Division 51 agreed to, after debate.
Appropriation for Division 85 agreed to, after debate.
Appropriation for Division 70 agreed to, after debate.
Appropriations for Divisions 38 and 39 -

Debate ensued.

And the Member for Nhulunbuy (Mr Leo) moving - That the Committee do report progress and ask leave to sit again -

And the time allotted for consideration of the Committee stages of the annual Appropriation Bill (6 hours) having elapsed -

Ruling of Chairman: The Chairman (Mr Dondas) ruled - That Mr Leo's motion was not in order as the time had expired for the consideration of the Committee stages of the Appropriation Bill.

Dissent from Chairman's ruling: Mr Leo moved - That the ruling of the Chairman be dissented from and pursuant to Standing Order 220, submitted such dissent in writing.

Question - That the Chairman's ruling be dissented from - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 10

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

NOES, 14

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

And so it was resolved in the negative.

The Member for Macdonnell (Mr Bell) moved - That the Assembly adjourn until the ringing of the bells.

Ruling by Chairman: The Chairman (Mr Dondas) ruled - That Mr Bell's motion was not in order and that the question relating to the Committee stages of the Appropriation Bill must be now put pursuant to Sessional Order of the Assembly.

Question - That the Appropriations for Divisions 38 and 39 be agreed to - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 15

NOES, 10

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

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Question - That the remainder of the Bill be agreed to - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 15

NOES, 10

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

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Question - That the Bill be reported without amendment - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 15

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

NOES, 10

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

The Speaker (Mr Vale) resumed the Chair and the Chairman (Mr Dondas) reported accordingly.

Question - That the Report be adopted - put.

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

AYES, 15

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

NOES, 10

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

The Treasurer (Mr Perron) moved - That the Bill be now read a third time.

The Leader of the Opposition (Mr Smith) moved -

Omit all words after "That" and insert in their stead "Further consideration of the Bill be postponed until after further being considered by the Assembly in the Committee of the Whole".

Point of Order: The Leader of Government Business (Mr Coulter) raised as a point of order that the amendment moved by Mr Smith was not in order as it could not be moved pursuant to Standing Order 200.

Ruling by Speaker: The Speaker (Mr Vale) upheld the point of order.

The Member for Macdonnell (Mr Bell) moved - That the word "now" be omitted and the words "this day 6 months" be added at the end of the motion for the third reading of the Bill.

Debate ensued.

Recommittal of Committee proceedings: The Treasurer (Mr Perron) moved - That, pursuant to Standing Order 198, Divisions 38 and 39 relating to the University College of the Northern Territory, the Darwin Institute of Technology and the remainder of the Bill not previously considered Division by Division in Committee of the Whole be recommitted.

Question - put and passed.

The Assembly again resolved itself into a Committee of the Whole.

In the Committee
(Chairman - Mr Dondas)

On recommittal -

Appropriations for Divisions 38 and 39 -

The Leader of Government Business (Mr Coulter) moved - That the Chairman do report progress and ask leave to sit again on the next sitting day.

Question - put and passed.

The Speaker (Mr Vale) resumed the Chair and the Chairman (Mr Dondas) reported accordingly and the report was adopted.

9. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.35 p.m. until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 5 October 1988:

Annual Reports:

Mental Health Act, 1987-88

Northern Territory Architects Board, 1985-86

Northern Territory Architects Board, 1986-87

Northern Territory Architects Board, 1987-88

Regulations 1988:

No.42 - Mines Safety Control (Radiation Protection) Regulations

No.43 - Amendments to the Fish and Fisheries Regulations

No.44 - Local Government (Administration and Miscellaneous) Regulations

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 50

Thursday 6 October 1988

1. MEETING:

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

2. PRAYERS.

3. QUESTIONS:

Questions were asked of Ministers.

4. TRADE DEVELOPMENT ZONE - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Industries and Development (Mr Coulter) made a statement relating to the Trade Development Zone.

Papers tabled: Mr Coulter, by leave, laid on the Table the following letters -

- ° Letter from Louis W.O. Leung & Co., Certified Public Accountants, Hong Kong to the Trade Development Zone Authority, dated 28 September 1988
- ° Letter from F.K. Simpson, Principal, Fergus Simpson and Associates to Mr B. Coulter, Minister for Industries and Development, dated 28 September 1988

Mr Coulter moved - That the Assembly take note of the statement.
Debate ensued.

Suspension of sitting: The sitting was suspended between 12.14 p.m. and 2.15 p.m.

Debate continued.

Suspension of Standing Orders: The Leader of Government Business (Mr Coulter) moved - That so much of Standing Orders be suspended as would allow the Chief Minister to complete his speech.

Question - put and passed.

Debate continued.

Question - put and passed.

5. MATTER OF PUBLIC IMPORTANCE - BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN:

The 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 damage caused to the pastoral industry by the Government's handling of the BTEC program."

The proposed discussion having received the necessary support -

The Speaker called on Mr Smith to address the Assembly.

Discussion ensued.

Discussion concluded.

6. OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL 1988 (Serial 147):
The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Ombudsman (Northern Territory) Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
On the motion of the Member for Millner (Mr Smith) debate was adjourned.
7. APPROPRIATION BILL 1988-89 (Serial 127):
The order of the day having been read for the further consideration of the Bill in the Committee of the Whole -
The Assembly, according to order, resolved itself into a Committee of the Whole.

In the Committee
(Chairman - Mr Dondas)

Schedule 2 (continued) -

Appropriation for Divisions 38 and 39 agreed to, after debate.
Appropriation for Division 35 agreed to, after debate.
Appropriation for Division 81 agreed to.
Appropriation for Division 60 agreed to, after debate.
Appropriation for Division 12 agreed to.
Appropriation for Division 13 agreed to, after debate.
Appropriation for Division 20 agreed to, after debate.
Appropriation for Division 27 agreed to, after debate.
Appropriation for Division 90 agreed to, after debate.

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.

The Treasurer (Mr Perron) 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.

8. ADJOURNMENT:
The Chief Minister (Mr Perron) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
The Assembly adjourned at 10.49 p.m. until Tuesday 11 October 1988 at 10.00 a.m.

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 51

Tuesday 11 October 1988

1. MEETING:

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

2. PRAYERS.

3. PETITIONS:

Mr Ede presented a petition from 1642 citizens of Alice Springs requesting the Assembly to ensure the Pioneer Walk-in Theatre not be demolished and that Heritage Legislation be enacted in the Northern Territory.

Petition read.

4. RESOLUTIONS OF THANKS - NEW PARLIAMENT HOUSE - STATEMENT BY SPEAKER:

The Speaker advised Members that he had received a letter from the Speaker of the House of Representatives, the Hon. Joan Child, MP and the President of the Senate, the Hon. K. Sibraa, enclosing copies of resolutions of thanks to those who made significant contributions to the New Parliament House, passed by both Houses of the Australian Parliament.

Ordered - That the text of the letter and the resolutions be incorporated in **Hansard**.

5. NOTICE:

The following notice was given:

Mr Manzie: To present the Aboriginal Areas Protection Bill 1988 (Serial 146).

6. QUESTIONS:

Questions were asked of Ministers.

7. SUSPENSION OF STANDING ORDERS - AMEX CARD EXPENDITURE OF PREVIOUS CHAIRMAN OF TOURIST COMMISSION:

The Leader of the Opposition (Mr Smith) moved - That so much of Standing Orders be suspended as would prevent him moving that pursuant to Standing Order 251, the Minister for Tourism lay on the Table the following papers -

- (1) All documents relating to Amex Card expenditures of the previous Chairman of the Tourist Commission for which reimbursement was given at any stage by the NT Tourist Commission;
- (2) All correspondence between the Auditor-General and the Tourist Commission on matters related to the previous Chairman's Amex Card expenditures;
- (3) All correspondence between the Auditor-General and the responsible Minister and the Auditor-General and the Chief Minister on matters related to the previous Chairman's Amex expenditures; and
- (4) All letters, internal memoranda or minutes of the Tourist Commission Board, related to the previous Chairman's Amex expenditures.

Question - put and passed.

8. AMEX CARD EXPENDITURE OF PREVIOUS CHAIRMAN OF TOURIST COMMISSION - MOTION NEGATIVED:

The Leader of the Opposition (Mr Smith) moved - That pursuant to Standing Order 251, the Minister for Tourism lay on the Table the following papers -

- (1) All documents relating to Amex Card expenditures of the previous Chairman of the Tourist Commission for which reimbursement was given at any stage by the NT Tourist Commission;
- (2) All correspondence between the Auditor-General and the Tourist Commission on matters related to the previous Chairman's Amex Card expenditures;
- (3) All correspondence between the Auditor-General and the responsible Minister and the Auditor-General and the Chief Minister on matters related to the previous Chairman's Amex expenditures; and
- (4) All letters, internal memoranda or minutes of the Tourist Commission Board, related to the previous Chairman's Amex expenditures.

Debate ensued.

Suspension of sitting: The sitting was suspended between 12.04 p.m. and 2.00 p.m.

Debate continued.

Question - put.

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

AYES, 6

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

NOES, 15

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

And so it was resolved in the negative.

9. OMBUDSMAN, TENTH ANNUAL REPORT - PAPER TABLED - PAPER PRINTED:

The Chief Minister (Mr Perron) laid on the Table the Tenth Annual Report of the Ombudsman for the year 1 July 1987 to 30 June 1988. (Parliamentary Paper No.90 of 1988)

Mr Perron moved - That the report be printed.

On the motion of the Member for Millner (Mr Smith) debate was adjourned.

10. TREASURER'S ANNUAL FINANCIAL STATEMENTS, 1987-88 - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:

The Treasurer (Mr Perron) laid on the Table the Treasurer's Annual Financial Statements for the year ended 30 June 1988. (Parliamentary Paper No.89 of 1988)

Mr Perron moved - That the report be printed.

Question - put and passed.

Mr Perron moved - That the Assembly take note of the paper.

On the motion of the Member for Millner (Mr Smith) debate was adjourned.

11. FURTHER NOTICE:

The following further notice was given by leave:

Mr Harris: To present the Education Amendment Bill 1988 (Serial 150).

12. SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT - EXTENSION OF TIME TO REPORT - MOTION:

The Member for Nightcliff (Mr Hatton), by leave, moved - That the time for reporting of the Select Committee on Constitutional Development be extended for a further 12 months.

Debate ensued.

Paper tabled: Mr Hatton, by leave, laid on the Table a booklet entitled "Proposals for a new State Constitution for the Northern Territory".

Question - put and passed.

13. ECONOMIC DEVELOPMENT STRATEGY FOR 1990s - MOTION TO NOTE PAPER:

The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Perron) (4 October 1988) - That the Assembly take note of the paper -

Debate resumed.

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

14. NATURAL DEATH BILL 1988 (Serial 113):

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.

15. PERSONAL EXPLANATION:

The Member for Macdonnell (Mr Bell), by leave, made a personal explanation relating to the comments made during the second reading debate on the Natural Death Bill 1988 (Serial 113).

16. NORTHERN TERRITORY UNIVERSITY BILL 1988 (Serial 141):

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 Leader of the Opposition (Mr Smith) moved - That so much of Standing Orders be suspended as would allow the Member for Stuart (Mr Ede) to complete his speech.

Question - put and passed.

Debate continued.

On the motion of the Member for Karama (Mr Palmer) debate was adjourned.

17. ADJOURNMENT:

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

Debate ensued.

Paper tabled: The Member for Macdonnell (Mr Bell), by leave, laid on the Table a letter from David L. Sullivan, Regional Manager, Australia/New Zealand Region, G E Medical Systems to the Hon. D. Dale, MLA, Minister for Health and Community Services, dated 11 October 1988.

Debate continued.

Question - put and passed.

The Assembly adjourned at 9.13 p.m. until tomorrow at 10 a.m.

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 52

Wednesday 12 October 1988

1. MEETING:

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

2. PRAYERS.

3. NOTICES:

The following notices were given:

Mr Poole: To present the Liquor Amendment Bill (No.3) 1988 (Serial 145).

Mr Reed: To present the Fisheries Bill 1988 (Serial 151).

Mr Manzie: To present the Crimes (Forfeiture of Proceeds) Bill 1988 (Serial 149) and the Strehlow Research Centre Bill 1988 (Serial 142).

Mr Smith: To move - That this Assembly censures the Deputy Chief Minister, the Minister for Mines and Energy and the Minister for Industries and Development, because he has been guilty of a grave contempt of the Assembly in that he deliberately misled this Assembly by informing the Assembly that the document he tabled on Thursday, 6 October 1988, was a full audit of K.K. Yeung Management Consultants' financial dealings with the Trade Development Zone knowing that it was simply a statement of K.K. Yeung Management Consultants' retainer from the Trade Development Zone.

4. CENSURE OF DEPUTY CHIEF MINISTER - K.K. YEUNG, FINANCIAL AUDIT - MOTION:

The Leader of Government Business (Mr Coulter) informed the Assembly that the Government, pursuant to Standing Order 95, accepted the notice of motion as a censure motion.

The Leader of the Opposition (Mr Smith) thereupon moved - That this Assembly censures the Deputy Chief Minister, the Minister for Mines and Energy and the Minister for Industries and Development, because he has been guilty of a grave contempt of the Assembly in that he deliberately misled this Assembly by informing the Assembly that the document he tabled on Thursday, 6 October 1988, was a full audit of K.K. Yeung Management Consultants' financial dealings with the Trade Development Zone knowing that it was simply a statement of K.K. Yeung Management Consultants' retainer from the Trade Development Zone.

Paper tabled: Mr Smith, by leave, laid on the Table a copy of a letter from Laurie R. Jones, Dural Enterprises Pty Ltd to Anne Kemp, Development Executive, Trade Development Zone Authority, dated 7 April 1986.

Mr Coulter moved the following amendment -

Omit all words after "that", and insert in their stead "this Assembly -

- (1) deplores the action of the Leader of the Opposition in wasting the time of this Assembly by moving a censure motion relating to a document tabled on Thursday 6 October 1988 relating to K.K. Yeung Management Consultants' when the Leader of the Opposition was fully aware that the Minister for Industries and Development had ensured that the Assembly was under no misapprehension as to the status and content of the document by giving a full detailed description of the

document and its status at question time yesterday 11 October 1988;

- (2) notes and commends the continuing efforts of the Board, management and staff of the Trade Development Zone Authority to establish an important manufacturing centre in Darwin which will create employment and business opportunities for Territorians; and
- (3) the Leader of the Opposition be condemned for his continuing actions which have the effect of undermining those valuable efforts.

Debate ensued.

Distinguished visitor - Dr G.A. Letts: The Speaker informed the Assembly that Dr Godfrey Alan Letts, a former Member of the Legislative Council and Member of the First Legislative Assembly, was present in the Gallery. The Speaker extended a warm welcome to the distinguished visitor.

Debate continued.

Suspension of sitting: The sitting was suspended between 11.57 a.m. and 2.00 p.m.

Debate continued.

Paper tabled: The Member for Karama (Mr Palmer), by leave, laid on the Table a facsimile letter from K.K. Yeung, K.K. Yeung Management Consultants Ltd to Mr Ray McHenry, Trade Development Zone Authority, dated 29 September 1988.

Debate continued.

Question - That the amendment be agreed to - put.

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

AYES, 15

NOES, 10

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

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

Debate continued.

Question - That the motion as amended, be agreed to - put.

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

AYES, 15

NOES, 10

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

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

And so it was resolved in the affirmative.

5. ABORIGINAL AREAS PROTECTION BILL 1988 (Serial 146):

The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to effect a practical balance between the recognised need to preserve and enhance Aboriginal cultural tradition in relation to certain land in the Territory and the aspirations of the Aboriginal and all other peoples of the Territory for their economic, cultural and social advancement, by establishing a procedure for the declaration of significant Aboriginal areas, providing for entry onto significant Aboriginal areas and sacred sites and the conditions to which such entry is subject, establishing a procedure for the avoidance of significant Aboriginal areas in the development and use of land and establishing an Authority to advise the Minister in relation to applications for the declaration of such areas and areas avoidance, and for related purposes.

Bill read a first time.

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

On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

6. PERSONAL EXPLANATION:

The Minister for Health and Community Services (Mr Dale) made a personal explanation relating to comments made by the Member for Macdonnell (Mr Bell) during the adjournment debate on Tuesday 11 October 1988.

7. EDUCATION AMENDMENT BILL 1988 (Serial 150):

The Minister for Education (Mr Harris), pursuant to notice, presented a Bill for an Act to amend the *Education Act*.

Bill read a first time.

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

On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

8. NORTHERN TERRITORY UNIVERSITY BILL 1988 (Serial 141):

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 to 8, by leave, taken together and agreed to.

Clause 9 read -

Mr Ede moved the following amendment -

Omit "10" from clause 9(1)(e) and insert "3".

Debate ensued.

Amendment negatived.

The Minister for Education (Mr Harris) moved the following amendment -

Omit from subclause (1) paragraph (e) and insert in its stead the following:

- "(e) 10 persons appointed by the Administrator as follows -
- (i) 2 persons with expertise or experience in matters relating to trade unions so appointed after consultation with trade unions;
 - (ii) 2 persons with expertise or experience in matters relating to business or industry so appointed after consultation with groups representative of business and industry; and
 - (iii) 6 persons so appointed as representing between them a broad range of community interests, including persons with expertise in research, training, tertiary education and technology".

Debate ensued.

Amendment agreed to.

Mr Ede moved the following amendment -

Insert after clause 9(1)(e) the following:

- "(ea) three members nominated by the Northern Territory Trades and Labor Council representing those teaching, industrial, and service unions covering staff employed at the University;
- (eb) one Aboriginal member of the full-time staff of the University elected by the academic staff of the University;
- (ec) three members representing employers elected by a council of an equal number of representatives from the Master Builders Association, the Confederation of Industry, and the Small Business Association;".

Debate ensued.

Amendment negatived.

Mr Harris moved the following further amendment -

Omit from subclause (1) paragraphs (f) and (g) and insert in their stead the following:

- "(f) 2 persons elected by and from the full-time academic staff of the University other than staff of the Institute;
- (g) one person elected by and from the full-time academic staff of the Institute;"

Debate ensued.

Amendment agreed to.

Mr Ede moved the following further amendment -

Omit from subclause (2)(b) "until the expiry of the terms for which they were respectively appointed as such," and insert in its stead "until the end of the year 1990,".

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit from subclause (2) paragraph (c)(i) and insert in its stead the following:

- "(i) 2 further members of the full-time academic staff of the University; and"

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit from subclause (3) paragraph (a) and insert in its stead the following:

- "(a) subject to this Part, the persons who are on 31 December 1988 members of the Interim Council established by section 53, and -
 - (i) were appointed to the advisory council referred to in section 54(1) as having been elected for that purpose by staff of the University College of the Northern Territory or the Darwin Institute of Technology or both; or
 - (ii) were appointed to the Interim Council, pursuant to paragraph 5(2) of Schedule 1, to fill a vacancy in the place of a member described in subparagraph (i),

shall fill the places on the Council provided for by section (1)(f), (g) and (h) and subsection (2)(c)(i); and"

Debate ensued.

Amendment agreed to.
Clause 9, as amended, agreed to.
Clause 10 read -
Mr Harris moved the following amendment -

Omit from subclause (2) all words after "deemed to have been elected," and insert in their stead "under section 9(1)(f), (g), (h) or (j) holds office for a period of 3 years beginning on 1 January 1990 or on 1 January of a subsequent 3 year period for which he is elected."

Amendment agreed to.
Clause 10, as amended, agreed to.
Clause 11 agreed to.
Clause 12 read -
Mr Harris moved the following amendment -

Insert after subclause (1)(f) the following:

"(fa) being a member by virtue of section 9(3)(a), he ceases to be a member of the staff of the University;"

Debate ensued.
Amendment agreed to.
Clause 12, as amended, agreed to.
Clause 13 read -
Mr Harris moved the following amendment -

Omit subclause (3) and insert in its stead the following:

"(3) Where for any reason a person who is a member of the Council by virtue of section 9(3)(a) or (b) vacates his office as a member before the end of the year 1989, the Council shall appoint, as the case may require -

- (a) a member belonging to the same category of staff; or
- (b) a student of the University,

to fill the vacancy for the remainder of that year."

Debate ensued.
Amendment agreed to.
Clause 13, as amended, agreed to.
Clause 14 read -
Mr Harris moved the following amendment -

Insert in subclause (1) after "one of their number" the words "who is eligible for the office under subsection (2)".

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

Omit subsection (2) and insert in its stead the following:

"(2) The members of the Council eligible for the offices of Chancellor and Deputy Chancellor are the Chairman of the Board of the Institute, the members appointed by the Administrator and the graduate member elected by Convocation."

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit subclause (5) and insert in its stead the following:

"(5) Until the election of a Chancellor and a Deputy Chancellor at the first meeting of the Council after the commencement of this Act, the persons who, under section 54(3), are Interim Chancellor and Interim Deputy Chancellor shall be Chancellor and Deputy Chancellor respectively."

Debate ensued.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15 read -

Mr Ede moved the following amendment -

Omit from clause 15(1) "Subject to this section, the" and insert "The".

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit from subclause (3) "Subject to this section, the" and insert in its stead "The".

Amendment agreed to.

Mr Ede moved the following further amendment -

Omit clause 15(4).

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Add at the end the following:

"(5) In relation to the first appointment of a Vice-Chancellor after the commencement of this Act, the reference in subsection (1) to the Council is a reference to the Council as constituted apart from the Vice-Chancellor."

Debate ensued.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

Clause 17 read -

Mr Ede moved the following amendment -

Omit subclause 2.

Debate ensued.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clauses 18 and 19, by leave, taken together and agreed to.

Clause 20 read -

Mr Harris moved the following amendment -

Omit from subclause (4) all words after "course of study that" and insert in their stead "leads to the award of a degree, or of a diploma other than an associate diploma."

Debate ensued.

Question - put.

The Committee divided (the Chairman, Mr Dondas, in the Chair) -

AYES, 16

NOES, 6

Mr Collins

Mr Coulter

Mr Dale

Mr Dondas

Mr Finch

Mr Firmin

Mr Harris

Mr Hatton

Mr McCarthy

Mr Manzie

Mrs Padgham-Purich

Mr Palmer

Mr Perron

Mr Poole

Mr Reed

Mr Setter

Mr Bell

Mr Ede

Mr Lanhupuy

Mr Leo

Mr Smith

Mr Tipiloura

And so it was resolved in the affirmative.

Clause 20, as amended, agreed to.

Clause 21 read -

Mr Harris moved the following amendment -

Insert in subclause (1) after "Council" (first occurring) the words "after consultation with the Board of the Institute".

Amendment agreed to.

Mr Harris moved the following further amendment -

Add at the end the following:

"(3) In relation to the first appointment of a Director after the commencement of this Act, the reference in subsection (1) to the Board of the Institute is a reference to the Board as constituted without a Director."

Amendment agreed to.

Clause 21, as amended, agreed to.

Clause 22 read -

Mr Ede moved the following amendment -

Insert in clause 22(2)(c) after "interests" the words ", of whom 2 shall be nominated by the Northern Territory Trades and Labor Council (and of which one shall represent the Northern Territory Teachers Federation), and of whom a further 2 shall be nominated by a council of an equal number of representatives from the Master Builders Association, the Confederation of Industry, and the Small Business Association".

Debate ensued.

Ordered - That, further consideration of clause 22, and of the amendment moved thereto by Mr Ede, be postponed.

Clause 23 agreed to.

Clause 24 read -

Mr Harris moved the following amendment -

Omit from subclause (2) "appointment or".

Amendment agreed to.

Mr Harris moved the following further amendment -

Insert in subclause (4) after "shall not" the words ", except at the request or with the consent of the Board of the Institute,".

Amendment agreed to.

Clause 24, as amended, agreed to.

Clauses 25 to 36, by leave, taken together and agreed to, after debate.

Clause 37 read -

Mr Harris moved the following amendment -

Omit from subclause (6) "College" and insert in its stead "University".

Amendment agreed to.

Clause 37, as amended, agreed to.

Clause 38 read -

Mr Harris moved the following amendment -

Omit from subclause (5) "College" and insert in its stead "University".

Amendment agreed to.

Clause 38, as amended, agreed to.

Clauses 39 to 48, by leave, taken together and agreed to, after debate.

Clause 49 read -

Mr Ede, by leave, moved the following amendments together -

Insert in clause 49(2)(d) after "Council" the words "(including committees or boards to consider and grant tenure to staff)".

Insert after clause 49(3) the following:

"(3A) A by-law referred to in subsection (2)(d) appointing a committee or board to consider and grant tenure to staff shall provide for the appointment of at least the following persons:

(a) the Deputy Vice-Chancellor (Academic);

- (b) the head of the faculty or school of the University in which the staff member is employed;
- (c) a representative of the appropriate union covering the employment of the staff member to be considered for tenure; and
- (d) subject to the approval of the union representative specified in paragraph (c), a tenured staff member of the faculty or school in which staff member being considered for tenure is employed.

"(3B) By-laws referred to in subsection (3A) shall provide for the appointment of a tenure review committee to which an appeal may be made by a staff member who has not been granted tenure, such review committee to consist of the following persons:

- (a) the Vice-Chancellor;
- (b) a representative of the appropriate union covering the employment of the staff member making the appeal (not being the union representative appointed under subsection (3A)(c)); and
- (c) a person appointed by the members specified in paragraphs (a) and (b) as Chairman."

Debate ensued.

Amendments negatived.

Clause 49 agreed to.

Clauses 50 to 53, by leave, taken together and agreed to.

Clause 54 negatived, after debate.

New clause -

Mr Harris moved - That the following new clause be inserted -

"54 MEMBERSHIP OF INTERIM COUNCIL

"(1) The Interim Council shall consist of the persons who were, immediately before the commencement of this Act, the members of the advisory council established by the Minister under section 19(1) of the *Education Act* by the name of the Interim Council of the Northern Territory University.

"(2) The member of the advisory council referred to in subsection (1) who was, immediately before the commencement of this Act, designated as its Interim Chief Executive Officer shall hold the office of Interim Chief Executive Officer of the Interim Council.

"(3) The members of the advisory council referred to in subsection (1) who were before the commencement of this Act elected by that council with a view to their holding those offices shall be respectively the Interim Chancellor and the Interim Deputy-Chancellor.

"(4) Subsections (1) to (3) have effect subject to the provisions of paragraph 5 of Schedule 1 with respect to the filling of casual vacancies."

Proposed new clause agreed to.

Clause 55 read -

Mr Harris moved the following amendment -

Add at end the following:

"(5) The Interim Council -

(a) may if it thinks it necessary or desirable to do so make by-laws or rules with respect to any matter for which by-laws or rules may be made by the Council of the University; and

(b) may prescribe by by-laws the procedure to be followed in continuing and disposing of any proceedings for misconduct that have been begun against a student of the College or the Institute under the by-laws of the body in question before 1 January 1989 but have not been finally disposed of before that date,

and sections 49(7), 50(2) to 50(5) and 51 apply to by-laws or rules made by virtue of this subsection as they apply to by-laws or rules made by the Council of the University.

"(6) Section 33(1) shall have effect with respect to fees and charges for the year 1989 as if the reference therein to the Council of the University included a reference to the Interim Council."

Amendment agreed to.

Clause 55, as amended, agreed to.

Clauses 56 to 60, by leave, taken together and agreed to.

Schedule 1 read -

Mr Harris moved the following amendment -

Omit from paragraph 1 subparagraphs (1) and (2) and insert in their stead the following:

"(1) The Interim Chancellor shall call a first meeting of the Interim Council as soon as practicable after the commencement of this Act, and such further meetings as he considers necessary or desirable for the exercise and performance of the Council's powers and functions.

"(2) The functions of the Interim Chancellor under subparagraph (1) shall, at any time when he is not available for the purpose, be performed by the Interim Deputy-Chancellor."

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit paragraph 5 and insert in its stead the following:

"5. CASUAL VACANCIES

"(1) In the event of a vacancy occurring in the membership of the Interim Council, the Minister may, and in the case of a

vacancy to which subparagraph (2) applies shall, appoint a person to fill the vacancy.

"(2) This subparagraph applies to a vacancy in the place of a member of the Interim Council who was appointed to the advisory council referred to in section 54(1) as having been elected for that purpose by staff of the College or the Institute or both, and the person appointed to fill the vacancy shall be a member of the staff, or one of the staffs, in question.

"(3) Where a vacancy occurs in the place of a member of the Interim Council who holds the office of Interim Chief Executive Officer, Interim Chancellor or Interim Deputy-Chancellor, a person appointed to fill that place shall also hold the office in question."

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit from paragraph 6(a) "or election".

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Omit paragraph 6(d).

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedule 2 read -

Mr Ede moved the following amendment -

Insert after clause 3(2) the following:

"(2A) Where the length of service (including service with the College or the Institute) of a servant transferred by clause 3(1)(a) does not exceed 12 months until a date later than 1 January 1989, the servant shall be entitled, as soon as practicable after the expiry of the 12 month period, to apply to a committee or board, appointed under the By-laws to consider and grant tenure, for tenure."

Debate ensued.

Amendment negatived.

Mr Ede moved the following further amendment -

Insert in clause 3(3) after "altered" the words "(but, until 1 September 1993, not reduced or lessened)".

Debate ensued.

Amendment negatived.

Mr Harris moved the following amendment -

Insert after paragraph 5 the following:

"5A. BY-LAWS, &c.

"On and after 1 January 1989, by-laws, rules and determinations made by the Interim Council by virtue of section 55(5) or (6) shall be treated for all purposes as having been made by the Council of the University, and the power of that Council under section 49(1) is extended accordingly to the making of by-laws with respect to the matters specified in section 55(5)(b)."

Amendment agreed to.

Mr Harris moved the following further amendment -

Add at end of paragraph 6 the following:

"(2) This paragraph does not apply to by-laws or rules made by the College or the Institute."

Amendment agreed to.

Schedule 2, as amended, agreed to.

Postponed clause 22 -

Consideration resumed of postponed clause 22 and of the following amendment moved thereto by Mr Ede -

Insert in clause 22(2)(c) after "interests" the words ", of whom 2 shall be nominated by the Northern Territory Trades and Labor Council (and of which one shall represent the Northern Territory Teachers Federation), and of whom a further 2 shall be nominated by a council of an equal number of representatives from the Master Builders Association, the Confederation of Industry, and the Small Business Association".

Debate ensued.

Amendment, by leave, withdrawn.

Mr Harris moved the following amendment -

Omit from subclause (2) paragraph (c) and insert in its stead the following:

"(c) 5 persons appointed by the Minister as follows:

- (i) one person with expertise or experience in matters relating to trade unions so appointed after consultation with trade unions;
- (ii) one person with expertise or experience in matters relating to business or industry so appointed after consultation with groups representative of business and industry; and
- (iii) 3 persons so appointed as representing between them a broad range of community interests relating to technical and further education;"

Debate ensued.

Amendment agreed to.

Mr Harris moved the following further amendment -

Insert in subclause (2)(d) after "full-time" the word "academic".

Amendment agreed to.

Mr Ede moved the following amendment -

Omit clause 22(3) and insert the following:

"(3) The Board shall elect one of its members to be Chairman."

Debate ensued.

Amendment negatived.

Mr Harris moved the following further amendment -

Insert after subclause (5) the following:

"(5A) The Council shall consult with the Board before making by-laws with respect to any matter referred to in subsection (5)."

Debate ensued.

Amendment agreed to.

Clause 22, 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.

The Minister for Education (Mr Harris) 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.

9. DISASTERS AMENDMENT BILL 1988 (Serial 121):

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 Perron), the Bill was read a third time and passed to be a proposed law.

10. BUSINESS POSTPONED:

The Chief Minister (Mr Perron) moved - That Government Business, Order of the Day No.3 relating to the Economic Development Strategy for 1990s, be postponed until the next sitting day.

Question - put and passed.

11. TAXATION (ADMINISTRATION) AMENDMENT BILL (No.2) 1988 (Serial 125):

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
(Deputy Chairman - Mr Setter)

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4 read -

The Chief Minister (Mr Perron) moved the following amendment -

Omit from paragraph (f) of the proposed definition of "debenture" in section 4(1) in paragraph (a) "declared" and insert in its stead "prescribed".

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6 read -

Mr Perron, by leave, moved the following amendments together -

Omit from paragraph (d)(v) of the definition of "acquire" in proposed section 56C(1) "*Taxation (Administration) Amendment Act 1988*" and insert in its stead "*Taxation (Administration) Amendment Act (No.2) 1988*".

Omit from proposed section 56G "under subsection (1)" and insert in its stead "under section 56F(1)".

Amendments agreed to.

Clause 6, as amended, agreed to.

Clause 7 negatived.

New clause -

Mr Perron moved - That the following new clause be inserted in the Bill -

"7. INTERPRETATION

"Section 80A of the Principal Act is amended -

- (a) by omitting from the definition of 'accommodation house' the words 'caravan park' and substituting 'caravan park in which there are accommodation units'; and
- (b) by omitting from the definition of 'accommodation unit' all words after 'caravan park,' and substituting 'other than a vacant site let for transient use or a site occupied by a tent only;''.

Proposed new clause agreed to.

Clause 8 agreed to.

Clause 9 read -

Mr Perron, by leave, moved the following amendments together -

Omit from proposed section 83B(3) "subsection (2)" and substitute "this section".

Omit from proposed section 83B(4) "subsection (1)" and substitute "this section".

Amendments agreed to.
Clause 9, as amended, agreed to.
Title agreed to.
Bill to be reported with amendments.

The Speaker (Mr Vale) resumed the Chair and the Deputy Chairman (Mr Setter) reported accordingly and the report was adopted.

The Treasurer (Mr Perron) 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.

12. ADJOURNMENT:

The Chief Minister (Mr Perron) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 9.12 p.m. until tomorrow at 10.00 a.m.

=====

PAPERS:

The following papers were deemed to have been presented on 12 October 1988:

Agreements and Determinations:

Supplemental Agreement to the Housing Agreement dated 12 March 1985 between the Commonwealth of Australia and the States, and the Northern Territory of Australia

Annual Report:

Department of Lands and Housing - Lands and Housing 1987-88

=====

ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 53

Thursday 13 October 1988

1. MEETING:

The Assembly met at 10.00 a.m., pursuant to adjournment. The 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.8

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 entitled the Fisheries Bill 1988 which in part appropriates money from the Consolidated Fund for the purpose of making refunds of any overpaid fees or levies.

Dated 12 October 1988.

(Sgd) E.E. JOHNSTON
Administrator

4. PETITION:

Mr Collins presented a petition from 112 citizens of Alice Springs requesting that the Assembly legislate to ban the sale, rental or possession of X- and R-rated videos and "tighten-up" the classification of M-rated videos.

Petition read.

5. NOTICE:

The following notice was given:

Mr Coulter: To present the Mining Amendment Bill (No.2) 1988 (Serial 152).

6. QUESTIONS:

Questions were asked of Ministers.

7. SUSPENSION OF STANDING ORDERS - PROPOSED SELECT COMMITTEE ON THE TRADE DEVELOPMENT ZONE - MOTION NEGATIVED:

The Leader of the Opposition (Mr Smith) moved - That so much of the Standing Orders be suspended as would prevent his moving that -

1. A Select Committee to be known as the Select Committee on the Trade Development Zone be appointed to enquire into and report upon the operations of the Trade Development Zone, with particular reference to -

(a) the Zone administration;

(b) the Trade Development Zone Authority's contractual arrangements with consultants;

- (c) the relationship between the Minister, the Board and the Chairman of the Trade Development Zone Authority;
 - (d) the marketing of the Zone;
 - (e) the suitability of incentive packages offered by the Authority; and
 - (f) the future prospects of the Zone;
2. the Committee consist of 6 Members, 3 being Members of the Government to be nominated by the Chief Minister and 3 being Members who are not Members of the Government to be nominated by the Leader of the Opposition or by any minority group or independent Member or Members;
 3. the quorum of the Committee shall be 3;
 4. the Committee shall have power to appoint sub-committees consisting of 3 or more of its Members, and to refer to any such sub-committee any of the matters which the Committee is empowered to considers;
 5. the quorum of a sub-committee shall be 2;
 6. before the commencement of business the Committee shall elect a Government Member as Chairman;
 7. the Chairman may from time to time appoint a Member of the Committee to be Deputy-Chairman and the Member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or the Chairman is not present at a meeting of the Committee;
 8. the Chairman, or Deputy-Chairman when acting as Chairman, shall have a deliberative and a casting vote;
 9. 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;
 10. the Committee shall report to the Assembly no later than the 6th sitting day in 1989;
 11. 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
 12. 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.

The Leader of Government Business (Mr Coulter) moved - That the question be now put - put.

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

AYES, 15

NOES, 10

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

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

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, 10

NOES, 15

Mr Bell
Mr Collins
Mr Ede
Mr Floreani
Mr Lanhupuy
Mr Leo
Mrs Padgham-Purich
Mr Smith
Mr Tipiloura
Mr Tuxworth

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

And so it was resolved in the negative.

8. PUBLIC ACCOUNTS COMMITTEE - REPORT ON PUBLIC ADMINISTRATION RECURRENT EXPENDITURE - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:

The Member for Karama (Mr Palmer) laid on the Table a report entitled Public Administration Recurrent Expenditure (Waste-Watch), dated October 1988. (Parliamentary Paper No.91 of 1988)

Mr Palmer moved - That the report be printed.

Question - put and passed.

Mr Palmer moved - That the Assembly take note of the paper.

Debate ensued.

On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

9. DOMESTIC VIOLENCE LEGISLATION - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Chief Minister (Mr Perron) made a statement relating to Domestic Violence and the deferral of the introduction of legislation on this matter.

Mr Perron moved - That the Assembly take note of the statement.

Debate ensued.

Question - put and passed.

Suspension of sitting: The sitting was suspended between 11.50 a.m. and 2.00 p.m.

10. LIQUOR AMENDMENT BILL (No.3) 1988 (Serial 145):
The Minister for Tourism (Mr Poole), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act*.

Bill read a first time.

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

Debate ensued.

Ordered - That the debate be adjourned and that the Member for Macdonnell (Mr Bell) have leave to continue his remarks on the resumption of the debate.

11. FISHERIES BILL 1988 (Serial 151):
The Minister for Primary Industry and Fisheries (Mr Reed), pursuant to notice, presented a Bill for an Act to provide for the regulation, conservation and management of fisheries and fishery resources, and for related purposes.

Bill read a first time.

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

On the motion of the Member for Nhulunbuy (Mr Leo) debate was adjourned.

12. CRIMES (FORFEITURE OF PROCEEDS) BILL 1988 (Serial 149):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to provide for the confiscation of the profits of crime and the forfeiture of property in certain circumstances, and for related purposes.

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.

13. STREHLOW RESEARCH CENTRE BILL 1988 (Serial 142):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to establish a research centre in Alice Springs to honour the memory of the late Professor T.G.H. Strehlow and to be a repository for material relating to Aboriginal people, their culture and traditions accumulated by him in his lifetime; to provide for an annual scholarship in recognition of the esteem in which the people of the Northern Territory hold the late Professor Strehlow and his work; to provide for the care, control and management (including storage, preservation and display) of the Strehlow Collection for the benefit of Aboriginal people and as a national heritage asset; to provide for research to be conducted and activities to be undertaken to promote and benefit the contribution of the Collection to the Northern Territory; and for related purposes.

Bill read a first time.

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

On the motion of the Member for Arafura (Mr Tipiloura) debate was adjourned.

14. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 22 November 1988 at 10.00 a.m. or such other time and/or date as may be set by the Speaker pursuant to Sessional Order.

Question - put and passed.

15. LOCAL GOVERNMENT AMENDMENT BILL 1988 (Serial 137):

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 to 18, by leave, taken together and agreed to.

Clause 19 read -

The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) moved the following amendment -

Omit from clause 19 "are prescribed" and insert in its stead "prescribed or".

Amendment agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 29, by leave, taken together and agreed to.

Clause 30 read -

Mr McCarthy moved the following amendment -

Omit clause 30(a) and insert in its stead the following:

"(a) by omitting from subsection (1) 'where, under section 111(2)(a), a council has declared a local rate,' and substituting 'a council may, at a meeting referred to in section 111(1), by resolution declare a local rate and';

(aa) by inserting in subsection (3) before 'subsection (2)' the words 'subsection (1) or';".

Amendment agreed to.

Clause 30, as amended, agreed to.

Clauses 31 to 37, by leave, taken together and agreed to.

New clause -

Mr McCarthy moved - That the following new clause be inserted -

"37A. INCOME OF TRUST FUND

"Section 148(2) of the Principal Act is amended by inserting after paragraph (a) the following:

'(aa) moneys, which may include moneys received from a local rate, received by the council to be used for a specified purpose;'

Proposed new clause agreed to.

Clauses 38 to 41, by leave, taken together and agreed to.

New clause -

Mr McCarthy moved - That the following new clause be inserted -

"41A. REPEAL AND SUBSTITUTION

"The Principal Act is amended by repealing section 181 and substituting the following:

'181. MEMBERS OWING SURCHARGE

'Where a surcharge, or part of a surcharge, owing to a council by a member remains unpaid -

- (a) where the member does not apply to the Tribunal against the imposition of the surcharge, on the day after the last day on which he could have applied; or
- (b) where the member applies against the surcharge but the Tribunal does not annul it, on the day after the day on which the Tribunal hands down its determination,

the member is disqualified from carrying out any duties of office as a member until either the amount owing has been paid or the member is disqualified from holding office under section 15(1)(fa), whichever occurs sooner.'".

Proposed new clause agreed to.

Clauses 42 to 62, by leave, taken together and agreed to.

Clause 63 read -

Mr McCarthy moved the following amendment -

Omit the words before "and" and insert in their stead the following:

"Section 271 of the Principal Act is amended -

- (a) by inserting in subsection (1) after 'provide' the words ', or may authorize the community government council, by resolution, to provide'; and
- (b) by omitting paragraph (a) from subsection (2)".

Amendment agreed to.

Clause 63, as amended, agreed to.

Clauses 64 to 68, by leave, taken together and agreed to.

Clause 69 read -

Mr McCarthy moved the following amendment -

Insert in clause 69 before paragraph (a) the following:

- (aa) by inserting in subsection (1) after paragraph (d) the following:

- (da) providing for the community government council, by resolution, to do any of the things specified in paragraph (a), (b), (c), or (d);".

Amendment agreed to.

Clause 69, as amended, agreed to.

Clauses 70 to 75, by leave, taken together and agreed to.

New clause -

Mr McCarthy moved - That the following new clause be inserted -

"76. SCHEDULE 2 AMENDED

"Schedule 2 to the Principal Act is amended -

- (a) by inserting after item 4 the following:

'4A. Control of Public Places';

- (b) by omitting the heading 'Other' and substituting 'Other Services'; and

- (c) by adding at the end the following:

'53. Commercial Undertakings'".

Proposed new clause agreed to.

Title agreed to.

Bill to be reported with amendments.

The Acting Deputy Speaker (Mr Setter) resumed the Chair and the Chairman (Mr Dondas) reported accordingly and the report was adopted.

On the motion of the Minister for Labour, Administrative Services and Local Government (Mr McCarthy) the Bill was read a third time and passed to be a proposed law.

16. WORK HEALTH AMENDMENT BILL 1988 (Serial 128):

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)

Bill, by leave, taken as a whole.

Clause 2 read -

The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) moved the following amendment -

Omit all words in proposed section 52(1) before subparagraph (i) of paragraph (b) and insert in their stead the following:

"(1) Subject to section 189, no action for damages in favour of a worker or a dependant of a worker shall lie against -".

Amendment agreed to.
 Clause 2, as amended, agreed to.
 Bill, as amended, 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 Minister for Labour, Administrative Services and Local Government (Mr McCarthy) the Bill was read a third time and passed to be a proposed law.

17. JUSTICES AMENDMENT BILL (No.3) 1988 (Serial 122):

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.

18. PUBLICATIONS COMMITTEE, SEVENTH REPORT - PAPER TABLED - REPORT ADOPTED:

The member for Jingili (Mr Setter) laid on the Table the Seventh Report of the Publications Committee recommending that the following papers be printed -

| P/P No. | TITLE | DATE TABLED |
|---------|---|-------------|
| 80 | Agricultural Development and Marketing Authority - Annual Report 1986-87 | 16.8.88 |
| 81 | Department of Education - Annual Report 1987 | 25.8.88 |
| 82 | Department of Health and Community Services - Annual Report 1986-87 | 16.8.88 |
| 83 | Department of Industries and Development - Annual Report 1987-88 | 25.8.88 |
| 84 | Department of Transport and Works - Annual Report 1987-88 | 25.8.88 |
| 85 | Museums and Art Galleries Board - Annual Report 1986-87 | 23.8.88 |
| 86 | Publications and Films Review Board - Annual Report 1987 | 16.8.88 |
| 87 | Tennant Creek Hospital Management Board - Annual Report 1986-87 | 16.8.88 |
| 88 | University College of the Northern Territory - Annual Report 1987 | 25.8.88 |
| 92 | Uranium Mining (Environment Control) Act - Ninth Annual Report 1987 | 16.8.88 |
| 93 | Report to Chief Minister of Committee established to review legislation relating to sites of significance to Aboriginals, June 1987 | 25.8.88 |

Mr Setter moved - That the report be adopted.
Question - put and passed.

19. LIQUOR AMENDMENT BILL 1988 (Serial 134) AND SUMMARY OFFENCES AMENDMENT BILL (No.2) 1988 (Serial 135):

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 Minister for Tourism (Mr Poole), the Bills were read a third time and passed to be proposed laws.

20. LOCAL GOVERNMENT GRANTS COMMISSION AMENDMENT BILL 1988 (Serial 136):

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 Labour, Administrative Services and Local Government (Mr McCarthy), the Bill was read a third time and passed to be a proposed law.

21. ECONOMIC DEVELOPMENT STRATEGY FOR 1990s - PAPER NOTED:

The order of the day having been read for the resumption of the debate on the motion of the Chief Minister (Mr Perron) (4 October 1988) - That the Assembly take note of the paper -

Debate resumed.

Question - put and passed.

22. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 8.45 p.m. until Tuesday 22 November 1988 at 10.00 a.m. or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 13 October 1988:

Annual Reports:

Ministerial Advisory Council, Work Health Authority, 1987-88

Northern Territory Treasury, 1987-88

Determinations:

- Police Arbitral Tribunal Determination No.1 of 1982
(Determination No. T2 of 1988)
- Police Arbitral Tribunal Determination No.2 of 1982
(Determination No. T3 of 1988)
- Police Arbitral Tribunal Determination No.2 of 1982
(Determination No. T4 of 1988)

Northern Territory Local Government Grants Commission 1988:

- Report on Distribution of Funds, under the Commonwealth's
Local Government (Financial Assistance) Act 1986, to
local governing bodies 1988-89
- Report on Distribution of Northern Territory Operational
Subsidies to non-municipal local governing bodies 1988-89

=====

ATTENDANCE:

All Members attended the sitting.

H.G. SMITH

Clerk of the Legislative Assembly

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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