

PART III

THE MINUTES OF PROCEEDINGS



THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 27

Tuesday 24 November 1987

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1. MEETING:

The Assembly met at 10.25 a.m. Mr Speaker, the Honourable R.W.S. Vale, took the Chair.

2. PRAYERS.

3. PETITIONS:

Mr Poole presented a petition from 940 citizens of Alice Springs relating to the development of a recreational lake at Emily Creek.

**Petition read.**

Mr Poole, by leave, presented a petition, not conforming with Standing Orders, from 517 citizens of Alice Springs relating to the construction of a recreational lake for Alice Springs.

4. NOTICES:

The following notices were given:

Mr Hatton: To present the Commission of Inquiry (Deaths in Custody) Bill 1987 (Serial 79).

Mr Coulter: To present the Taxation (Administration) Amendment Bill (No.3) 1987 (Serial 81) and the Stamp Duty Amendment Bill (No.4) 1987 (Serial 80).

Mr Dale: To present the Radiographers Amendment Bill 1987 (Serial 82).

5. LEAVE OF ABSENCE:

The Member for Ludmilla (Mr Firmin) moved - That leave of absence be granted to the Attorney-General (Mr Manzie) this day on account of government business interstate.

Question - put and passed.

6. FURTHER NOTICE:

The following further notice was given:

Mr Smith: To move - That -

(1) the Minister for Health and Community Services be censured by this Assembly for -

(a) failing to realise that the proposal to establish a private hospital within the Royal Darwin Hospital raised issues which needed to be resolved at ministerial level;

(b) placing at risk the continued provision of high standard health services at the Royal Darwin Hospital; and

(c) failing to undertake negotiations with the Commonwealth Government which would ensure a smooth start to the Darwin Private Hospital; and

(2) this Assembly calls upon the Minister for Health and Community Services to resign forthwith.

7. CENSURE OF MINISTER FOR HEALTH AND COMMUNITY SERVICES - PRIVATE HOSPITAL:  
The Leader of Government Business (Mr Hanrahan) 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 -

(1) the Minister for Health and Community Services be censured by this Assembly for -

(a) failing to realise that the proposal to establish a private hospital within the Royal Darwin Hospital raised issues which needed to be resolved at ministerial level;

(b) placing at risk the continued provision of high standard health services at the Royal Darwin Hospital; and

(c) failing to undertake negotiations with the Commonwealth Government which would ensure a smooth start to the Darwin Private Hospital; and

(2) this Assembly calls upon the Minister for Health and Community Services to resign forthwith.

Debate ensued.

**Paper tabled:** The Member for Arnhem (Mr Lanhupuy), by leave, tabled the text of questions addressed to the Minister for Health and Community Services dated 11 November 1987.

Debate continued.

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**Suspension of sitting:** The sitting was suspended between 12.12 p.m. and 2.00 p.m.

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Debate continued.

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

Question - That the question be now put - put.

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

AYES, 14

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

NOES, 8

Mr Bell  
Mr Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith  
Mr Tipiloura  
Mr Tuxworth

And so it was resolved in the affirmative.

Question - That the original motion of censure be agreed to - put.  
The Assembly divided (the Speaker, Hon. R.W.S. Vale, in the Chair) -

AYES, 8

Mr Bell  
Mr Collins  
Mr Ede  
Mr Lanhupuy  
Mr Leo  
Mr Smith  
Mr Tipiloura  
Mr Tuxworth

NOES, 15

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

And so it was resolved in the negative.

8. AUSTRALIA CARD - REPLY TO RESOLUTION - PAPER TABLED:

Mr Speaker laid on the Table a letter from Senator the Hon. Susan Ryan, dated 16 November 1987, replying to the terms of the resolution of the Legislative Assembly of 23 September 1987, concerning the proposed introduction of the Australia Card.

9. JAWOYN LAND CLAIM - REPLY TO RESOLUTION - PAPER TABLED:

Mr Speaker laid on the Table a letter from the Hon G.L. Hand, MP, dated 17 November 1987 relating to the terms of the resolution of the Legislative Assembly of 20 October 1987 concerning the Jawoyn (Katherine Gorge) Land Claim.

10. SERVICES PROVIDED FOR ABORIGINALS - MINISTERIAL STATEMENT - STATEMENT TABLED - MOTION TO NOTE STATEMENT:

The Minister for Health and Community Services (Mr Dale), tabled a statement on services provided for Aborigines in the Northern Territory and, by leave, the statement was incorporated in **Hansard**.

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

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

11. PUBLIC ACCOUNTS COMMITTEE - REPORT ON GOVERNMENT ACTUAL AND CONTINGENT LIABILITIES - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:

The Member for Karama (Mr Palmer) laid on the Table the report of the Public Accounts Committee upon the Actual and Contingent Liabilities of the Northern Territory Government.

Mr Palmer moved - That the report be printed.

Question - put and passed.

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

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

12. SUSPENSION OF STANDING ORDERS - PASS BILLS THROUGH ALL STAGES:

The Leader of Government Business (Mr Hanrahan) moved - That so much of Standing Orders be suspended as would prevent the Motor Vehicles Amendment Bill (No.2) 1987 (Serial 76); the Superannuation Amendment Bill 1987 (Serial 71); and the Juvenile Justice Amendment Bill 1987 (Serial 75) passing through all stages at these sittings.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

13. MOTOR VEHICLES AMENDMENT BILL (No.2) 1987 (Serial 76):

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 Transport and Works (Mr Finch) the Bill was read a third time and passed to be a proposed law.

14. SUPERANNUATION AMENDMENT BILL 1987 (Serial 71):

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.

15. ADJOURNMENT:

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

Debate ensued.

Question - put and passed.

The Assembly adjourned at 6.15 p.m. until tomorrow at 10 a.m.

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**PAPERS:**

The following papers were deemed to have been presented on 24 November 1987:

**Annual Report:**

Darwin Port Authority, 1986-87

**Community Government Scheme:**

Lajamanu Community Government Council (Common Seal) By-laws

**Financial Statements and Report of the Auditor-General:**

Work Health Authority, 1986-87

**Hospital Management Board Report:**

Gove District, 1986-87

**Recommendations under S.103 of Crown Lands Act:**

Revocation of reserve No.1266, Peel Street, Town of Darwin

**Regulations 1987:**

No.41 - Alice Springs (Control of Public Places) By-laws

No.42 - Alice Springs (Council Meetings and Procedures) By-laws

No.44 - Supreme Court (Probate and Administration) Rules

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**ATTENDANCE:**

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





MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 28

Wednesday 25 November 1987

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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. NOTICE:

The following notice was given:

Mr Perron, on behalf and at the request of the Attorney-General (Mr Manzie): To present the Law Officers Amendment Bill 1987 (Serial 78).

4. QUESTIONS:

Questions were asked of Ministers.

5. INDUSTRIES AND DEVELOPMENT PORTFOLIO - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Industries and Development (Mr Perron) made a statement relating to progress in the Industries and Development portfolio since the General Election on 7 March 1987.

Mr Perron moved - That the statement be noted.

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**Suspension of sitting:** The sitting was suspended between 11.52 a.m. and 2.00 p.m.

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Debate resumed.

The Member for Ludmilla (Mr Firmin) moved - That the debate be adjourned.

Question - put.

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

AYES, 15

NOES, 9

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

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

And so it was resolved in the affirmative.

6. EQUAL OPPORTUNITIES PROGRAMME - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Labour and Administrative Services (Mr McCarthy) made a statement relating to developments in the Northern Territory Equal Opportunities Programme.

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly take note of the statement.

Debate ensued.

The Member for Port Darwin (Mr Harris) moved - That debate be adjourned. Question - put.

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

AYES, 17

NOES, 6

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 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.

7. PURCHASING AND TENDERING GUIDELINES - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:

The Minister for Industries and Development (Mr Perron) made a statement relating to the new procedures and guidelines for Government purchasing and tendering.

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

Debate ensued.

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

8. COMMISSIONER OF CONSUMER AFFAIRS, REPORT 1985-86 and COMMISSIONER OF MOTOR VEHICLE DEALERS, REPORT 1986 - PAPER TABLED - PAPER PRINTED:

The Minister for Health and Community Services (Mr Dale) laid on the Table the report of the Commissioner of Consumer Affairs 1985-86 together with the Commissioner of Motor Vehicle Dealers 1986.

Mr Dale moved - That the paper be printed.

Question - put and passed.

9. MATTER OF PUBLIC IMPORTANCE - LEADERSHIP TO BUSINESS COMMUNITY:

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 Northern Territory Government's inability to provide leadership to the business community and to the Public Service of the Northern Territory".

**The proposed discussion having received the necessary support -**

The Speaker called on Mr Smith to address the Assembly.

Discussion ensued.

Discussion concluded.

10. COMMISSION OF INQUIRY (DEATHS IN CUSTODY) BILL 1987 (Serial 79):

The Chief Minister (Mr Hatton), pursuant to notice, presented a Bill for an Act to appoint and provide for the appointment of a Commissioner or Commissioners to inquire into, and report and make recommendations to the Administrator on, the death of certain persons in custody, and for related purposes.

Bill read a first time.

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

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

11. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:

The Treasurer (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills namely: the Taxation (Administration) Amendment Bill (No.3) 1987 (Serial 81); and the Stamp Duty Amendment Bill (No.4) 1987 (Serial 80),

(a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and

(b) the consideration of the Bills separately in Committee of the Whole.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

12. TAXATION (ADMINISTRATION) AMENDMENT BILL (No.3) 1987 (Serial 81) and STAMP DUTY AMENDMENT BILL (No.4) 1987 (Serial 80):

The Treasurer (Mr Coulter), pursuant to notice, presented Bills for Acts to amend the *Taxation (Administration) Act* and the *Stamp Duty Act*.

Bills read a first time.

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

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

13. RADIOGRAPHERS AMENDMENT BILL 1987 (Serial 82):

The Minister for Health and Community Services (Mr Dale), pursuant to notice, presented a Bill for an Act to amend the *Radiographers 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.

14. 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 8.38 p.m. until tomorrow at 10.00 a.m.

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PAPER:

The following paper was deemed to have been presented on 25 November 1987:

**Report:**

Dry areas, alcohol and Aboriginal communities: A review of the Northern Territory restricted areas legislation

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 29

Thursday 26 November 1987

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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. PETITIONS:

Mr Collins presented a petition from 178 citizens of Alice Springs requesting that more accommodation be found for psychiatrically disturbed people.

**Petition read.**

Mr Ede presented a petition from 46 citizens of the Northern Territory requesting that the Assembly reject the Police Administration Amendment Bill 1987 (Serial 33).

**Petition read.**

4. QUESTIONS:

Questions were asked of Ministers.

5. BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN - MINISTERIAL STATEMENT - STATEMENT NOTED:

The Minister for Industries and Development (Mr Perron) made a statement relating to progress of the Brucellosis and Tuberculosis Eradication Campaign in the Northern Territory.

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

Debate ensued.

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

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Debate resumed.

**Paper tabled:** Mr Perron, by leave, tabled a paper entitled "New Cattle Movement Conditions, December 1987".

Debate continued.

Question - put and passed.

6. SPECIAL ADJOURNMENT:

The Leader of Government Business (Mr Hanrahan) moved - That the Assembly at its rising adjourn until Tuesday, 23 February 1988 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. PERSONAL EXPLANATION:

The Member for Jingili (Mr Setter), by leave, made a personal explanation relating to comments he made during debate these sittings.

8. LAW OFFICERS AMENDMENT BILL 1987 (Serial 78):  
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Law Officers 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.
9. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:  
The Chief Minister (Mr Hatton) moved - That so much of Standing Orders be suspended as would prevent the Commission of Inquiry (Deaths in Custody) Bill 1987 (Serial 79) 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.
10. COMMISSION OF INQUIRY (DEATHS IN CUSTODY) BILL 1987 (Serial 79):  
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.
11. JUVENILE JUSTICE AMENDMENT BILL 1987 (Serial 75):  
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.

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**In the Committee**  
(Chairman - Mr Dondas)

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

Clause 4 -

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

Omit paragraph (a).

Omit paragraph (d).

Amendments negatived.

Clause 4 agreed to.

Clauses 5 to 14, by leave, taken together and agreed to, after debate.

Clauses 15 and 16, by leave, taken together and agreed to.

Clause 17 agreed to, after debate.

Clauses 18 to 24, by leave, taken together and agreed to.

Clauses 25 to 28, by leave, taken together and agreed to, after debate.

Clause 29 -

Mr Lanhupuy moved the following amendment -

Insert after proposed section 74E the following:

"74EA. CONFIDENTIALITY OF MEDICAL INFORMATION

"A person shall not, except -

- (a) as required by or under this or any other law in force in the Territory;
- (b) in the course of and for the purposes of the carrying out of the examination or treatment; or
- (c) with the approval of the juvenile,

disclose any information resulting from the medical examination, or about the medical treatment, of a juvenile in pursuance of this Part.

Penalty: \$2,000."

Debate ensued.

Amendment negatived.

Clause 29 agreed to.

Remainder of the Bill, by leave, taken as a whole and agreed to.

Bill to be reported without amendment.

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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 Health and Community Services (Mr Dale) the Bill was read a third time and passed to be a proposed law.

12. PETITION:

Mr Coulter, by leave, presented a petition, not conforming with Standing Orders, from 1402 citizens of the Northern Territory requesting that Manton Dam be used for water sports.

**Petition read.**

13. ADJOURNMENT:

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

Debate ensued.

**Paper tabled:** The Member for Stuart (Mr Ede), by leave, tabled an undated letter from the Minister for Health and Community Services (Mr Dale) to the Member for Arnhem.

Debate continued.

Question - put and passed.

The Assembly adjourned at 7.34 p.m. until Tuesday 23 February 1988 at 10.00 a.m. or such other time and/or date as may be set by Mr Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 26 November 1987:

**Annual Reports:**

Conservation Commission of the Northern Territory, 1986-87  
Electrical Workers and Contractors Licensing Board, 1986-87  
Publications and Films Review Board, 1986  
Road Safety Council of the Northern Territory, 1985-86

**Regulation 1987:**

No.46 - Amendments to the Greyhound Racing Rules

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ATTENDANCE:

All Members attended the sitting.

H.G. SMITH

Clerk of the Legislative Assembly



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FIFTH LEGISLATIVE ASSEMBLY

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FIRST SESSION

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