NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

First Assembly

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PART I

THE DEBATES

Tuesday 1 June 1976

Mr Speaker MacFarlane took the Chair at 10 am.

POLICE AND POLICE OFFENCES BILL

(Serial 113)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

Section 23 of the principal ordinance provides a power for the searching of vehicles and persons where there are reasonable grounds for suspecting that stolen or unlawfully obtained goods may be found. Section 61 of the ordinance relates to the offence of being in possession of such goods. The expression in those section is, and I quote, "suspected of being stolen or unlawfully obtained". Courts have held that this wording can relate only to offences related to larceny and could not relate, for example, to possession of money obtained from the sale of drugs. The problem has been met in other jurisdictions and in NSW, for example, similar wording was changed by the inclusion of the word "otherwise" to read, "stolen or otherwise unlawfully obtained". This clearly showed that the unlawfully obtaining was not necessarily related to the word "stolen" and the NSW Court of Appeal held that this change now enabled the provision to be extended to possession of the proceeds of the sale of stolen goods or of goods the sale of which is prohibited.

The bill merely seeks the inclusion of the words "otherwise" in the relevant sections so that the powers of those sections may be used in this wider field and provide a cover where none presently exists.

Debate adjourned.

UNIT TITLES BILL

(Serial 117)

Bill presented and read a first time.

Mr TAMBLING: I move that the bill be now read a second time.

In March this year, the Governor-General's assent was given to the Unit Titles Ordinance 1976 and the associated Real Property (Unit Titles) Ordinance 1976. I was advised, however, that assent should be regarded as acceptance in principle of the proposals. Difficulties were foreseen in the details of those ordinances which were considered to be serious enough to prevent any immediate action to bring them into operation. A number of discussions were subsequently held on the 2 ordinances and this and associated bills were drafted to overcome the difficulties. I must acknowledge the co-operation and assistance given by the First Assistant Secretary, Lands and Community Development and officers of the Lands Branch in the preparation of these bills.

The two most important difficulties are the scope of the provisions and the method of converting from leasehold to freehold. The principal ordinance does not restrict the type of land use in respect of which an application for unit titles is possible. Members will recall that an approved application could lead to a grand of freehold over that land and a unit titles application over land used for purely commercial purposes would, if successful, lead to the freeholding of that land for a commercial use.

I am not arguing against such a proposition but honourable members will appreciate that the question of land tenure has been under consideration for many years without a final answer. Land tenure in the Territory has been the subject of an inquiry conducted by Mr Justice Else-Mitchell and you will note that I tabled a copy of that final report in this House this morning. In an interim report, he recommended the freeholding of urban residential land. This, in general, is the policy presently accepted by the Government and it is unlikely that it will change from that acceptance before it has studied the recommendations of the final report of the inquiry.

It would be possible to insert in the ordinance a provision restricting application to certain specified land uses but, on consideration, it was

decided to leave the legislation unrestricted and capable of application to any purpose in respect to which a grant of freehold title is possible. As I will explain later, it has been decided to use the freehold type of ordinance as the means of effecting freehold transfer. Taken in conjunction with the amendment proposed to paragraph (b) of section 15 of the principal ordinance by clause 5 of this bill, it will efectively mean that unit titles proposals may be approved if they are in respect to existing freehold providing it does not conflict with town planning requirements or, if leasehold, that the proprietor will obtain a grant of freehold for that land. The provisions of the Freehold Titles Ordinance state what land may be freeholded and, as and when freehold policies change, any new land included will automatically become eligible for the grant of a unit title.

The second problem is the method of converting approved unit title proposals from leasehold to freehold. Honourable members will recall that the principal ordinance provides that registration of a units plan leads to automatic freehold conversion. Implementation of that method has been examined and it is not considered to be workable. The Registrar-General foresees difficulty in registering such a title, one which is not granted by any competent authority. The Freehold Titles Ordinance offers a firm procedure to ensure the protection of all parties with an interest in land and to ensure that all liabilities are endorsed on the new title. Although it is desired to keep the system as simple as possible, the advantages of using the procedures of the Freehold Titles Ordinance are apparent and it has been decided to do so. I have been assured that this will not impose any noticeable delays in unit title dealings.

Additionally, this bill provides that part III of the Town Planning Ordinance does not apply in respect of a unit title application. That part prevents subdivision of land below a specified acreage and, if not set aside, would stop subdivision for unit title purposes. The bill also ensures that, where a town plan is in existence, that land is superior to lease convenants. In other words, a unit titles application would have to fit into town planning zoning. Further, the bill takes note of the Darwin Rates Ordinance to cover the situation where an application is made in respect of land outside the Darwin municipality. The bill also corrects some minor errors in the principal ordinance.

I have explained the important areas to be covered by the bill. I am confident that in this form it will receive early assent. I have asked the department to establish procedures to ensure that, when brought into operation, the legislation can operate without administrative impediment. A large number of initial inquires have been made and I am sure that when the legislation is brought into operation applications for construction of unit titles will be received. In view of the considerable benefits that can flow from this development in our present housing shortage, I will be requesting that this and the associated bills be passed through all stages at this sitting of the Assembly. I commend the bill.

Debate adjourned.

FREEHOLD TITLES BILL

(Serial 119)

Bill presented and read a first time.

Mr TAMBLING: I move that the bill be now read a second time.

This bill is complementary to the Unit Titles Bill. Honourable members will recall that the earlier bill was silent as to the type of purpose that may be considered for unit titles and that conversion to freehold would be automatic. The Freehold Titles Ordinance specifies the classes of lease which may presently be converted to freehold. It lays down the procedures which ensure the protection of all interested parties and provides a recognised grant which is capable of noting and registration by the Registrar-General.

As I explained in my remarks on the

Unit Titles Bill, these purposes are at present essentially restricted to urban residential land. In terms of our present zoning systems, this would mean residential A and residential C purposes - flats. While residential D, single housing units, may also be converted to freehold, they obviously cannot be converted to unit titles as one title only is possible for that purpose. I argued for and it has been accepted that a common form of unit titles construction is shops and offices at the bottom of a building and residential units above. Residential B, which covers this type of construction, has accordingly been included in this proposal.

The sole purpose of the bill is the proposed inclusion of subsection (2A) of section 4 of the principal ordinance. It provides that where land being properly used for residential A, B or C purposes is approved for subdivision under the Unit Titles Ordinance application for freeholding under this ordinance is acceptable.

Debate adjourned.

REAL PROPERTY (UNIT TITLES) BILL

(Serial 118)

Bill presented and read a first time.

Mr TAMBLING: I move that the bill be read a second time.

This bill also is complementary to the Unit Titles Bill. Its sole effect is to remove references to leases in respect of the registration of unit title proposals. This is done because registered unit title proposals will first have been converted to freehold under the Freehold Titles Ordinance. For the purposes of this ordinance, therefore, no references to leases are necessary. It is, therefore, a purely formal bill to adjust this ordinance to the amendments proposed to the Unit Titles Ordinance.

Debate adjourned.

SEEDS BILL

(Serial 123)

Bill presented and read a first time.

Dr LETTS: I move that the bill be read a second time.

The Northern Territory has had a need for legislation such as this for a considerable time and that need has been recognised both by the authorities charged with the responsibility for the development and advancement of primary industrry and by the industry itself. I believe that the Government, through the Animal Industry and Agriculture Branch, has wished to have legislation introduced now for some years but this particular subject matter has previously not secured a sufficiently high drafting priority. I have been able to advance its drafting and, in doing so, I have had the assistance of the most expert people in the Northern Territory associated with seed production and certification.

The control of sale and testing of seeds goes back for over a century. In 1869, seed testing stations were set up in Munich and in 1874 a similar establishment was set up in Sweden. Following this, in the late nineteenth and early twentieth century, most European countries introduced legislation to control quality and sale of seed and the International Seed Testing Association which set international quality control standards was formed in 1924. New South Wales and Victoria both introduced legislation in the 1920s and other states followed suit during the following 20 years or so. Most of the legislation of that period was very restrictive, enforcing quality standards of germination before the seed could be sold. Further restrictions regarding freedom from weeds and disease control in some cases were also introduced. A scheme of assessing trueness to type, that is genetical purity of different varieties of cultivars, was also introduced as part of seed legislation in Australian states.

The world-wide and Australian legislation took many different forms and set highly variable standards. This was both troublesome in international trade and extremely difficult within Australia. In 1948, a meeting in Launces-

ton of all the states agreed on a Model Seed Act which all Australian states would use as a basis of their respective seed acts and, over the last 20 or so years, state acts have been modified to conform in principle with this model act. In it the standards of physical purity and germination in regulations under the various state acts would have been the same, or as nearly the same as possible, to facilitate trade, and to a large degree this approach towards uniformity has been effective. The only point of non-agreement really is on the prohibited or restricted weed seeds in each state which is understandable considering the varying environmental conditions in pastoral and agricultural practices in the different geographical areas of Australia. For example, hyptis is unlikely to be a restricted weed seed in Victoria and, similarly, barley grass is of no importance in the Northern Territory. The restrictive type of legislation has functioned reasonably well, protecting buyer and seller from inferior seed. But seed quality standards have risen dramatically and so have buyers' expectations with regard to that seed. Restrictive legislation with usually fairly moderate to low standards has prevented inferior quality seed reaching market except by backdoor sales which are not uncommon - for example, from farmer to farmer. But it has also lumped together seed of moderate, good and excellent quality. The industry now wants to know exactly what it is buying and in many cases is prepared to pay more for superior seed and less for seed of lower quality. In 1971, Victoria realized that a change in approach was needed and produced legislation departing from the 1948 model; South Australia currently has legislation before Parliament to amend its Seeds Act.

A meeting of the chief seed testing and regulatory officers from all states and the Northern Territory at Hobart agreed in principle to a change in emphasis from restrictive standards type legislation to what is termed "truth in labelling" legislation where information regarding seed quality is provided in an objective way and the buyer and seller may then negotiate for a satisfactory deal on this basis. Some safeguard in regard to the restriction of injurious or noxious weeds would have to be retained. The object of this type of legislation is to objectively determine seed quality and label seed with this information. It is then up to the buyer and seller to determine whether the seed meets their requirements. The legislation still retains the power of inspectors to check the seed quality, and that it is true to label, and generally complies with other aspects of the ordinance.

Some people, including those who belong to the same party that I belong to, may well ask why control seed at all. The prosperity and progress of the pastoral and agricultural industries in Australia over the last 100 years or so can be attributed in a large measure to the influence of improved crops and pasture cultivars. Most of these crops depend on being sown with seeds rather than being propagated vegetatively as happens in a few such as sugar cane and kangola grass. The important crops and pastures as far as the Northern Territory is concerned such as sorghum, Townsville stylo, buffalo grass and many others require seeds to be established. The provision of high quality seed is thus essential to the continuation of Australia's rural industries on a prosperous basis. To some extent, the Northern Territory is a developing area where there is more emphasis on trying new varieties of seeds and therefore regard for the quality of the seed is more important here.

Currently, the Northern Territory and the ACT are the only parts of Australia that do not have legislation controlling seed quality. This is probably not of great importance in the ACT where primary industries are of lesser importance than they are here. In the past, this lack of suitable control has led to the use and sale of seed of low purity and at times with high weed seed content. Thus, we have seen weeds spread over wide areas of the Northern Territory and low germination seed sold at times by unscrupulous operators. There has also been the dumping of inferior seed from other states. Seeds of such poor purity and germination qua-

lity as to be unsaleable throughout the rest of Australia have been sent to the Northern Territory where there was no legislation to control seed quality. This poor quality seed not only leads to the erratic establishment of crops and pastures but also to the disenchantment of people who are willing to have a go in this area because, having been disappointed once, they tend to lose interest and to overlook improved cultivars which are coming on the market from year to year.

In tropical areas, the control of seed quality is important, not only because we are breaking new ground in agriculture but also because climatic conditions of high temperature and high humidity affect both seed longevity and germination quality. Much of the Northern Territory unfortunately has a climate which is detrimental to seed quality. This rapid deterioration is not readily evident but it can be overcome to a large degree by better packaging and strict attention to quality control.

The bill is fairly lengthy. It is not my intention to go through it clause by clause but rather to outline the main principles. If honourable members have any questions before the next sittings, I will be only too pleased to try to answer them. The legislation seeks only to control seeds to be used for sowing and not seeds to be sold for feed, grain or human consumption. It will not propose undue restrictions on the normal packet seeds which will be sold in retail shops around the town for the home gardener. Those are normally required to have information stamped on the packet which complies with clause seven of the bill and will almost certainly fall below the weight prescriptions to which the full force of the bill will apply.

The second main principle that is espoused by the bill is that all seeds produced or imported into the Northern Territory must be tested and the result of that examination be labelled on the seed or its container. This is the part that deals with "the truth in labelling" principle to which I referred earlier. The third principle in the legislation is provision for injurious weed seed not to be present in seed for sowing. That would cover well known weed seeds such as cyder, hyptis, etc.

The bill sets out the legal requirements for sampling of seeds to determine quality and the procedures to be adopted if disputes arise. It makes fairly standard provisions for inspectors and sets out the powers and duties of these inspectors in relation to seed sales and seed sampling. It deals with offences under the ordinance and the procedures to be followed in proving an offence.

In arriving at a form of legislation to put before the Assembly, there have been amny discussions over the years with people who are in the seed producing industry, growers associated with the seed producing areas in the top end of the Northern Territory and people sho belong to the co-operative marketing organisation at Adelaide River. I believe that the industry as represented by those people see the need for legislation of this type. They will have time to examine the detailed provisions and make their reactions known.

The Northern Territory has been rather unfortunate as far as agricultural history has been concerned. Over a long period of years, among the various crops which have been tried here, there have been many failures and it is an unfortunate fact of life that some of the most promising things that can be grown in the Northern Territory are already being successfully grown in other parts of Australia to the extent that the market demands are completely satisfied; with the extra distances and freight charges, it is very difficult to compete on a commercial scale - things like sugar cane and peanuts. However, in a number of fields, this failure is just entering what will be a long term era in which it may well come to lead the world. In doing so, this will have implications not only for Australia itself but possibly on international markets. In the area of production of tropical and subtropical seeds for pasture and crop work, anything from rice growing through to pastures, the Territory does still have an opportunity in the future to make

its mark. I feel that, with the change in emphasis in international agricultural practices and consumption trends, the question of all seed cropping is one that we have only scratched the surface of so far and there will be room in the future for any enterprising agriculturalist, given suitable soil and climatic conditions, hopefully to break new ground. Because we have a limited range of crops in the Territory, the prospects offered by commercial seed production for sale in Australia and overseas should be given a good deal of attention. We are only going to be successful in this field if we can guarantee to the buyers and the producers within the Territory and elsewhere that the quality of our seed will be up to standard. Hopefully, this legislation will be the means of securing that result now and in the long term.

Debate adjourned.

DARWIN HOSPITAL ADVISORY BOARD REPORT

Continued from 27 May 1976.

Mr TAMBLING: In supporting this motion, I believe that we have a very important responsibility to reflect the concern that is being generated right throughout the community. There has been disruption of vital public services with compounding effects that have been felt by just about every family in Darwin. My criticisms are not directed at individuals because there are many sincere, dedicated people within both the health and construction fields who performed very commendably throughout 1975. They were tireless workers and they did achieve operational conditions in difficult circumstances. However, I believe that the problems have arisen largely because of remote public service control and a fundamental lack of communication between departments and even staff within the various departments. Nobody accepts responsibility and the system seems geared against getting a satisfactory result. We have 3 cities involved where the decisions have to be made on different levels - Canberra, Brisbane and Darwin - and we have 4 organisations - the Health Department, the Darwin Reconstruction Commission, the Department of Construction and the Department of the Northern Territory. With that sort of system, 3 cities and 4 organisations, all operating throughout that myriad thing, you can imagine the confusion that has to take place.

I propose to discuss the problems in 2 sections: firstly, the physical or construction problems which are largely the issues canvassed in the Hospital Advisory Board's report before this Chamber; and, secondly, the obvious lack of facilities due to poor health administration. Whilst many of the problems were obviously inherited from pre-cyclone days, very little has since been done to correct these errors. The same mistakes and poor management are being repeated time and again. The first 9 months of 1975 can only be described as ineffective as far as health facilities are concerned, other than for the excellent temporary repairs and the waterproofing program. The Darwin Reconstruction Commission concentrated its emphasis almost solely on housing until last September. I can find no evidence of any real attention to work programs for public services. This was a grave historical mistake and is at the root of all the now apparent "priority" problems.

Yesterday I inspected the Darwin Hospital and that inspection confirmed to me the reality and the lack of satisfactory conditions that still exist. The report of the Hospital Advisory Board is dated 29 February and I accept that there certainly has been correction and attention to many of the problems that it raised, but there is still a lot of work to be done on an urgent basis. Let me give you some of the obvious examples. The Mortuary - I had a case quoted to me the other day of a family in Darwin who had to wait 10 days to have a funeral conducted because the facilities of the morgue for the conduct of a post-mortem meant that that sort of time constraint was imposed. That is dreadful. What about the forensic studies that must be done? Obviously Darwin is the place where they must be conducted. What do the staff operate out of? Nothing more than a little cowshed, that is all you can call it. I believe, Sir, that you would know that there is a new morgue

in Katherine that is some 5 or 6 times larger than the one we have in Darwin, with beautiful viewing bays and undercover drive-in facilities. Katherine has got it, why can't we have it?

The psychiatry day centre and the doctors' facilities in that section until several days ago had the windows still boarded up. Good grief! That is one section where I thought you would want to have an ideal clinical situation rather than imposing very poor standards on people. The intensive care unit disgusted me. It is only because of the fine attention to duty and obvious care of the staff that we do not have more trouble. The staff are forced to make their morning tea in a tiny adjoining room in which the basins etc have to be used for all facilities, from washing up pans to washing up their morning tea. This is intensive care in Darwin.

I had the occasion, very recently, to have to use the X-ray unit facility to get my foot X-rayed and during the waiting time I had to sit on a park bench in an outdoor corridor until my turn was called. Where do they park the wheelchairs?

Mr Pollock: It is different now.

Mr TAMBLING: It might be different now but so what? It is still only under construction. It is not much different; you might get plaster falling on your head now. Throughout the hospital, storage space is at a premium. The pharmacy has to be restocked twice a week to make it operate on a satisfactory basis. The routine maintenance program - that is the continual repainting and regular care that an institution such as a hospital ought to have - appears to be almost non-existent.

The Department of Construction must shoulder the responsibility for most of these problems. Perhaps a thorough investigation of this department is what is needed; it is certainly not performing as expected. The Department of Construction is charged with 2 main duties at the Darwin Hospital. One, it acts as the professional agent for the Darwin Reconstruction's rehabilitation and restoration program and, two, it is charged with running the normal maintenance functions. For various reasons, this department chose to radically change its own administrative and operation system last year. Where it was previously divided into 2 sections - one for design and one for construction - it changed to some 8 or more self-contained, what are termed "project management teams". This must certainly have been a contributing factor to the present confusion as all areas of authority and responsibility were altered. What worries me more, however, is the fact that the "project management team" assigned to all of the health establishments in the 40 kilometres radius of Darwin has been set an impossible task. Why do I say that? Because I believe that the team comprises only 9 people, 4 professional officers and 5 technical and administrative support staff. They have to cope with the mammoth task of Casuarina hospital - and goodness knows what is involved in that contract - and the Darwin Hospital and all other health properties in Darwin. Since the advisory board raised these problems in March, 2 additional works supervisors have been added at Darwin Hospital but they can only do so much and they only meet part of the problem. Couple this with the fact that hospital construction is a specialist building game and we can see why the progress is so painfully slow. The contractors need constant supervision and, in many instances, spoon feeding. The department is just heaping too great a burden on too few qualified staff.

If we look at the maintenance section, the number of employees have also dwindled and they are too often used by the department's minor works commitments away from the hospital. There is no full time professional supervision of this section. Obviously, this is another area where the Department of Construction ought to review its staffing. I challenge the department to put its house in order and face its full urgent responsibility. I accept that things do happen, but they are certainly happening in mad confusion.

I would be failing if I did not also point the bone at blunders also occurr-

ing in the Health Department administration of Darwin Hospital. We have heard a lot in recent months about poor employment conditions for professional medical and nursing staff. I accept that that is certainly urgent and pressing and is being dealt with all too slowly. However, the staff we do manage to recruit and keep are facing tremendous human problems in order to make the hospital function. There is a real internal public relations and planning void within the hospital itself. The hospital and head office are out of touch with each other, not to mention the Health Department's finance and planning sections located in Brisbane of all places. There is very little conversation with individual doctors to find out what they really want to do. They are usually pushed and shoved into needy areas and not consulted on the areas that they would like to work in or with regard to suitable rosters.

The workload on the hospital staff is the same as it was before the cyclone. The so-called community health program has not altered at Darwin Hospital. Let me quote you some statistics. In June 1974, the total in-patients treated during that month was 1,271; in April 1976 the total in-patients treated was 1,104. However, the number of beds has decreased dreadfully; in June 1974, 386 beds were available and in April 1976 only 252. In the out-patients and casualty section, the average number being treated on a Monday in March 1976 was 349 and on a Friday 175. The number of doctors on duty was often 3 or 4 or 2 or 1, depending on the time of day. I am informed by staff from that section, and my wife works in that section, that very seldom are there more than 2 or 3. On an average Monday, 2 or 3 doctors have to treat, see or supervise the treatment of 340 out-patients. You would be lucky if you get 4 to 5 minutes with the doctor. The average waiting time in the out-patients section, if there are 3 doctors or less on duty, is between 3 and 5 hours. If there are 4 or more, then it does drop to $1\frac{1}{2}$ hours to 2 hours.

The medical staff was 51 in June 1975; it is now 46. What is more alarming is that 13 doctors other than relief staff have left since June 1975. They have had to call in, since June 1975, some 33 doctors to serve as temporary relief staff from other places. The nursing establishment in June 1974 was approximately 450 nurses; it is now 300. If you go through the paramedical, the technical, the orderlies, the clerical and the industrial staff, there are also proportionate decreases. In fact, overall, the staff at the Darwin Hospital is now 711 compared with 950 at June 1974, yet I would argue that the workload is just as hard, if not harder.

This can only be a situation which is detrimental to patients. The doctors are forced into hasty diagnoses and there is no real before or after care of any nature. If you look at it, the only elective surgery that is available is an abortion. The treatment of geriatric patients is also far from satisfactory. Usually, they are placed in the psychiatric ward and I cannot think of anything worse. When I am old, the last place I would want to be is with some nut and I am sure the rule will apply in reverse. At the moment, this combined psychiatric/geriatric ward is out of action and the geriatric patients are in various acute medical or surgical wards. This situation must be corrected to afford the old age patients their proper dignity.

There are two other areas that are totally missing from the Darwin Hospital. There is no boarder ward which is normally available when you have the situation of a mother, baby or child hospitalised and the other must be kept close by. They require very little actual hospital attention by doctors and nurses but, if the child is ill and the mother must also be in the hospital, that facility is totally missing. They now fill up very valuable bed space in medical wards out of sheer necessity. Such a ward has a very particular reference to our community because of the hospitalisation of so many Aboriginals from isolated communities who do not have other facilities available to them close by the hospital. The other missing ward is an observation ward which is usually attached to a casualty section. If

you have cases of minor head injury or fits or an overdose case or spider bites, these patients are usually kept under close supervision for several hours and then discharged. At present, they have to be admitted to hospital through all of the usual channels and impose on an already hard-worked staff. When they have to be discharged the following morning, the resident doctor has to be called to attend to that. There is considerable inconvenience in this area to doctors, staff and patients.

The motion is timely. We have to highlight these problems both in the construction area and in the health administration area where our services are failing. I certainly support the third part of that motion which calls on the Federal Government to take every possible action to rectify the problem.

Mr STEELE: In speaking about the hospital report, I would commend the member for Fannie Bay on his highly comprehensive speech. I will have to delete three lines from my speech now. The advisory board and the hospital administrators thanked us kindly for going down there yesterday and it is such an ugly place that one could thank them, I suppose. It certainly would not get a mention in "Choice" as the hospital of the year. Some of it was built back in the forties and some in the prewar period. I can remember when I was in hospital in 1955 with broken arms and it still looks very much the same. Perhaps we should have been debating this report back in 1955.

The Hospital Advisory Boards Ordinance under section 13 says: "The board shall discuss and consider such matters as it deems fit concerning the administration of the hospital and, after discussing and considering such matters, make such recommendations as it deems fit to the Director of Health and the Director General of Health. Section 14 says that the board in the month of February shall furnish to the Minister a report as to the condition of the building, furniture, fittings, equipment and installations of the hospital etc. The inspection was only carried out on 9 March. There is no penalty for not sticking to the ordinance but I think the Hospital Advisory Board should have been a bit quicker off the mark.

Another matter is that this report should have been debated when it was produced. It seems completely and utterly stupid to debate a report that is no longer accurate after 3 months delay. The Hospital Advisory Board brief does go far enough but the report highlights only the end result of the problem. In the report there are comments about works delayed for something like 2½ years; for example, the X-ray building. For some unknown reason, the rebuilding of this section is now 2½ years behind schedule. It has very little to do with the cyclone in one sense but it has probably got a lot to do with the cyclone in another sense.

I would say that the management problems at the hospital go back some considerable time. It seems to me that the administrators of the hospital are at the mercy of the Department of the Northern Territory for funds and at the mercy of the Department of the Northern Territory for housing. They have people there on secondment from Western Australia, a doctor and his wife and 4 children and they live in a demountable. In my view a doctor in a place like Darwin which has a tremendous shortage of staff should be just about able to pick out the house he wants and move straight in and not be mucked around like that. The management system has been fairly poor over the years; they have single nurses down there who are unable to get out of the accommodation provided by the hospital whereas public servants can go into government flats.

I do not know who to blame for the delays in the work at the hospital. In any situation where you have to deal with Works, the DRC, the Department of Health and contractors there will be problems. Obviously it is not run as a private enterprise project and I doubt if a hospital should be run that way. But the management system is appalling and I do not know where to lay the blame at this stage.

There is one thing I did note and it

was apparent after an inspection of the hospital. It is certainly a case against central government. It is a case against public buildings, if you like, although you cannot relate that to hospitals. It is a case for a greater say in our own affairs so that we can fix these things up without too much Canberaa involvement. Finally, in respect to the report, I think that, if we are going to debate reports of this nature, we want to debate them while they are hot.

Mr WITHNALL: I remember well that shortly after the cyclone General Stretton, who was engaged in the rehabilitation of Darwin during that period, announced one morning that the health situation had improved quite considerably and he was glad to be able to announce that 5 of the doctors who had been seconded could now be sent back to Australia. That idea is still abroad. I think that so far as the Federal Government is concerned, so far as their concern for the Northern Territory at the present time in all fields is concerned, they regard us as some sort of a foreign country, some sort of place to which they can send aid, and that is about all.

Reading the report of the Darwin Hospital Advisory Board, one cannot fail but to be appalled at the disgraceful condition which exists. Naturally, when one finds a disgraceful condition of that sort, one looks around to find out the people responsible for the continuation of the situation. One has not far to cast because there is only the Health Department, the DRC and the Department of Construction - these people between them must bear the whole of the burden, must bear the whole of the responsibility for what is - and I think even they may accept that to be so - a disgraceful situation.

Going first to the Department of Health, I believe their function is to budget for what they require in the way of reconstruction, restoration and new works; and some of the blame must fairly and squarely lie upon the shoulders of that department. In addition to the complaints made in the report which is now the subject of debate, I have some information which I think the Legislative Assembly might be glad to have. So far as the pathological laboratory is concerned, it is proposed that $200,000 be spent on renovating an old and damaged demountable building for the purpose of providing a new pathological laboratory. For $200,000, I would have thought that one would be able to establish a first class up-to-date pathological laboratory. To spend $200,000 renovating an out-of-date and apparently useless building for this purpose seems to be the height of foolishness and I suggest that the blame for that probably - I do not know quite certainly - lies with the Department of Health because surely they would have a say in the sort of building that would be accepted for the purposes of pathological work. Indeed, pathological work, as the report of the Darwin Hospital Advisory Board shows, is presently being carried out under appalling conditions. There are other comments I could make about the pathological laboratory but it is scarcely relevant to the subject before the Assembly.

One might also blame the Darwin Reconstruction Commission for what seems an incredible lack of concern for the health of the community because of the poor priorities which they have given to the reconstruction of the hospital. The honourable member for Fannie Bay has given me a document which was dated 28 May 1976 and is signed by the General Manager of the Darwin Reconstruction Commission in which the Darwin Reconstruction Commission disclaims that it is responsible for any maintenance of the Darwin Hospital - and that is undoubtedly true - but then provides some excuses for what I regard as being the outrageous neglect of the most essential service, at least apart from water, in the community, and that is the state of the hospital. I found the excuses unconvincing and pretty poor. With the document is a schedule of work which has to be committed and restoration work which still is uncommitted. There are committal dates given with respect to some of it but some of it is not committed yet. It seems to me that committal dates in July 1976 for work which was necessary immediately after the cyclone is completely and utterly unrealistic.

I fail to understand the second to last paragraph of the letter signed by the General Manager of the Darwin Reconstruction Commission. He says that since the cyclone approximately $0.75m has been spent in restoration work at the hospital and about $0.5m in new works. If you add those together, you get $1.25m. The next sentence, however, says: "The original DRC budget for this financial year for the whole of the health program" - for this financial year, not since the cyclone - "was $7m and our expenditure would be of the order of $9.4m". Admittedly, there may be some stores around the town but the Darwin Reconstruction Commission is concerned with buildings, the restoration of services and not with maintenance. Is it credible that in 18 months the hospital has received $1.4m and the rest of the services in Darwin have received $9.4m? I find that perfectly impossible to accept and I wonder whether somewhere or another some typist has not dropped about $10m or so in the figures. The letter that I have read from the General Manager of the Darwin Reconstruction Commission affords no excuse for what I regard as unpardonable delay in giving attention to one of the most important functions in the community.

If one has to go past the Darwin Reconstruction Commission to find fault, there is only one other department or organisation where the fault can be laid - the Department of Construction. I have a letter addressed to the honourable member for Fannie Bay which is dated 31 May 1976 which attempts in its way to provide an excuse for that department. One of the paragraphs of this letter says: "After the cyclone the hospital was in a very sorry state and I thought, considering all the problems, that we did a very commendable job of getting it back into an operational condition". May I say that I thought so too. "Many of my officers worked from daylight to dark 7 days a week in achieving this very outstanding result." May I say that I know that is true and that to those officers and members of the Works Department the community owes a very great debt of gratitude. But what we are complaining about is not what the members of the department did, not what the rank and file did, but what the planning people on top have not done now. Admittedly the Works Department and the members of the Works Department did one of the most magnificent jobs I have ever seen after the cyclone in restoring water and power and in restoring hospital services to the only standard they could at that time - which was makeshift. What I am complaining about is not that. I am complaining that since then the standard of planning, the forward thinking, has been incredibly poor and it is about time that things were attended to before such a disgraceful situation as the one which is now in existence could arise.

Mr BALLANTYNE: I support the motion. First of all, this report is required under section 14(1)(a) of the Hospital Advisory Board Ordinance 1970. One wonders what really does happen when a board consisting of dedicated, genuine, people drafts such a report. One wonders what really happens to those reports. When I looked at that report briefly last week, I was appalled at some of the comments. At first it looked really bad, but having been to the hospital on a number of occasions recently, I believe it may not be as bad as we really make out.

At the same time, when reports are issued such as this, action should be taken immediately to have the problems rectified. I am appalled in fact because the situation should not even have to get to the stage where the Hospital Advisory Board has to write reports like this on conditions such as leaking roofs and so on. These are ordinary day-to-day functions in a hospital maintenance section. There are always electrical problems, mechanical problems and all sorts of problems which should be tackled on a day-to-day basis. Perhaps the major job as laid down there, from the aftermath of Cyclone Tracy, is a little bit of a different story again. That perhaps comes under the DRC and the rebuilding program but, as the honourable member for Port Darwin said, this is 1976 and these things should have already been done.

I do not intend in any way at all during this debate to discredit the

Department of Health and the hospital and nursing staff because I think that, whilst they are working in conditions like this, it is really a wonder to me just how they put up with it. I will refer to a couple of comments from the report just to indicate how bad it really is. In Ward 1 which is a geriatric and psychiatric ward previously containing 40 patients, half male and half female, because of staff shortage only 20 beds are now available. The ward has been restored to pre-cyclone standard but still requires basic maintenance: floor tiles are missing, bathroom tiles are missing, and with some paint work which has obviously been done in recent times mould has come through the paint and it is apparent that it was not a satisfactory job in the first place. Surely there was some follow up on this particular type of work? It is not very hard to get someone to come in and lay a few tiles. I know that it is sometimes very hard to do these jobs whilst people are in the wards but they could change people around and put them in another section so that workmen could come in and do these jobs.

Ward 2 still shows the effect of water action on the ceiling and is badly in need of rehabilitation. One half is at present devoted to industrial staff dining facilities which cannot be adequately housed anywhere else in the hospital. The second half of the ward is being utilised as a pathology laboratory. It is quite evident that this area is totally unsuitable for its functions with stores and pathology equipment thrown all over the area.

One wonders how it gets to the stage where the most essential services in the hospital are hampered. Building in the X-ray department has been going on now for quite some time. Work on the operating theatre has been going on for some time. They would be high priority jobs in any hospital; this is the core of a hospital. The use of these facilities could mean life or death. They are the most important areas that I feel should be taken up immediately.

I am sick and tired of hearing about money. Every time we have some sort of report, it is always, "It has not been taken up because we have not got the money to do it". I am sick and tired of hearing that. There has been a lot of money wasted here in Darwin over the past months with the DRC and its consultants but no one thought to have a look at the hospital to see how bad that was. Certainly, the DRC has done a tremendous job in other ways but what appals me is that in one section the hospital nurses had to use baby baths to collect water dripping from the roof. There are all sorts of infections that could come into a hospital through water dripping through and causing mould on the walls and the ceiling. They will never get that dampness out of there if they do not do something about it. I think they had to take the roof off 2 or 3 times before they finally made it waterproof. It is absolutely astounding. You have people here in this city who cannot do the job properly.

I am trying to stress that there is some administrative problem with regard to the hospital. Perhaps it is a communication problem as the Executive Member for Finance and Community Development said earlier. There must be some communication problem with the various departments from the hsopital, from the Hospital Advisory Board to the Health Department and the Director. That is where they have to tighten themselves up and get these jobs completed. The small day to day jobs are nothing. The major jobs will require priority. They have to find the money. They have to submit themselves to the Minister for Health and this Assembly calls on the Federal Government to take every possible action to rectify the problem. I challenge the federal minister to come up here and see what the conditions are and then have a look at that report.

The Executive Member for Social Affairs said that some of these jobs have been done and it is quite on the cards that they have been done. I do not know what has happened since 29 February but I am sure that many of those jobs have not been done. Everyone has stressed the urgent need to get on with the job because public health is a most important thing in any community. Probably, the hospital is under greater strain than it was before

the cyclone because of the inadequacy of the building. I have been up there myself and have seen how busy they are in the out-patients section. There seem to be people sitting there for 3 or 4 hours at a time. We cannot get them through any faster if we do not have the proper facilities to meet the demand.

I support this motion and I only hope that some action is taken up by our federal colleagues.

Mr RYAN: I fully support the motion and the previous speakers. It is fairly difficult to come in at the tail end of the speeches without becoming repetitive. The hospital seems to have been a problem all the years that I have been in Darwin; this may not be that many but it is certainly longer than the 18 months that have passed since the cyclone. From time to time, reports come out and they all seem to be critical of the hospital. I was unable to go up and inspect the hospital yesterday but, over the past few months, I have had need to go up there for various problems, and there has been a lot done by the staff. I think the staff should be complimented on the state of the hospital; they have done very well with what they have.

A member: Hear, hear!

Mr RYAN: I feel myself that the Department of Health does not seem to put enough effort into trying to get some action on the hospital. Whether there is some reservation about really pulling the stops out and getting the Darwin Hospital fixed up to turn it into a decent hospital because they are spending $30m to $40m on a new hospital at Casuarina, I do not know. Maybe this is something ...

A member: It should not make any difference.

Mr RYAN: I know it should not make any difference, but behind the scenes this may be the sort of problem confronting people from the Department of Health. Possbily even the Minister has been told, "We do not want to spend too much money on the old hospital as we are spending a fortune on a new one". But once again I do not think this is a realistic approach to the problem. It will be several years yet before we have Casuarina finished and I think that we will still need the hospital in Darwin.

I asked the Executive Member for Social Affairs how long the X-ray clinic had been under repair and he said 2 years. I think that is about right. I can recall taking my daughter there 2 to 3 years ago. The walls were knocked out and I thought, that is good, they are extending it. I was up there 2 weeks ago and it is still in a pretty sorry state. He did say that white ants appear to be one problem. There are white ants everywhere in Darwin - at the moment, we are being white anted! I do not know whether the white ants are doing it; I think there has been a certain amount of neglect. I do not know exactly where the problem lies but I am certainly convinced that much more could have been done by all the departmental officers who were involved in trying to get the hospital sorted out. The DRC of course holds some responsibility as well as the Department of Construction and the Department of Health. There must be an effort by all the people concerned, and I hope that as a result of today's debate it is brought before the people who are concerned and can make decisions to get the Darwin Hospital back into what can be considered a reasonable condition for a hospital servicing a town of 40,000 people.

Mr DONDAS: In speaking to this motion I am going to consider the reasons why we have had so many problems at the Darwin Hospital. A very important handicap in developing the Northern Territory medical health services has been a lack of national and local interest. We know general hospitals have been set up in times of war, excellently equipped and fully staffed, which have functioned very effectively at very short notice. Excellent medical services were established in Vietnam and teams of civilian medical experts volunteered to assist war victims of that country. The point I am trying to make here is that the Commonwealth Department of Health and

its officers are not responsible to the people of the Northern Territory, nor to the Administrator, nor to the Legislative Assembly, but directly to the Minister for Health in Canberra, where the Territory is merely one of his many responsibilities. Furthermore, the Health Department activities in the Northern Territory are controlled by Treasury regulations, Public Service Board requirements and by its own departmental policies determined on a basis of national requirement. It must compete with numerous other ministerial departments for funds and personnel, the allocation of which may be determined more by political expediency than by the needs and wishes of the consumer. This applies in for example the pharmacy. They say that the pharmacy is far too small. When you look at that particular area, you know that it is true because not only is that pharmacy providing stocks for the Darwin Hospital, but also providing stocks for other outlying centres which must be flown out to them.

I am looking at the particular area that was allocated and, knowing that the Casuarina Hospital is going to come into operation sometime in 1977, it leaves me a little bit bewildered. The report that we have here basically comes up with shortage of space everywhere. They need new buildings to be provided for storage throughout the hospital. There is a shortage of space. What will the Casuarina Hospital provide? What are we building that for, at a great cost to the taxpayer? Do we want 2 huge organisations doing the same job in Darwin or would we rather see the money spent at Casuarina used to update the Darwin Hospital and keep it functioning?

There are a lot of complaints with regard to drips in the different wards. We could not see any drips yesterday because it was not raining, but if we go back in the wet season, I am quite sure that the authorities and the Department of Works, if a ward has a leaky roof, will make every endeavour to repair it.

Mr Everingham: They made 3 on one roof and it still did not repair it.

Mr DONDAS: They were trying. If they had not had made any attempt to repair it, then you would have something to argue about.

Despite enormous problems, the Department of Health has succeeded in setting up an elaborate and sophisticated health service and, while there is much to criticise and the people of the Territory as well as the employees in the services have very good grounds for numerous dissatisfactions expressed, dissatisfaction may be overshadowed by the fact that the services are excellent and reflect greatly to the credit of the many dedicated people who have been involved over the years in providing those services. In some fields; for example, the surgical rehabilitation of leprosy deformities, in malaria control, and in the investigation of ill health in underprivileged children, the Northern Territory Medical Services can justly be regarded as leaders. And that is the Darwin Hospital.

The major problem, however, is that the system of Commonwealth control under which the Department of Health functions is too inflexible to allow the Northern Territory Medical Service to be administered effectively. This applies particularly to the intricate apportioning of finance by the Treasury and the control of staffing matters by the Public Service Board.

As we saw yesterday, the staff were working in an airconditioned kitchen. Unfortunately, in that airconditioned kitchen is a hot water service, and the heat from the hot water service is dispersed into that kitchen area and, in other words, makes the airconditioning not as good as it should be. However, for a small sum of maybe $20 or $30 that particular exhaust could be put outside that building and consequently the staff in there would have much better airconditioning. However, there is no money for it. To try to get the $30 or $40 to repair that particular problem, one would get involved in finance and the Treasury. The responsibility for the service and its quality is vested in the Minister for Health and not the people of the

Territory and their representatives.

The establishment for senior executive staff in the Northern Territory Medical Service was not expanded early enough or extensively enough to provide increased control and supervision and to undertake the planning necessary to meet the increased work weight placed upon it. The predicted needs and planning put forward by the Director of Health and his predecessors, the Hospital Advisory Board and the Parliamentary Standing Committee on Public Works, have not been implemented at national level in anything like sufficient time to meet the needs of the growing community. The population has certainly exploded since the cyclone. There is a serious problem in staff involved which is below the level necessary to produce a better patient care service. If you are being constantly badgered in your job and the press is knocking the service that you are trying to provide while you are working to the best of your ability, it must lower the morale somewhere along the line.

The Commonwealth Department of Health is involved in too diverse a range of activities to be able to channel the finance and expertise necessary to provide a patient oriented type of health and medical service to one particular section of the Commonwealth without asking for more money all the time. That would possibly indicate some of the reasons why it is not being done the way we want it to be done.

Of the recommendations that have come through today, an increase in financial and staffing establishment would be the most important things to assist the Darwin Hospital in operating more efficiently. They will also assist the maintenance program because they will probably give other people an area of responsibility which they have not got now. It is very important to obtain maximum value from the finance that is available and ensure that the skilled professional staff are available to allow this particular maintenance to be carried on. I believe that a lot of scratching is occurring in the departments yet nothing is getting done. Finally, the community itself has a part to play. We find that citizens in Darwin are all too frequently ready to criticise and be hypocritical. There are widespread demands for better services than are available in any major cities around Australia. Frequently, we are expecting too much without comprehending many of the problems involved and this does not mean that many complaints are not justified nor that they cannot be overcome. However, a more tolerant attitude is called for towards a service that is working under handicaps over which it has no control.

Mr POLLOCK: I have listened during the debate to comments which have been made and many of them have been aired on many occasions. Many of them are quite inaccurate and some quite misplaced. From some of the comments that have been made, one would think that the Department of Health was even to blame for the cyclone. Concerning the roof leaks, we have been hearing about them, in some cases, since the buildings were built.

Mr Everingham: That is an indictment of your department.

Mr POLLOCK: It is not an indictment of the Department of Health at all; it is an indictment of the builders. The Department of Construction and others have been continually trying to find some of these roof leaks without success. As has been mentioned, one roof has been replaced three times.

Mr Everingham: Why don't you go and shove your finger in the hole?

Mr POLLOCK: It is mentioned in the report that conditions there result in staff shortages. I refute that because staff shortages unfortunately do occur at other places such as Katherine. In fact, early in the year and last year, wards at those hospitals had to be closed because of staff shortages. Those hospitals are in fine condition.

The Hospital Advisory Board is not responsible to the Department of Health; it is responsible to the Department of the Northern Territory to the Administrator and the Minister. It is funded through the Department of the Northern Territory and its advice goes

that way. It is there to advise on matters of community concern but it is not responsible to the Department of Health. The criticism that the Department of Health had not circulated the report to members is quite unfounded in that it is not the department's responsibility to receive the report. It is a matter for the Administrator and he has tabled the report in this Assembly.

The honourable member for Fannie Bay mentioned action and I would submit to him that, in his capacity as a member of the DRC, he should take every possible action to have action taken on the matters which the Department of Health have been drawing to their attention and to the attention of the Department of Construction since the cyclone.

Regarding the geriatric facilities, the Harry Chan Old People's Home is on the program to be built at some time. At this stage, there is a projected completion date of May 1979 according to the most recent documents. However, my information is that the DRC are saying that there will not be money available to do this along with other necessary works to be completed in that time. Thus, it will not be ready in time and hospital beds will continue to be taken up by people who should not be there. I would suggest that he make every endeavour through the DRC to get on with the building of these facilities and other facilities such as the Handicapped Children's Home. Some handicapped children are being accommodated at the hospital because a home for them will not be completed until October 1978.

I am told that the DRC, which is responsible for the funding of these works, says that it will be short of money. It will not have enough money to go around. We all know they have not got enough money to do everything. If they had enough money and the physical resources to do everything that is required, Darwin would have been fixed 12 months ago. We hear every week that something should have been done. Last week, it was the children's remand and detention centres; the week before it was the Fannie Bay Gaol. Everybody wants everything done overnight and if everybody had all the money and the resources that some people expect, everything would have been fixed up on 26 December 1974. It is a physical impossibility.

A lot of work at the hospital has been done since that report was initially drafted. Those who went around the hospital yesterday afternoon, and regrettably few bothered to go, would have found out that the Chairman of the Board was quite pleased with the progress that had been made in some areas. We were in the maternity section and he was particularly pleased with the progress that has been done there in restoration and repairs.

Mr Tambling: Eight is not "very few"; it is nearly half the Assembly.

Mr POLLOCK: It is still less than half and of members who have spoken on the report only 3 have visited the hospital in the last day or two with the board members.

I think that the terms of the motion should be noted and the principal thing is that the Federal Government should get on with the job through its various departments.

Motion agreed to.

ARRIVAL OF ADMINISTRATOR

Dr LETTS: I was advised at lunchtime that Mr John England, the newly appointed Administrator for the Northern Territory, will be visiting Darwin next week. He will be arriving here on Monday 7 June and remaining on his first visit until Wednesday 9 June, returning south to complete his affairs and then taking up permanent residence in the Territory later in the month. A statement to this effect will be made through the media later today but I thought the members of the Assembly might like to know.

TRESPASSERS (TEMPORARY PROVISION) BILL

(Serial 122)

Bill presented, by leave, and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

While the principal ordinance is not one I regard with any great favour, it was unfortunately necessary given the present circumstances in Darwin. Reports on its operation to date revealed that in the majority of cases trespassers have moved out without trouble on service of a notice under the ordinance, enabling the rightful owner to take over his occupancy. A handful of cases have been proceeded with and, in general, the courts have upheld the rights of the lawful owner. To this extent, the ordinance has been of benefit. Because the problem still exists, it appears necessary to continue the ordinance in operation for the present. Some imperfections and possible injustice in the ordinance have been revealed and have been commented on by the Law Society, the courts, the Council for Civil Liberties and indeed several private individuals. These must be corrected without delay to ensure that a law as severe as this has no area which can permit unjust application.

One of the fields of concern in this bill is that the definition of "trespasser" is not tight enough to exclude a person who at any time during his occupancy had a legal right to be on the land. The new definition to be inserted by clause 3 of the bill will exclude such persons. Action against them will not be possible under this ordinance if the amendment is accepted; it would have to be under another law, probably the landlord and tenant legislation. The other point is that a purported trespasser, if he considers he has a right, has little or no chance of being heard. The hearings are designed to be speedy and ex parte. Before the purported trespasser can find out what is happening, he is served with a court order to vacate. One of the examples of these difficulties is the fact that the magistrate has written and the "trespasser" has never received the letter advising him of the hearings.

The amendments proposed by the remainder of the bill modify the procedures to ensure that the purported trespasser has a right to be heard and that time is available for this purpose. While it will slightly lengthen the time taken for action under this ordinance, I consider that to be a small price to ensure that justice is done. The bill will require that a person serving a notice may apply to the Clerk of Courts for a time for a hearing. The time set shall not be less than 4 working days after the application. The applicant shall publish the time and date of the hearing in the newspaper and shall also display on the concerned land a notice advising of the time and date of hearing. The person served with the notice has a right to appear and be heard at the hearing. If he does not take up that right, the hearing will be ex parte. The forms have been amended to take note of this changed system.

I am certain all members will agree that these measures remove any element of injustice from the ordinance. In view of the need to protect anyone from unjust provisions, I will be seeking passage of the bill through all stages at these sittings.

Debate adjourned.

SELECT COMMITTEE ON REFURNISHING AND SECURITY

Continued from 27 May 1976.

Mrs LAWRIE: I would like to comment briefly on some of the provisions of this report, particularly those provisions which seem to me to disadvantage the members of this House. I am referring to recommendations as to security and the parts of the precincts which are to be used out of hours. There is a recommendation in the report that out of hours use of this Assembly and precincts be restricted to those demountables assigned to members and that demountable known as the members' common room. It would appear from the report that members would no longer have the use of such facilities as the library at weekends. The facilities available to us are meagre in any case. We have virtually no research staff; we only have the library and I do not think it is either feasible or necessary to restrict the use of that lib-

rary. I come in of a weekend to use that facility and I do not know how many other members do or do not. Even if one member wishes to use it that is sufficient reason for retaining its use at all hours.

There are other aspects of this report which disturb me. It appears that the Assembly is becoming overly security conscious. I am fearful of the cost of the proposed changes although I agree with the principle. I am talking now of the proposed refurnishing of this chamber to accommodate in excess of 30 people rather than the present 18 desks. However, I feel that further debate on that point would be wasting the Assembly's time as there obviously will be no money forthcoming from the present Government for refurnishing and upgrading. That part of the report can probably be ignored for the next 5 years.

I have been pleased to hear that the committee has travelled around Australia and taken notice of the furnishings of other places and has presented a well delivered report. However, I do not believe the money will be forthcoming to implement it and, as far as the security arrangements and the restrictions of services to members are concerned, I oppose those recommendations.

Miss ANDREW: I would support the remarks of the honourable member for Nightcliff regarding security. It is important that what limited facilities we have in this Assembly be made available to members at all times. I am very disturbed to see that there are only 2 entry points to this Assembly. I think that the gates by the members' lounge could be left open because, if you happen to be in that board room, you have to go on a grand tour of the city to get to the pedestrian entrance. I use the library regularly and I do not see what harm can possibly come from this facility remaining available to members at all times. It is essential to get to books for legislation that simply are not available elsewhere. I think that the need for identification is perhaps farfetched. Surely when there are only 19 members of the Assembly, it would not take anyone very long to recognise us and I fail to see why the staff would have any difficulty after perhaps the first few weeks following an election.

In paragraph 25 of the report, it says that all Australian parliaments have the advantages of tradition and long experience and this Territory legislature cannot obtain these overnight. One of the more delightful traditions of the Assembly is the fact that the members' lounge is accessible to members at all time if they have keys to get in. It is used regularly as a meeting point by various members of the Commonwealth Parliamentary Association. Something has been said about the loss of profits on certain goods that can be bought there and I would recommend that the Commonwealth Parliamentary Association Committee look into this but I would bitterly oppose the removal of this facility.

On the subject of furnishings, I too wonder about the availability of finance. One thing that I would question is the doubling of the seating capacity for the public. The 3 people who are present at the moment in the public gallery would look even more lost if this were doubled. I really do not see any need for it at the moment. As for the replacement of individual chairs by bench chairs, according to my investigations, bench chairs were used historically because they made more room in the House of Commons. This chamber even now is more than big enough for the number of members who are using it and will be using it in the foreseeable future. I do not see the need for bench type chairs but I agree that smaller desks would be preferable. That, however, is a personal opinion. I really do not see the need for 4 clocks. I thoroughly agree with carpeting in the chamber, however, but once again I wonder whether or not we will see this in the life of this Assembly.

Mr WITHNALL: I cannot allow the occasion of the criticism of the chairs in this Assembly to pass without notice especially since, in 1955, I was the first to criticise the then existing chairs and more especially since these chairs were designed specially for this

chamber and because in the construction design of these chairs I was used, so to speak, as a model. That may account for some of the peculiarities of the chair, but this is a fact. If members would refer to the 1955 Hansard they will see that I wrote a piece of satirical verse about the 10 existing chairs, more particularly in view of the fact that the then Parliamentary Draftsman, one Victor Ryan, was so large that the chairs supplied rose up with him when he stood to his feet.

The proposal is to put benches in this Chamber. I would not have thought that the time was right for that sort of thing. I would have thought that benches in this Chamber could have been provided at a stage when benches were needed, when the numbers of this Assembly were such that the present arrangement could not serve for the Parliament which was about to meet. Let me put it this way: I do not object to benches - and let me also say that I am somewhat of a traditionalist and I do agree that tradition in a Parliament, particularly in a Parliament under the Westminster system, ought to be observed - but since we did depart from tradition in 1955, and since the departure has proved to be fairly comfortable, and since there is no urgent need to disturb that comfort, I would suggest that the present seating arrangements are adequate at least during the life of the Assembly as it is now constituted.

I come to those parts of the report which relate to what should be done outside the Chamber and my one regret is that this sort of thing is not a thing that should have to be published or decided in public. As I understand the arrangements in most parliaments, the arrangements outside of the Chamber, apart from the formal parts of the building, places where committee rooms and so on are, are not, generally speaking, subject to public debate; they are arranged according to the decision of the Speaker of the day and not according to public debate. While I appreciate the fact that the committee has put its proposals before the Assembly so that the Assembly may be aware of them, it would have been much better if the committee had put its proposals on this aspect of the matter before members privately and not in public. However, it has been done, and therefore I must comment on it. I have some objections. I think both the Clerks will understand where my objections lie. They have been familiar with my concern about the appointment of the Legislative Assembly building for a long time. I do not think that the decision to exclude members from the lounge after 5 o'clock or during weekends is desirable. I do not propose to go on and debate that because I do not think it is a matter for public debate. I merely express my opinion in that respect.

Mr DONDAS: I think this is a good report. The members of the committee have looked into the future for about another 5 or 10 years. At the moment, we have dilapidated furniture and I think it is a disgrace. The table of the honourable member in front of me is nearly falling apart. The member for Fannie Bay's table has not even got a top, so I do not think that the proposals for furnishings are really going to come under attack in the report, and I do not think they should.

The report tells us that the Speaker's chair is a gift of the Federal Parliament and it is a fine carving in the traditional manner which makes it a notable acquisition to the Chamber. I think it is a lousy looking chair myself. It could be a bit more comfortable and it could be a bit more sensational for a Speaker's chair. I was honoured to see the Speaker's chair in Fiji and that was a lovely chair, a very high one, it must have been 15 to 20 foot high. It was really a splendid thing and we should have something like that in our Chamber.

The subject of these seats has come under cross examination and fire by many members of the Assembly. They are old; they are old fashioned; they creak every time you move, but they are reasonably comfortable. The Majority Leader's chair is broken and I hope it does not cause him any injuries at a later date. However, they are comfortable.

If we are going to modernise the

Chamber, now is the time to say we will tip the whole lot out and buy some more. We will be able to use this stuff in another couple of years, or five years, if we ever do get a new parliament house. The way things are going now, I doubt very much that we will see one for another 10 or 15 years. Costs are becoming astronomical. To build a parliament house, the honourable member for Gillen said that we would be looking at somewhere in the order of about $11m. By the time the Federal Government ever gets around to giving us the money, we will probably be looking at 20 grand and we will never get it. If we are going to do anything, now is the time. We can carpet and remodel but whether we finish up with bench seats or table tops is immaterial. However, the idea of the committee coming up with some alternative type of furnishing is very commendable. I would like to see carpet on the floor because it would make the place look superior. As far as clocks are concerned, 4 is too many. The one behind you, Mr Speaker, does its job admirably.

With regard to security, I agree with the honourable member for Port Darwin. The bar should be available to members as it has been since I have been in this Assembly. We have all been given a key. We can get in at any time that we like without any restrictions whatsoever. There is now a fence almost completely around the Assembly and members have been given a key to the side gate so there should not be any problems as far as getting in and out. As for being required to carry identification passes, I do not know whether I would agree with that or not because I think the Clerk of this Assembly knows what goes on all the time.

With regard to no person being admitted to the precincts without first registering his purpose for the visit to the office, I do not know whether I agree with that one. Since it is going to be completely fenced off, they are only going to be able to come in one way anyway. Sometimes it might be more convenient for a person to sneak in and see his member than to have it announced that he is coming; he might want to get him for a change.

I am very doubtful that there will be room enough for 32 members in this Chamber. The committee, after travelling throughout Australia, has come up with some modern ideas. I support the report in principle but there are some areas that should be thrashed out with members of the Assembly before any final decision is made.

Mr BALLANTYNE: When we look around the Chamber, we can see that it needs many improvements and, if we did make improvements, we could probably still find some faults. At present, there is a need for improvement. As the member for Casuarina said, the desks are a disgrace. At one stage, we were looking for a gift of some teak timber to re-cover them. The desks themselves are cumbersome and take up too much room. I think that the proposed idea of having bench type seats would probably suit the surroundings. If we are going to upholster them, it would have to be done with a velvet or a corduroy type of material rather than the shiny plastic material which becomes very hot and unbearable. Even though we have airconditioning in this building, it does become a little bit uncomfortable sitting in a leather or vinyl covered seat.

I think that if the environmental ordinance comes in, we might be up for noise pollution in the Chamber because it is very noisy and distracting. People cannot move around without noise; you cannot even turn to your colleague on your right or your left without some noise. Some reduction of noise level would enhance the microphone system which we have. There is a lot of trouble with background noise and I am sure that the people listening to the tapes would appreciate a reduction in the noise level.

I think the floor should have been carpeted some time ago. Again, it will cost a lot of money to do this. If we are going to look to another 10 years before we do rebuild the "Parliamentarian's Palace", as we like to call it, then we should be thinking into the future and trying to make this building more comfortable for the members. The idea of raising the back benches is quite a good idea because you have to

have that slight level over the front benches so that the Speaker and the people can be seen much better. Having a hook-up system for the Clerk, I think is a very good idea because there again we get distractions while people are speaking, waving pieces of paper around and making hand signs. If we have some sort of an indicator to each member's seat, it might be well worth the idea. The main thing is that we do take some action on the report. I have stood up here many times and spoken on reports that look very nice on paper but what action is taken on them? I recommend that we do take up the report and that some action be taken on it. I do not think we will have everything that is recommended here but the time and effort that the select committee put into going around the various parliament buildings in the states should not be wasted.

The main things that I can see are the noise level, getting rid of these cumbersome desks and perhaps increasing the gallery size. I am not particularly interested in the section behind the proposed benches for more people to sit there. I think it is going to be a bit of an embarrassment because, if they have it on an angle, a triangle here and over there 45 degrees, you are going to have people peering at the backs of members' heads which seems a little bit close to the scene. I think that the gallery should be at a distance. Perhaps that is only for special occasions, but I do not think that that is at all necessary. I do not think that we have ever had an occasion that I can remember where we have had a great number of people in here. I would like to see more people come in. Perhaps if we do have some changes to the Chamber it might attract people; it has not got all that good an appearance.

One thing that does concern me is the security. There seems to be some concern there. The recommendation is that the Assembly building, apart from the members' office area and the members' lounge, be open between 8 am and 5 pm on non-sitting days and between 8 am and one hour after the adjournment on sitting days. Since the cyclone, people have been able to walk in or out from all directions and I think perhaps we are now getting back to some normality with security. I do recommend this report to whoever is going to take it up for us and I also would like to thank the select committee for the work they have put in; I am sure it has been appreciated.

(Debate interrupted.)

QUESTION WITHOUT NOTICE

Mr EVERINGHAM (by leave): I ask the honourable member for Gillen what he means by the term "intimate atmosphere necessary for debate" which he refers to in the third paragraph of his report. I also ask him what he means by the term "intimate debate" which he refers to on page 3 of his report.

Mr ROBERTSON: It would seem that the honourable gentleman has been out of court too long and he requires a little bit of practice perhaps at my expense. Perhaps it is verbal diarrhoea. I think that the wording in that context should be perfectly obvious to the honourable gentleman. It is a term used quite often in most debating circles. I am aware that the honourable gentleman is an accomplished lounge-room debater, particularly within the confines of Apex. I will let him draw his own conclusions.

(Debate resumed.)

Mr EVERINGHAM: That was some sort of answer. I gather from this we are about to move into the disco field and that this House is to be converted into some sort of dark, gloomy, smoke-filled atmosphere where great intimacies can take place and where the questions affecting the Northern Territory and Australia today cannot be effectively put forward.

I would like to draw you, Mr Speaker, back to the origins of the type of seating which this report advocates so strongly, when the kings of England summoned their early parliaments to Westminster, then to Oxford, then to Gloucester, then to everywhere else across the country, because Parliament did not always meet at Westminster. As late as 1670, King Charles II summoned

parliament to Oxford to upset his puritanical subjects in London. The reason for the bench seating was that all the honourable members and noble lords had to sit in the choir stalls. That is the origin of the bench seating that we see so fervently advocated in this report. Do we want to go backwards or do we want to go forward? Because a mediaeval king did not have the accommodation for his Parliament and imposed on a monastic institution to find the space in Westminster Hall or Gloucester Abbey, or wherever it may have been, do we want to do away with desks? Do we want to do away with comfortable chairs?

We seemingly want to go back to a mediaeval era when at last the only Parliament - the only "parliamentary body", I beg Mr Clerk's pardon - that I can think of that has desks and comfortable chairs is this. Look at all these desks. Look at the litter on them. Look at all the papers. We obviously need these desks. The honourable member for Nhulunbuy has a briefcase even on his desk. How is he going to put that on some little thing in front of him about the size of a slate? I recall seeing all those new members flocking around Canberra recently with those terrible clipboards. How absolutely infra dig, Mr Speaker, it is to carry a clipboard around with you. What sort of parliamentarian would you be?

I am, Mr Speaker, as you may have gathered, quite in favour of the present system here. So far as I am concerned, the only inconvenience at all is that there is no rail underneath the desk where one can rest one's feet rather than on the top of the desk. Even in the offices of the Registrar of Titles a rail is provided for men to put their feet on so as to be comfortable. When the airconditioning works in this Chamber, it is more than comfortable. I certainly could see a new and more modern airconditioning system installed.

We have been asked to enlarge the public gallery so as to provide accommodation for guests of Mr Speaker. I cannot see any very large reason for doing it at the moment. I am reasonably happy here. We have been asked for more clocks. I appreciate that one must secure a majority of votes in one's electorate and I am mindful of the Majority Leader's concern for my position but no doubt one should live for the day. As Mussolini said, better to live as a lion for a day than a lamb for a thousand years. We have a paragraph in this report which seems to want us to become as mad as King George III was at one stage. We have to have clocks all over the place. There is no specific mention of whether they are cuckoo clocks or grandfather clocks or whatever. Are we to be governed by time?

This report is not one that I can commend. I am very happy with this scene. If the furniture is renewed, if the airconditioning is got going, we have a pretty reasonable sort of house. The fact that executive members or ministers can go out and put their hands on the despatch boxes and answer a question in something that is a mere mediaeval hangover. I say that England's procedures have become ossified; England has ceased to progress. If our procedures tend to go back to some tradition without questioning the tradition, we too will become ossified. We must be able to sit behind our desks in some comfort and not be driven out to the bar because we are sitting on a damned uncomfortable bench - driven out there to drink instead of sitting in here to listen. I support the present setup with a few minor alterations and I do oppose this report.

Mr KENTISH: I support the report about furnishing and security. I am not greatly enamoured about the seating prospects nor the facilities that will be given to members for keeping papers and books by them. I am quite in favour of bench type seats for all members but I would like to take my chair and table with me to the new setup.

Dr LETTS: I am quite easy and open-minded about whether we have bench or tables of this sort as far as the future is concerned. At the moment, we must bear in mind that there are only 19 people here including 7 executive members and 2 independents. Proportionately, the people who occupy this

Chamber during debating hours have a lot more work to cover than would be the case in the House of Representatives or the Senate. The exposure of each individual member here is considerably greater than the fellow in the House of Representatives or the Senate who gets to speak once a week, if he is lucky, and on a limited subject. Here, each day we have 1 person covering possibly 3 or 4 subjects and the number of documents, papers, references etc that are needed is considerably more than in many other parliaments. For that reason, I suggest that we do not hasten into this and that we leave the present desks for a while until the nature of the Assembly, if and when it does change, requires change.

On the question of security, I only have one question to raise and I do not know the solution. I do not think the report makes any reference to the problems we have with our library in the Assembly. We have a problem in that the security is not good enough in the library. A number of books have disappeared out of that library and not only because of the effects of Cyclone Tracy. Sometimes people borrow something, perhaps after hours when there is nobody in attendance, and then forget to bring it back again. I am quite sure that a number of important references have disappeared in this way. I know there does not appear to be a full set of recent Northern Territory Hansard at present and other works which I know should be there are not there. Thus, we need better security in the library.

On the other side of the coin, the suggestion that we close everything up after 5 o'clock at night and before 8 o'clock in the morning seems to be too restrictive in terms of the library. Over some years, I have had the need to look up documents and references in there out of hours. In fact, I remember working in there from 8 o'clock one night until 5 o'clock next morning, getting a select committee report prepared and needed the references that were there. I think the library must have a better security than it has but, at the same time, not be limited to 5 o'clock closure in the evening. I would ask the people concerned with putting this report into effect to take that view into account.

I understand that we are changing the motion to adopt this report. I am not quite sure whether that means we are going to be tied to everything that is in it, but I would not really like to see that happen. If that is the intention, I think that a fair bit of discretion will be necessary on your part, Mr Speaker, as to the times and stages it is appropriate to adopt some of these changes and that you will take into account the various constructive ideas and criticisms that have been made here today.

Debate adjourned.

RADIOGRAPHERS BILL

(Serial 97)

Continued from 26 May 1976.

Mr POLLOCK: I seek leave to withdraw this bill. As I explained in introducing the Radiographers Bill, Serial 98, last week, that supersedes this bill.

Bill, by leave, withdrawn.

TERRITORY PARKS AND WILDLIFE CONSERVATION BILL

(Serial 83)

Continued from 17 February 1976.

In Committee:

Clauses 1 to 3 agreed to.

Clause 4:

Dr LETTS: I move for the insertion of a new caluse 4 as circulated in schedule 101.1. Referring to the original bill which was introduced last December, honourable members will recall that there was no actual clause 4 in that bill, but it was indicated at the time that this was intended to be a saving clause and, together, clauses 4, 4A, 4B, 4C and 4D have that effect.

Dealing first with the new clause 4, this provides for the bylaws in force under the National Parks and Gardens

Ordinance to continue in force as if they had been in fact made by the new proposed commission under this proposed ordinance, and for those bylaws to apply to areas committed to the care, control and management, formerly of the Reserves Board, but which will be transferred to the commission on the commencement of this ordinance.

New clause 4A, still within the same area of saving, refers to land that before the commencement of this ordinance was under the control and management of the Reserves Board and provides for it to be committed to the care, control and management of the commission as though the National Parks and Gardens Ordinance had not been repealed and for that commission to assume the assets, rights and responsibilities of the former Reserves Board.

New clause 4B is another transitional provision relating to protected areas and providing that, where an area had been declared a protected area under the Wildlife Conservation and Contro-Ordinance, that declaration will continue to be effective under this new legislation. Thus, clauses 3, 4, 4A and 4B all refer to bylaws, places and assets for transfer from the old legislation into the new, and 4C goes on to deal with the very important area of the rights of employees during this changeover period. It provides that the present employees of the Northern Territory Reserves Board shall become employees of this new statutory body on the same terms under which they were employed immediately before the commencement of the ordinance, and that remuneration paid to people on transfer from one statutory body to the other will be no less favourable than they would have been entitled to under their old position. Clause 4D provides for the transfer and acceptance by the commission of the assets, rights and liabilities previously within the province of the Reserves Board.

These new clauses were arrived at after discussions - as has the whole of this bill and its numerous amendments - between officers of the Department of Environment, officers of the Northern Territory Reserves Board, officers of the Department of the Northern Territory, myself and my advisers. The approach to this particular transitional and saving clause was the last thing that was discussed as recently as last week. Our legislation officer and a draftsman have worked under some pressure, and I think very well, to put this rather lengthy transitional saving clause together for the condideration of the committee.

Mr WITHNALL: I move that further consideration of the proposed new clauses be postponed.

Dr LETTS: I do not oppose the motion for postponement of this clause. It was drafted fairly recently and it has only been available to honourable members today. I would be grateful if the committee would adopt the practice which has just been suggested by the honourable member for Port Darwin: if we strike difficulties on separate parts of this, we should agree to postpone them so that we can define our areas of agreement and deal with them. Otherwise, with a bill as long as this, we may never be able to get through it if we have to report progress every time some question is raised.

Motion agreed to.

Clause 5:

Dr LETTS: I move circulated amendment 101.2.

Clause 5 deals with definition and interpretation and makes provision for including gliders and hang-gliders in the definition of "aircraft". There will probably be some divergence of views on this matter but it has been considered in other places from time to time. The reason for including hang-gliders will be in relation to the use of such devices in reserves and parks. It is my proposition that national parks, generally speaking, are not the proper places for people who usually want to do this sort of thing to attract attention to themselves, want to get up on the highest point of a sandstone escarpment, cliff or whatever and launch themselves off into space to the admiration of their friends and the spectators, to land God knows where and in what condition.

When you are trying to make arrangements within park areas for the controlled use of the environment, it seems to me that you also want to provide powers in relation to this kind of activity. There are plenty of other high places in the Northern Territory and Australia outside national parks where people can indulge in this particular whim and fancy. The committee will find later on that this will have application when it comes to the conditions applying to the management of parks and reserves.

Mr WITHNALL: Some members may have gathered from the report of the Committee on Tabled Papers this morning that the committee approved of the provisions proposed to be inserted in the bylaws of the Reserves Board, under the National Parks and Gardens Ordinance, prohibiting hang-gliding on reserves. The committee did express some grave doubts as to whether the bylaw-making powers in the National Parks and Gardens Ordinance covered hang-gliding and I am glad to see that some definite consideration has been given in this bill to the use in reserves of hang-gliders because the committee thought that the bylaws relating to hang-gliding may very well be outside the provisions of the ordinance.

To sound at this stage a pretty sour note, I would like to say to the Majority Leader that at the last meeting of the Legislative Assembly, it was suggested to me that, because I had amendments totalling about 3 pages to a bill which had been before the Assembly since October 1975, I should consolidate it so that members of the Assembly could read it more easily. I accepted that remark and I complied with the suggestion because I thought it was a good one. I am pretty surprised to find that today, on a bill which totals 87 pages, we are presented with amendments totalling 28 pages. We are presented with these amendments this morning and expected to pass them today.

Dr LETTS: It is my understanding that these amendments, or most of them, had been circulated separately some time ago but that today we have a consolidated batch of amendments so that people will not find it necessary to deal with loose leaves.

Amendment agreed to.

Dr LETTS: I have a further amendment to propose to clause 5, that, after the definition of "protected animal" in subclause (1), a definition of "protected area" be inserted.

In the original bill presented to the Assembly, there was no provision for protected areas. This was a departure from the present Wildlife Conservation and Control Ordinance which does include protected areas. In discussions with the Department of the Northern Territory and the field staff and rangers of that department, representations were made that this particular form of declaration should be retained because rangers had found it particularly useful for them, both in their extension and enforcement work; they pointed out that the whole of the Arnhem Highway on both sides is a protected area a mile wide. There are notices up there and it is a constant reminder to people that there is wildlife legislation in existence; and it is also an area in which wildlife is spared from shooting and unnecessary disturbance so that people driving along that highway or through any protected area can expect to see wildlife at close hand. They represented to me that it was a provision worth reincluding in the new legislation and I agree with that view.

Mr WITHNALL: I must speak on this clause because the concept of protected areas was a child of mine. It was conceived way back in 1960-61 and the purpose of the proposal was to achieve the status between a completely protected sanctuary and a place where people could go but in which they could not shoot or be seen to be prepared to shoot. Like the honourable member in charge of the bill, I agree that it has been very effective and frankly I was surprised that it was not included in the original although I expect that the original bill was probably a carbon copy of some other legislation.

The protected area is a valuable concept because it will permit persons who

own large areas of land under pastoral lease to have that pastoral lease declared to be a protected area so that persons may not come in there with traps or with firearms. When the idea was first put forward in the Legislative Council in 1961, there were all sorts of suggestions that this was a move so that pastoralists and other persons owning land could preserve the wildlife and game for their own purposes. I do not think that has ever been the case. Indeed, probably, because of this fear, no pastoral lease has ever been declared a protected area.

Protected areas serve a most important purpose and I will say to honourable members that, because the country with which I am associated on Marrakai has not been shot, because nobody has been allowed on there with any sort of firearms, the result has been an increase in wildlife in the area and probably a depletion of wildlife in the areas which are shot. May I suggest to honourable members that this is a most important concept. It should not only be preserved but the administration should also consider means of extending the operation of these clauses.

Amendment agreed to.

Dr LETTS: I move that clause 5 be further amended as circulated by inserting an additional definition of "traffic sign" as set out in the circulated amendment 101.4.

Later on in the legislation, one comes across bylaw making powers in relation to national parks and reserves and reference to traffic control and the use of the term "traffic sign". There was no definition originally provided in the bill but, on examination of the national parks and gardens legislation, it was found that they did have a suitable definition and it was simply transferred from the old legislation into this.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 and 7 agreed to.

Clause 8:

Dr LETTS: I move that clause 8 be amended by omitting from subclause (2) the words "a sanctuary or".

This bill does take a somewhat different approach to the way in which land is classified for the purposes of conservation to the old Wildlife Conservation and Control Ordinance and the Parks and Gardens Ordinance in bringing the two together, and also adopts a somewhat more modern approach to land use in conservation. In this case, the word "sanctuary", which was an old term in the ordinances, is no longer required. When an area is set aside as a park or reserve, plans of management will be drawn up specifying the use of that park or reserve in relation to particular parts of it, and a form of use which may be permitted in one park may be different to the form in another park. The concept of wilderness areas adopted in this legislation in many respects is quite similar to the old sanctuary concept. The sanctuary classification on the old Wildlife Ordinance defined the sanctum, as it were, where people could only go for very restricted purposes, scientific purposes and very limited activity was permitted. Something of the same concept applies to the wilderness area as set out in this bill. This would have been the only part where the reference to a sanctuary occurred although wilderness zones are referred to further on. It is to that extent redundant and the proposal is to remove it from this section.

Mr WITHNALL: With the greatest respect to the honourable member, I think that there still exists a reason for the creation of sanctuaries in addition to the creation of wilderness zones. My understanding of the expression "wilderness zone", and I find it is not quite spelled out by the ordinance in front of me, was that it was a part - generally speaking a part, but under the section may be the whole - of a national park. The concept of national parks is such, in the view that I have formed anyhow, that people may be allowed to go into them. I think that a declaration in an emergency that a place was a sanctuary which

nobody was permitted to enter, without declaring it to be a national park, would be a valuable adjunct in the management of the environment.

The bill which we have before us is concerned with national parks. Let us take another look at it in terms of the management of the environment as a whole. The declaration of a sanctuary, which for some reason may be necessary because an area needs to be protected immediately, could take effect and then protection could proceed. National parks may be declared only, I think, with respect to unalienated crown land. The amendments have confused me a little and I am trying very hard to relate the amendments to the original bill. A national park can be created with respect only, I think, to crown land. At the present time, there may be lots of crown land which is subject to claim by the Aboriginal people and may not be crown land in the future, but it may very well be that, during the time during which the action may be taken to determine whether or not these lands are traditional lands and ought to be vested in the Aboriginal people, somebody should declare the area to be an area into which people should not ordinarily intrude, because if they are determined eventually not to be Aboriginal lands, then it would have been quite a shame to let 3 or 4 years pass in which they were able to be despoiled - and I use that term without any contemplation that it would happen - but able to be despoiled without any control from the law. I suggest to the honourable member that the creation, if you like, of some interim protection of the environment may very well be necessary in this ordinance separate from the concept of national parks.

Dr LETTS: My explanation previously was not as good as it might have been. "Sanctuaries" is a word which is coming less into use in conservation circles of recent years because it means so many different things under the law in so many different places.

Mr Withnall: We are not talking about churches.

Dr LETTS: In Australia, one finds in one state that sanctuaries are areas supposedly secured for wildlife conservation on private land and private properties and in other states or in the Northern Territory they were confined to public lands and ...

Mr Withnall: Why not spell it out then?

Dr LETTS: .., there was a good deal of confusion. It is a term that is going out of use more and more.

I think the problem that the honourable member for Port Darwin has is taken care of by this clause 8 in separating out parks and reserves. Under 8(3) you find that a notice under subsection (2) of section 8 declaring an area to be reserved may specify the purpose or purposes for which it is so declared. In doing so, all the concepts relating to a sanctuary can be included in the purposes for which the reserve is declared, together with the plan of management which would restrict public use of it. The sanctuary idea will be taken up in the reserve section quite adequately.

Mr WITHNALL: I merely ask for some provision which can possibly produce instant action. The honourable member has said that under subsection (3) the purpose or purposes for which the reserve is declared may be specified. That does not answer my objection, that for some little time one takes consideration of certain facts - whether it be an area which is subject to an Aboriginal claim or not, does not matter - but during the time that consideration is to be taken of these things, and during the time in which a plan is to be prepared, some provision ought to be made to protect the environment from immediate action. You must have plans and determinations of what is going to be a wilderness area and what is not and I suggest to the honourable member that some further consideration may very well be necessary of the concept of declaration of reserves and the concept of the reservation of wilderness areas, because a reserve may be separated from the declaration of a wilderness area by as much as 5 or 6 years.

Further consideration of clause 8

postponed.

Clause 9 agreed to.

Clause 10:

Dr LETTS: I move that clause 10 be amended by adding at the end, "with its comments on those representations".

It seems that the pages have been cut short and this amendment is to make sure that the words that have been chopped off with the guillotine get back in.

Amendment agreed to.

Clauses 11 and 12 agreed to.

Clause 13:

Dr LETTS: I move that clause 13 subclause (2) be amended by adding after the word "recovery" the words "or processing".

This clause refers to certain operations which may not be carried out in parks or reserves and 13(2) refers to the recovery of minerals. It was the joint view of the various people that I consulted on this legislation that the words "or processing" should also be inserted in this section dealing with mineral operations which are banned except in accordance with an approved plan of management.

Mr WITHNALL: This is probably one of the most important clauses in the bill. It relates to mining in reserves in subsection (2) and this subsection is proposed to be amended. I find no reason to object to this provision but I would direct members to the terms of subclause (1) of clause 13. This section has effect notwithstanding any law of the Territory. If any law of the Territory provides something relating to mining on reserves or elsewhere, then in effect that law is set aside because of the statement that the clause has effect notwithstanding any law of the Territory. Apart from the provisions of this clause, further inhibitions may be created on the matters with respect to which the clause deals. I would think some careful consideration must be given to clause 13 because it should take some care about any future law for the disposal of any wastes which may fall from mining in a reserve or a national park.

For my part, I would like to have said that mining was not permitted in national parks. I am commenting only on the bill before me but I would think that a lot more care has to be taken about mining in national parks and the skimpy and ineffective provisions in clause 13(1), (2) and (3). I would urge the honourable member, before he rushes this into law, to have farily careful consideration of the possibility that, at some time in the future, some environmental law will be made or some other law relating to disposal of wastes which might affect the operation of the national park.

If it is intended that all the operations within the reserve are going to be under the complete and sole control of the persons or the commission in charge of the reserve or the national park, then I would think that this clause is a delegation of law with which I would not agree. It places too much power in the hands of the commission. I would rather see the law in this Assembly say that it shall not be carried out rather than placing the right in the commission to decide whether it will be carried out.

Dr LETTS: I should perhaps refer to one or two other matters in relation to this clause that I did not refer to before. This clause is very similar to a similar section in the National Parks and Wildlife Act of the Federal Parliament. There are some differences. If one looks at 13(5), one finds that mining is not permitted in wilderness areas so that, to that extent, the park is sacrosanct and the wishes of the honourable member for Port Darwin are fulfilled. Regarding the possibility of mining in the other parts of the national park, I hope it is a very remote one. I personally am very much against the concept of mining in the parks. I think that provision was made for mining in the federal act in accordance with plans of management because of certain prior rights, if you could call them that, or prior interests which certain mining people have

in relation to parks or areas which it was envisaged would be made into parks. An undertaking was given by government that they would possibly be willing to abide by the contracts formerly entered into in respect to those areas. This was unfortunate, but the Federal Government apparently believes that the law should make provision for contracts, agreements, leases or licences, interests entered into in good faith before there was a knowledge perhaps of exactly where the park was going to go. But, the suggestion of the honourable member for Port Darwin that the statutory authority may have too much power in this regard does not seem to me to stand up to examination in so far as every plan of management finishes up on the table of this Assembly and is capable of being debated here, and to the extent that the Assembly can influence the plan of management and undoubtedly would do so. Then, in turn, mining could only be carried out in accordance with the approved plan of management. I believe that the safeguards and the exposure to public criticism is greater than the honourable member would suggest.

Mr WITHNALL: I regret that the honourable member has not seemed to appreciate the point of what I said. That is, that a decision by the commission within the terms of this section can override any other law of the Northern Territory and I think this is too much power to place in the hands of the commission. My real objection is to the provisions of subclause (1), that this section has affect notwithstanding any law of the Territory. This means - the way I see it anyhow; I can be corrected perhaps - that the decision of the commission in accordance with a plan of management will override any law of the Territory at all.

If the honourable member cannot -

Dr Letts: Have you considered disallowance of the plan of management?

Mr WITHNALL: I accept the honourable member's remark. The plan of management can be disallowed by the Legislative Assembly but it is wrong to permit a commission to make a plan of management which in effect can be made notwithstanding any law of the Territory to the contrary. I think that some consideration of that ought to be given in clause 13 which is now under consideration.

Further consideration of clause 13 postponed.

Clause 14:

Dr LETTS: I move that clause 14 be amended by adding at the end of subclause (1): "taking into account such public opinion as is known to it".

This is the first of a series of amendments proposed to the original clause 14. These amendments, including the first one, came about following lengthy discussion between the various bodies I referred to earlier: the Reserves Board, the Department of the Northern Territory and the Department of the Environment. The original proposition was that before the commission even set about preparing a plan of management in relation to a particular reserve it should, by public notice, state its intentions to prepare a plan of management, invite representations etc and set aside a period of time for those to be received. This is before it has even put pencil to paper. Then, having gone through that process and drawn up its plan of management, it virtually went through the whole proceedings again. There was a strong consensus among the people with whome I discussed it that this process was unduly and unnecessarily long, that once the commission had a plan of management prepared, it had an obligation to make public notification of the existence of the plan and where it could be inspected, to have copies available, to set aside time for the public view to be put before it, and that it was unnecessary to duplicate this procedure. Bearing in mind the number of reserves and parks which it will be the duty of the commission to prepare plans of management for and the time it takes to prepare a plan of management, various people have assessed that, even on the present list, it could be at least 10 years before the full set of plans of management are prepared. That is under the

simplified proposals. To duplicate them and double up, some of us would be well and truly gone before the plans of management were prepared and in operation. In the meantime, the scheme would be operating on an ad hoc basis.

Thus, in the light of common sense, it was decided that the unnecessary duplication would be cut down but, at the same time, this first amendment will provide that all views have been made known regarding the management of a particular new park or reserve and that those views will be taken into account in the first drawing up of the plan of management. For example, if one looks at the Kakadu Park area, what I used to call the Alligator River park and people have called various things, there is known to be a wealth of Aboriginal wall and cave paintings probably not exceeded anywhere in northern Australia. To some extent, the steps necessary to preserve them have been drawn to attention by various reports including a 1969 pre-planning committee and the work of Eric Brown and other people. The commission would be obliged to take into account any information which was available publicly to them in the first instance, without having to duplicate the whole process. The explanation that I have given virtually covers all those proposed amendments to clause 14 from the first one, to taking into account such public opinion as is known, to the other ones which streamline, simplify and avoid duplication.

Mr WITHNALL: I accept the reasons that the honourable member has proposed and I agree that a duplication of public notice is unnecessary, but doesn't it support my view that something ought to be done during the time during which a sanctuary is declared and before a plan of management is declared because there seems to be a hiatus here. The honourable member said it might take 2 years if we use both of these but it will take even longer than that time. Surely some sort of provisions ought to be available during the interim.

Dr LETTS: We did postpone the consideration of clause 13 because of a point raised by the honourable member but, had we gone through the other amendments that were proposed, he would find that we propose to take care of the situation when no plan of management is enforced in relation to a park or reserve. The commission may still perform its functions in that park or reserve for the purpose for which it was reserved while a plan of management is being prepared. The commission can operate in an interim period.

Mrs LAWRIE: I have been studying this amendment fairly carefully and I want some clarification from the sponsor of the bill. Where it is intended to mine or process minerals in a park, are the details of such mining gazettal or processing to be in the gazettal notice so that people who are invited to make representations will know by reading the Gazette precisely what is intended, or is it to be a general notice?

Dr LETTS: The short answer to the honourable member's question is yes. Where under a plan of managment it is intended to permit any form of recovery of minerals or processing of minerals, that would have to be spelt out in the plan of management and, at that stage, when the draft plan of management is available, that is when the details of any mineral operations are spelt out. People would have the opportunity to make their objections known before further consideration of the plan of management which in the ultimate finishes upon the table of this Assembly and can be disallowed by this Assembly.

Mrs LAWRIE: I did not make my point clear. I am talking of the gazettal. If we look at page 18 of the bill, we see: "(b) invite interested persons to make representations in connection with the plan by such date, not being less than one month after the date of publication of the notice in the Gazette ... ". What I am trying to ascertain is what form the notice in the Gazette will take. Will it be a simple gazettal that there is a plan of management now ready for perusal or will it specify such details as I have mentioned, specifically regarding the recovery and/or processing of minerals? It is the form of notice in the Gazette which I am querying.

Dr LETTS: In this case I do not believe that the notice in the Gazette would go to that detail. It would be as stated in clause 14(9)(a). The notice simply states that a plan has been prepared, the address at which the plan can be inspected or purchased, and invites people to make representations in relation to it. The actual Gazette notice will not contain all the details but anybody who is interested can get all the details by going to the place where the plan is available and either inspecting it or purchasing it there.

Amendment agreed to.

(See Minutes for further amendments to clause 14 agreed to without debate.)

Clause 14, as amended, agreed to.

Clause 15 agreed to.

Clause 16:

Dr LETTS: I move amendments to clause 16 as circulated in schedule 101.19.

These amendments are merely formal amendments following the decision of the committee on clause 14.

Amendments agreed to.

Clause 16, as amended, agreed to.

Mr STEELE: I move that the committee report progress.

Dr LETTS: I am happy to support that motion. This will give members the opportunity to look at the amendments, particularly those which were circulated today and hopefully to return the committee stage later during sittings.

Motion agreed to.

ADJOURNMENT DEBATE

Mr TAMBLING: I move that the Assembly do now adjourn.

Mr EVERINGHAM: I rise to support the adjournment of this House. A matter which I should like to draw to the attention of yourself, Mr Speaker, and other honourable members is the general economic conditions in Australia today. Whilst the vast majority of our fellow citizens are living in reasonable comfort, there is a general lack of confidence in the economic future of this country. I think that the root cause of this lack of confidence has been a gradual scaling down in productivity on the part of all workers and, when I say workers, I include doctors, lawyers, veterinary surgeons, car manufacturers and everyone.

Since 1945, I would say that the average citizen of Australia has never had it so good in terms of money in his pocket, consumer items, general comforts of life, conditions of accommodation and ability to get around the country. However, I can see all this gradually tailing off unless people are prepared to settle down and put in a solid 8 hours doing what they are paid to do and this includes all sectors of the community. What this country needs is more output and I am referring to work output rather than vocal output that the honourable member for Port Darwin is indulging in at the mement. He is extremely good at that but, if we could have a few crops of rice off Marrakai or the odd carcass sent to market, we might see a bit more for our money.

Mr Withnall: You would not know what happens.

Mr EVERINGHAM: I would not know what happens out at Marrakai because the general public is shut out; it is an exclusive reserve somewhat akin to the royal forest at Windsor in about the 13th century.

The cutbacks that we are experiencing in Government spending at the moment are not the sole answer. We are seeing cutbacks in public spending and these are causing cutbacks in private spending. The cutbacks in public spending will not achieve anything unless there is an increase in productivity on the part of the private sector. My view is that our former Prime Minister, Mr Whitlam, was wrong in his view of the economic processes. It may be that he thought that what he was doing would possibly wreck the capitalist system

and introduce a socialist system and perhaps he was doing what he intended to do. As I see it, we have a system and there is not a great deal that we can do to buck the system; the best thing that we can do is to make it work as well as we can. Simplified greatly, Mr Whitlam's idea was that by increasing wages, you will increase everyone's wellbeing but unfortunately increasing wages does not mean increasing buying power. In the long run, it simply means increased costs. It means money is worth less; it means that your savings are worth less. Where in the long run does it really get you?

I do not think the new Government is entirely right either. They seem to believe that everything can be achieved by cutting back spending. This is not the complete answer. I do believe that spending should be cut down from the levels that it had reached because I do not believe that we are doing anything at all to feed the spending levels that we have achieved. We did not have any new developmental projects bringing income into the country; everyone had decided to sit more determinedly on his bronze than ever before and do less, enjoy more, drink more, spend more time away from work and all the rest of it. The only real answer to getting this country back on to its economic feet is doing more work and that means everyone of us, not just the wharfies, not just the car manufacturers but all of us. Let us not be ashamed of the word "work". It is the hard work of our forebears that made this country strong; it made this country the envy of its neighbours. It was hard work and enterprise that made the United States great and made it the envy of its neighbours. In its time it was hard work that made Great Britain what it was. And it is the lack of incentive, the lack of initiative and the lack of hard work that has made Great Britain a mere shadow of its former self, something to be laughed at, a sort of client state, a mere debtor of the world council. Australia is heading that way if we don't pull our socks up, and pull ourselves up by our boot straps, as our forbears were wont to do. They knew what work was all about and it is about time that we started learning that work is not a dishonourable word; work is something noble; work is the means of making this country productive, powerful, respected and the people in it happy and contented. It is about time that today's generation got down to a bit of it.

Mrs LAWRIE: This morning in question time I asked some questions of the honourable Executive Member for Transport and Secondary Industry pertaining to the proposed closure of the North Australia Railway. The question I asked was whether he would attempt to obtain and table in this House the volume of freight over the last 3 years brought in for government departments and the method of freighting the goods to Darwin. I asked him if he would obtain from the Minister the rationale on which the decision was based to close the NAR. I suggested thirdly - and perhaps most importantly - that he and his party consider the setting up of a select committee of this Assembly to make its own investigations and to have a look at the freight systems operating to and within the Territory. I advised the Executive Member privately that I would support my suggestions in the adjournment debate this afternoon. I do so hoping that the Majority Party will back me and that the Executive Member for Transport and Secondary Industry will himself take up my suggestion and move for the establishment of such a select committee.

We see in a press report in the NT News last night that the Executive Member for Transport and Secondary Industry, having spoken to the Minister responsible, the Minister for Transport, Mr Nixon, feels that the Minister arrived at his decision purely on departmental advice. In an earlier debate here, we heard how this decision was going to virtually affect all Territorians, especially the smaller centres throughout the Territory, and we heard nearly all honourable members voicing their disquiet, not only of the decision but of the way in which it was reached and the fact that this Assembly was not consulted and that the Executive Member responsible had not had any idea that such a decision was to be taken by the Federal Minister.

Having regard to those facts, it appears that there is still time, and it is right and proper for this Assembly to formulate a policy on the NAR rather than fulminating against a decision which has been taken, to act positively in trying to get the Minister to stay his hand for a period of perhaps 4 weeks. It is my opinion that a select committee of this Assembly could be set up, could be functioning as from next week, and within a month could prepare a report for presentation at a special sittings of this Assembly, such report then to be taken by the chairman of the select committee to the Minister for Transport. It is further my opinion that the Minister for Transport should be asked to reconsider his present decision that the railways should close as at the 28th of this month and that he should be asked for a stay of execution pending the receipt of the select committee's report. It would be only right and proper that the Executive Member for Transport and Secondary Industry should chair such a committee and I hope that, overnight, the Majority Party will give serious consideration to my suggestion. I hope that the Executive Member will give notice tomorrow, or at the latest on Thursday, and move for the appointment of such a committee. There appears to be no other option available to this House. The Executive Member has made personal representations to the Minister and has come back with an empty bag. It would be of more value if the Assembly fulfilled its proper functions in examining the viability of an industry directly affecting Territorians and the Territory and made its view known collectively as a Territory body to the Federal Minister responsible for making the decision.

I am aware that the North Australia Railway is a division of Commonwealth Railways which are not within our jurisdiction, but the decision taken certainly affects the Northern Territory alone in a very vital area - that of freight costs, the employment of Territorians and the very survival of some of the smaller centres. As I said earlier, there appears to be no other option other than a select committee with its expertise, with the calling of witnesses, with witnesses subpoenaed if necessary, to come to a proper, reasoned conclusion, to be debated in this House, and then forwarded to the Minister in the correct manner. Surely if Mr Nixon is a reasonable man and such a committee was to report within a month, he would wait that length of time for the Territory to make its views known properly.

Mr POLLOCK: First, I wish to speak about the Darwin Airport. The airport facilities for the domestic traveller appear the same today as they were a week after the cyclone and as they were several months ago when I last spoke. This morning, the Executive Member for Transport told us that they are finally getting around to considering tenders. They are all very busy looking after the bar; people there have not been able to hear themselves think for the clanging and banging upstairs. For the domestic traveller, the impression is quite disgusting and is an absolute disgrace.

How people actually work out there is beyond me. I noticed the other day for the first time that there were two fans working in the one area. The ceiling is in exactly the same condition. Fortunately, it has not fallen down and hit anybody. It is a wonder some of it has not, considering the banging and clanging that has been going on upstairs. The general situation there leaves a great deal to be desired and I would hope that, despite all the assurances we have been receiving from month to month, somebody will finally do something and get on with the job.

Moving a little closer to home, I refer to Standley Chasm at Alice Springs. It is a popular tourist resort and vacation place which happens to be on the Jay Creek Aboriginal Reserve. The kiosk and associated facilities at Jay Creek have over recent years been operated by the Jay Creek Progress Association. This association has had a manager at Standley Chasm running the operation; in fact, over recent years, they have had a series of managers. In recent months, it has been without a manager and the facilities there have been closed. Fortunately, one toilet block

at the car park is operating and another is now under construction. However, the Aboriginal people at Jay Creek have been concerned about the matter and, despite their other setbacks, they have been anxious to continue with this project and to participate in it to a greater degree and in a new form.

Last Friday afternoon at Standley Chasm, I attended a meeting of a board of management which has been formed for the Standley Chasm operation. This comprises 8 nominees from the Jay Creek Progress Association, a representative from the Department of Aboriginal Affairs, a nominee from the Aboriginal Institute in Alice Springs, a member of the Tourist Promotion Association in Alice Springs and myself. The Aboriginals hope that, with a working combination between themselves and a cross section of European people from the area, they can supervise the management and working of the whole operation to a degree which will result in a much more staisfactory arrangement for them, tourists, and the travelling public. Hopefully, in the next fortnight the kiosk and associated facilities there will be in full operation. A new toilet block costing some $25,000 is presently being constructed. A chlorinating plant is being put on the water supply to supply proper water facilities, drinking water and water for domestic use at the chasm. The lighting plant is being upgraded, there are extensions to the kitchen and other facilities are being improved at the chasm which I feel will work successfully in the future.

A little further afield, but also in my electorate, is another tourist operation, perhaps one of Australia's major tourist attractions, and that is Ayers Rock. This morning in response to a series of questions, you will have heard the Executive Member for Resource Development advise the House that the Ayers Rock Advisory Committee, which has been formed for some time to advise on new plans and resiting of the village complex at the Rock, last met on 30 October. There was to be a meeting some time about the New Year but lack of funds resulted in that meeting being cancelled. At the moment, there is no real indication as to when the committee may meet again. As members may be aware, the facilities generally, the chalets and so forth at Ayers Rock, have over recent years been acquired by the Northern Territory Reserves Board and are being operated on lease by various operators. Some of these operators have relatively short term leases, bearing in mind that the Ayers Rock facility, the new village which we have heard so much about for so long, is going to be built within 5 years. Therefore there is no real concern to keep the present buildings in the village complex in good nick. It is a matter of just keeping going because in the not too distant future we will have the new village. Admittedly, a site has been located and some forward planning has been made in that reports have been called for from consultants who have submitted several plans in relation to the Rock.

My call at this stage is for the Government to ensure that these plans move forward at a steady pace to provide for the future needs of people who want to develop Ayers Rock for the future economy of the tourist industry generally in central Australia and in Australia as a whole. In 1960-61, 4,332 people visited the Rock. Last financial year, 1974-75, there were 58,353 people, and in the peak period of August 1975 alone, 12,092 people visited the Rock. I am told that in the current financial year, in excess of 60,000 will have visited the Rock. I am sure that with the development of the new village and associated works, a lot more people will visit the Rock. This will inject into the whole economic structure of the tourist industry a great deal of finance and revenue and generally be of great assistance to the whole industry.

One matter that is associated with this is the construction of the new airstrip and the road at Ayers Rock. I am disappointed that the Minister in his latest advice to me was unable to give any indication as to when the construction of the Erldunda-Ayers Rock road will commence. It was scheduled to commence this financial year and in fact a Public Works Committee hearing was to be held on the construction of

the road last October. At this stage, we are still waiting for that hearing to be conducted and the road project to be put on the works program. In the meantime, the principal road construction contractors in the area are completing their work and will be moving out of the area; they will be lost to the Territory and will most likely never come back. It was designed that the road work would coincide with the completion of the new village so that when the road was completed the village would be there. Instead, we are to be faced with a section of some 150-170 miles of unsatisfactory road from time to time. In periods of heavy rain, it is quite impassable. When it is dry, it is pretty rough and, in fact, it only really qualifies for a grader once or twice a year. Generally, the road in its present condition is unsatisfactory and the need for the construction of the new road is quite urgent.

I mention the airport facilities at Ayers Rock. Whilst the present airport is in many ways adequate, it does unfortunately go out of service with a minimal amount of rain. It is extremely close to the Rock and that, associated with other practices of people, make air navigation in the area quite dangerous. I am at the moment beginning to gather facts to put before the Department of Air Transport a case for some measures at the Rock to provide for greater air safety. I was at Ayers Rock on Easter Sunday and that evening there were 24 aircraft parked on the strip on the taxiway parking area overnight. During that day and the next morning, there was a great number of movements of aircraft. Most of these movements were by people who were touring from interstate in addition to the normal commercial services which operate from Alice Springs and Coober Pedy. What is of great concern to the air transport industry is the "bandits" as they are commonly known. These are people who hire an aeroclub plane in Adelaide, Sydney or Melbourne, team up into a group and fly up there. They fly as they please in any direction and at any level. It is only a matter of time before there is some major catastrophe involving these aircraft that visit the Rock. I am preparing a case to put to the Department of Air Transport for some measure of air traffic control around the Rock at peak periods such as Easter. However, it is rather alarming. One person I corresponded with on the subject - a man who has considerable experience in aviation - remarked that we have an increasing number of pilots who are ever ready to shift the responsibility for the maintenance of safety onto the shoulders of someone else. The amazing thing is that it even includes their own safety. There is a great need for all pilots to use all safety precautions and heed all warnings and instructions in relation to manoeuvres around the Rock.

With the construction of the new strip it will possible include some facilities for night landings. Just before Easter, there was an emergency in the area and cars were used to light the strip. Last week, there was an appendicitis case at the Rock, and a plane could not be got in at night time because there were no facilities to light the strip. These are matters which need some remedy, but I hope that, by pursuing the matter with the department, we may overcome them.

In conclusion, I would again emphasise to the Department of the Northern Territory particularly, which has its finger in the pie in relation to the progress and development of the Ayers Rock complex and village proposals, that they get on with the job with the least possible further delay.

Mr ROBERTSON: I cannot let this sittings go by without making a mention of the demonstration by a number of - shall we call them people who journeyed from southern areas to Alice Springs to demonstrate against what they believe is a foreign base, or 2 foreign bases, in the town of Alice Springs. There are a number of aspects in this matter which have received wide publicity. Among them is the apparent tremendous cost of posting police to reinforce the garrison, as it were, against the intruder. I believe that it is important, when these types of visits are made by people such as these, that the town and local police force be adequately reinforced if for no other reason than to impress upon

them what could happen and what is likely to happen if they stepped out of line. I think that the main reason the police force was so reinforced in Alice Springs was the past record of such groups, the past behavioural pattern. We recall the riots which occurred and the damage which was inflicted at the North West Cape some time ago.

One of the things that disturbed me most about these dirty, unwashed individuals was their street theatre. I would say, before attempting to describe the street theatre, Mr Speaker, that I would value the big toe of one of our American friends more than the lot of these people put together. They embarked on one of the most insulting and disparaging exercises I have ever been unfortunate enough to witness. It was a singularly disgusting exhibition. The thing that impressed me most was the attitude of the people of Alice Springs to these visitors; they were in fact treated with the contempt they deserved. The best thing of course anyone can do in circumstances such as this is to totally ignore them, to take absolutely no notice at all, and this is what the majority of people in Alice Springs attempted to do. There is an honourable member in this House who was given a sheet of paper by these people describing the whole so-called setup of foreign bases in Alice Springs and I think what happened between that honourable member and the person who handed him the sheet epitomises exactly the feelings of people in Alice Springs. It was handed to the honourable member and he screwed it up in the face of the character who handed it to him and this long-haired thing said unto our honourable Executive Member for Social Affairs, because that is who it was: "You screwed that up; that is a waste of resources". The honourable member, after throwing it tidily in the bin, said, "You are dead right". I think that does typify the attitude of the people of Alice Springs to the incident.

I would like to support the Executive Member for Social Affairs in relation to his comments on Ayers Rock; in fact, that was going to be the title more or less of my adjournment speech tonight. He has saved me the job of standing here and perhaps boring honourable members at length over the thing. It does seem to be one of those issues that cannot be delayed, cannot be deferred. It is one thing to defer capital expenditure which is non-productive if it is an office block for further public service - and I am not knocking the necessity for office accommodation - or even an additional bridge; however, there is absolutely no question that we must spend money on tourism in the Northern Territory. It is quite clear that, with the near collapse of the beef industry, a complete run down in our mining and an uncertain future in uranium exploitation, this is indeed one of the few industries we have still viable. We must do everything we can to encourage it and we must act quickly.

The township of Alice Springs has at the moment a very frail economy. It is so frail that the failure of one tourist season will probably bankrupt 50 percent of the business of Alice Springs. I do not think there is any question about that. I do not mean a series of failures; I mean one single tourist season failure. It would take very little to do that. It would take, for instance, a dramatic downturn in the economy which, while it would not break other areas, would certainly break us if people could no longer travel. It would take another 3 months of abnormal floods and it would take Ayers Rock among other places getting a bad reputation. I endorse entirely all the comments of the honourable member and I urge the authorities to do everything within their power regardless of cost to have that place built up for the facility which is necessary to maintain one of the world's great tourist attractions.

Mr VALE: I rise to speak on a number of points this afternoon. This may appear to be a little late but I would like to pay tribute to the service of past members for the electorate of Stuart. I refer particularly to the newly elected Mayor of Alice Springs, Tony Greatorex, who served in this Legislative Council from 1965 through until 1974, and also to Jock Nelson who was the first mayor of Alice Springs

and served in the Legislative Council from 1947 through to 1951. Jock Nelson also held a number of other distinguished posts, including that of Administrator, and was a former federal member. Another member whom I have not mentioned is the late Bill Petrick from Neutral Junction who served from 1951 until 1962. It is unfortunate that tragedy has followed closely on the footsteps of people in that property with the death last week or the week before of an old friend of mine, Henry Mengels who was killed as a result of an accident with a horse. I would also mention Mr D. D. Smith who served in the Legislative Council from 1962 until 1965. It is obvious from the length of service and the positions of office which those members have held that I am following in some very distinguished footsteps and I assure the House that I have no intention of running for the mayor when Tony Greatorex steps down.

The second point that I would like to place on record is the recently held Pulapa Wirri festival at Warrabri. It is a festival of song and dance and an exhibition of arts and crafts. Aboriginal people from places all over the Northern Territory and Queensland attend this festival and it was a tremendous success. It was even better than last year and I attended both. The participation of both European and Aboriginal people is one of the reasons why it was so successful. In particular, I think people like Engineer Jack, Billy Boy Foster, Big Jack from the village council, Meryl Cameron, the secretary to the festival, and David Murray should be named in addition to those other people who in their own way have helped to make this festival such a success.

The last point which I would like to bring to the attention of this Assembly, and I think that this should be referred on to the Director of Education, concerns the $2m - I was going to say white elephant, but it is not a white elephant; it is of some use - Taj Mahal presently under construction at Tea Tree about 125 miles north of Alice Springs. It is obvious that this school at Tea Tree and the teachers' accommodation was long overdue. No one would deny the fact that a new school was required there and teacher accommodation. But the fact is that something in excess of $2m is now being expended there but the school is not finished and there has been an obvious lack of forward planning in some of the facilities needed to crank the school up and get it going. It is a disgrace to walk through the school and have a look at some of these facilities which amaze you. In the kitchen, for example, thousands of dollars have been spent on modern electric stoves and exhaust fan systems and, in the laundry, there are huge steam presses, washing machines, spin driers and so on, but there has been no plan to provide the school immediately wtih electricity or with water. How are those modern, sophisticated electronic paging systems going to be run, the telephone services, and the three phase oil fired smokeless incinerator? There will be no grading of facilities; the water will naturally run from the school into the back of the newly-constructed teachers' houses. With the exception of a six foot piece of guttering above one doorway, the entire roof has not been guttered, and the water will cascade down on to the ground and create swamps. There has been no money allocated for security fences around the premises, nor any money, as I understand it, allocated to provide caretakers when the school is shut down during school holidays. The fact that $2m was spent there was apparently only the start of a multi-million dollar dream by some planners in the Education Department to put a school like that up there and in similar places.

As I said before, I do not dipute the fact that the new school at Tea Tree was long overdue and a new residential area for the teachers was likewise long overdue, but the expenditure of that money without the planning and the provision of the services and the facilities to run the school is going to create a tremendous problem. Some of the sophisticated technical equipment which is being put into the school will require highly qualified personnel to run it and quite frankly they are not available in Tea Tree, nor do I think the authorities have the money to pay them to live in Tea Tree and run it. In relationship to Tea Tree itself, it

is no longer a road house, it is fast becoming a small Northern Territory town with provision of a post office, additional teachers, hopefully additional police officers, medical facilities and a caravan park. It is apparent that the Northern Territory Department should look closely now at town planning for the area, provision for an air strip, provision of a rubbish contractor, and long term provision of power, water and other essential services.

Mr TUNGUTALUM: I want to talk about something that is facing quite a number of Aboriginal communities throughout the Top End and in central Australia. I am talking about the problem when a person dies. It does not matter if they die somewhere in town or out in the bush. In the old days, when an Aboriginal died, everybody looked around to see who made that person die. Some honourable members from central Australia and Arnhem Land would understand what I am talking about. Aboriginal religion says that a person dies from pointing a bone at him or a fallen star or you sing to a person and he dies. They believe that there are some strong old men who could make Aboriginal magic to make a person die. It is their job sometimes, according to what some communities say, and they have been paid to kill a person. Aboriginal people do not believe when a person has a heart failure or a heart attack and just collapses and dies and they send him to hospital. When the coroner's report comes out, they say that they do not believe in the report. I mean that no coroner's report comes out.

I have talked to many people at Bathurst and Melville and with some of the mainland people and they want to stop the business about payback killings. They have told me that they want a proper inquiry and a piece of paper sent to them so that they can show to everybody how that man died. The person may have been killed. I want to say this because I have a problem in some places which is now occurring and is affecting some families. I want to echo this throughout the Top End and for my people to know that it is not a magic done from the witchdoctor. There is no such thing in the Top End; I do not believe that anyway. I have been told that it is difficult for a magistrate to hold a proper inquiry into all cases where this is necessary because there are not enough magistrates to do this. I have been told that the Government wants to get more magistrates in Darwin who will work full time on these cases. My people think that they will be able to handle this business if they know that a proper inquiry will be made every time an Aboriginal dies. In section 37 of the Coroner's Ordinance 1974, it says that the corner has to make a statement before he gives out a death certificate and the copy of that statement is available at the court but the Aboriginal people do not know where to get a certificate on how their relatives died. I would like to see some amendments to the law so that a copy of the statement could be sent to relatives of a dead person. This would show to all the family and close relations and other people in the community who knew that person so that all the people in the community would know that the person died of heart failure or other disease.

This is important to my people and not only my people but those in central Australia and in Arnhem Land. You probably would not understand that in central Australia they still have witchdoctors and they still believe in them. That is why I want a special magistrate to make an inquiry to do this sort of job, to investigate and find out what the people think about the witchdoctors.

I was trying to speak to Crown Law and the Executive Member for Education and Law. Now that I have spoken about it, I will ask them to see that the law is changed so that the families can be told the reason for the death. And I want this to be put in the newspaper and on the air so that my people will know what I have just said. I have told them but I want to be echoed through Arnhem Land and central Australia.

Mr KENTISH: I am glad to hear the member for Tiwi bring this subject into the debate today. It is an important thing and it is very difficult these days to get from a doctor a plain

statement of what a person is suffering from in the way of sickness. It is even difficult also after a person is deceased to get from a doctor a statement as to why he died. A plain statement and prompt communication on these matters with the relatives of the deceased would save an enormous amount of trouble on settlements and stations remote from Darwin where death is nearly always supposed to be from magic or other causes. I have forgotten the number of times when my wife has had to go back to Goulburn or Croker Island with a relative of a deceased person to explain to the people why that person died and to try to soften the effect of any trouble that would occur in the community such as the beating up of persons who would be blamed for the trouble. She has had to do this many times in the last few years.

Motion agreed to; the Assembly adjourned.

Wednesday 2 June 1976

Mr Speaker MacFarlane took the Chair at 10 am.

DARWIN COMMUNITY COLLEGE STAFF CEILING

Miss ANDREW: I present a petition from citizens of the Northern Territory praying that the Assembly take steps to ensure that the Federal Government is made aware of the need to allow the Darwin Community College an increase in staff. The petition is properly presented and bears the Clerk's certificate that it is in accordance with standing orders. I move that the petition be received and read.

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory.

The humble petition of the undersigned staff members and students of the Darwin Community College and citizens of the Northern Territory respectively shows that the confidence of the Darwin Community College to carry out the function for which it was created by the Federal Government namely to meet the post secondary educational needs of the Northern Territory will be drastically undermined should the existing severe restrictions upon staff members be retained. The present staff ceiling of 205 is less than was allowed to the college when it began teaching in 1974 and will cause the cancellation of many existing courses, the indefinite postponement of second and third stages of courses at present in their first year and the total inability to meet new course needs, besides affecting severely the academic standing of the college and its ability to gain national accreditation for its courses and to attract staff of high calibre.

Your petitioners therefore humbly pray that every reasonable step may be taken to ensure that the Federal Government is made aware of the urgency of the need to allow the Community College an increase in staff numbers commensurate to the position as a new organisation which must expand rapidly in its early years or fail in its purpose.

Mr BALLANTYNE: I present a petition from citizens of my electorate similar in terms to that just received and I move that the petition be received.

Motion agreed to.

Mr ROBERTSON: On behalf of the honourable member for Elsey, I present a petition in similar terms to those just received. The petition is signed by citizens of the Territory resident in the Elsey electorate. I move that the petition be received.

Motion agreed to.

Mr MANUELL: I present a petition from citizens of the Northern Territory in the Alice Springs electorate in similar terms to those already received and I move that this petition be received.

Motion agreed to.

KATHERINE RURAL COLLEGE PLANNING COMMITTEE REPORT

Miss ANDREW: I present the Katherine Rural College Planning Committee Report.

As a result of a survey initiated by the Government in 1972, a planning committee was commissioned in 1974 to plan in detail the development of a residential rural college at Katherine in the Northern Territory. This report is being tabled in the Senate in Canberra today by Senator Carrick. The rural college proposed for Katherine is seen as an open institution of technical and further education which will emphasise planning for the agricultural and pastoral needs in the Northern Territory. It will also include other vocational areas of a rural technical nature. The report also envisages the college ultimately developing as a further education centre for the Katherine region.

The report recommends that the college be established by legislation with a council as the governing body. It

is seen as having a diversity of courses which are accessible, practicable and related to the vocational needs of the Territory's rural community. Entry requirements are intended to be flexible and the levels range over a field of post-school training at the sub-tertiary level. It is intended to provide courses to meet the training needs of Aborigines. The planning committee sees the facilities required to enable this college to fulfil its objective as including educational, administrative, residential and communal. These facilities will be progressively introduced through a staged development program and will cater for up to 500 students including 150 residential students. The planning committee was chaired by Mr Les Dodd, former Deputy Director of Education in South Australia who has had wide experience in the Northern Territory. Its membership, which included yourself, sir, was wideranging, and included persons from the fields of rural education, administration, the pastoral and agricultural industries and the wider Northern Territory community. I am advised that careful consideration of the recommendations will be given by Senator Carrick and that he will welcome any reports from interested members.

SELECT COMMITTEE ON REFURNISHING AND SECURITY

Continued from 1 June 1976.

Mr POLLOCK: I move that the motion be amended by adding the words "in principle".

I do this because we do not want to tie ourselves down to the black letter of the printed word of the whole report. There are some sections which some members disagree with. It is more appropraite that we should not be bound by the letter of the report.

Speaking on the report generally, I do feel that some areas have been canvassed rather widely with little resemblance to the true situation. It was pointed out yesterday afternoon that there were few people in the gallery. I have been here at this Assembly when the gallery has been full and people have not been able to be admitted. There are special occasions when I am sure that, whatever sized gallery we had, it still would not cater for the public. We must at all times be able to cater for as many of the public as possible. If you visit the Federal House in Canberra, it has only a mediocre sized gallery and from time to time that is overflowing yet at other times it is quite empty. I think the same is reflected here in this House.

In relation to the great debate as to whether we have benches or seats, I am a bit each way in relation to that. If we do have the bench system, we will have to educate ourselves to adapt to that system. I do find the seats quite uncomfortable and the tables are in need of some work.

Mr Everingham: Burn them!

Mr POLLOCK: If we do burn them, then we can have the benches.

Mr EVERINGHAM: I would like to oppose the amendment for the simple reason that it adds or detracts little from the motion. What does the honourable member mean by saying that we now adopt the report in principle? The principle of the report is whether we are to have a new setup with benches or retain the existing setup, or something like it; the addition of the words "in principle" does not make a jot of difference in substance to the intent of the report. I am against the amendment as I am against the report and the motion. As far as I am concerned, the words "in principle" have no meaning in this context.

Dr LETTS: I take a different viewpoint from the honourable member for Jingili. As I mentioned yesterday in the debate, the report does contain a number of specific recommendations in relation both to security and layout and it gets down to figures such as times of the day - 8 o'clock in the morning, 5 o'clock at night. I suggest that we ought not to be tied to that and if we just adopted the report as it is the danger is that somebody would come back in 12 months and say that is has the stamp of approval of the Assembly: "We said 8 o'clock in

the morning; we said 5 o'clock at night; we voted for it; we passed it and that is what it has got to be". But the addition as suggested by the honourable member for MacDonnell would enable some commonsense interpretation and some flexibility on those matters of detail. I think it is worth having in.

Mrs LAWRIE: I agree with the honourable member for Jingili. In fact, I think adding "in principle" may strengthen the adoption of this report rather than weaken it. I listened to the Majority Leader yesterday and listened to his words of wisdom concerning the fact that if we go ahead and adopt this report it may be used as a bible for evermore to bash honourable members over the head with. There are almost going to be bylaws for members of this Assembly; if someone comes to see them and walks past the Assembly office directly to a member's demountable office, knowing where it was situated, some kind of offence would be committed.

Other members were quite correct when they said it was a pity these details were being discussed in such a manner. If the report had restricted itself to a few basic and broad guidelines, it would have been easier to adopt and debate, but, when it gets down to fine detail affecting the actions of members with their constituents to this degree, I think there is a danger in adopting it.

I do not agree with the Majority Leader or the Executive Member for Social Affairs that adding "in principle" will alleviate any hardship which may ensue. My humble opinion is that it may well increase it because we are adopting the principle contained in the report. The whole problem is that the report has so many different proposals and a lot of us are in favour of some and violently against others, so it cannot be adopted in toto.

Mr TUXWORTH: I was just thinking that at the rate the wheels of government turn, how many of us will be here in 12 months' time to be benefiting from all the wisdom that is being spoken? Perhaps it is a matter of "the best laid plans of mice and men". I agree with the member for Jingili and the member for Nightcliff that the fact that the nitty gritty of the report has been put into print is very essentially a principle of the report and perhaps this is the unfortunate aspect of it. I do agree that there needs to be a rethink on the layout of both the Chamber and the security of the grounds and the House but I feel that the great amount of detail that we have gone to could be pre-empting the wishes of any future Assembly.

Amendment agreed to.

Mr ROBERTSON: I welcome the acceptance by the Assembly of the amendment to the motion and would like now to attempt to cover some of the problems raised by honourable members. It would be appropriate to start off with the honourable member for Nightcliff and her construction of the words "in principle". It would be my view that her construction of those words is quite wrong. The term does not mean, in the normal construction of the term, that we are confining ourselves to the principles of the report; it means that the overall recommendations are accepted in principle, that they may be modified and that they may be altered, mainly by the House Committee. I point out to honourable members that the chairman of this select committee is also the chairman of the House Committee and as such I am quite sure he will be approachable in his interpretation of the report, if it is adopted, as being the guideline upon which we will proceed to refurnish and re-establish this Chamber as a future parliament.

The honourable member for Nightcliff was concerned that the report seemed to set itself out to disadvantage members. Indeed, the whole thrust of the recommendation is quite the opposite. The intention was never to disadvantage anyone and in fact it was to advance the cause of parliamentary practice. It was designed around the idea of establishing a more workable House and a House in which members could function more effectively. However, there was a point raised by the honourable member for Nightcliff yesterday with which I

do find myself in great sympathy. We have no research facilities here and this directly relates back to members' access to and use of the library. This absence of research facilities for backbench people is a matter of concern to all of us when we see the operations of the Federal House in particular, and the House in Melbourne. It brings to mind just how much we do miss in these fields, and when we miss things it means that our electors miss them also.

However, I would point out to the honourable member that there is little point in her having access to a library 24 hours a day, 7 days a week, when in the long term there is nothing left in it. I am not suggesting that honourable members deliberately pilfer books but I think we all tend to be forgetful and in items of great value like that, and in may cases items extremely difficult to replace, a large measure of control is necessary. I know our whole society is going from one degree of control to the other. If there were no necessity for controls, this House would not be here except for the making of fiscal arrangements. We impose controls on others and we must impose them on ourselves in order that we have a balanced and workable structure. Unfortunately, books are an item which are very readily transportable, and we have reached the stage where we are well aware of the high number of books missing from the library, important research items and volumes, many of which are almost irreplacable. We must maintain a workable library and we must maintain some sort of security over it. I can see no other method of doing it other than having full time staff members on duty and restricting hours of access to that library.

The honourable member for Nightcliff says that there seems little point in our putting forward this report when we are doubtful about funds ever being made available. I realise that it is something of an egg and chicken operation but I do not accept the view that we should not put forward proposals simply because there is some doubt about funding for them.

She is also concerned about general restrictions relating to her constituents. I point out to honourable members that the restrictions recommended in the report of the select committee are far less than those which apply to any other parliament which the select committee visited. It is being kept to an absolute minimum. There is no intention of having the Clerk and the Speaker impose unnecessary and stringent restrictions upon members. Although security is reasonable in any place with the nuts that we have around in modern day society, the characters who want to waltz in with their briefcases with bombs in them, that is not likely to happen here. It is a problem which the security people in major parliaments have faced and are gravely concerned about. It is quite reasonable that the staff should be aware of who is on the premises.

This brings us back to the other question of major concern to the honourable member, the matter of passes. The passes are not for the purpose of restricting members; they are not for the purpose of members having to identify themselves in this Chamber or in its precincts. They are for the convenience of members when they travel; they are designed so that they can readily establish their identity in a place remote from here. The idea of passes for staff is not so that members can say, "Prove you are a staff member". We know who they are. It is for the purpose of enabling staff members to properly challenge someone who is on the premises or in an area where he should not be and to identify themselves to the stranger within these precincts.

The Executive Member for Education and Law was concerned about the fact that there will only be 2 entrance points to the precincts of the House. I wonder just how many more you need. I notice she drives a car to work anyhow, so I would not imagine she would arrive here in a great state of exhaustion and I would not imagine that it would be very much effort to travel that extra 15 yards to use one of the 2 entry points. The situation of people wandering all over the precincts was brought out by the honourable member for Casuarina and I quite agree with his comments in that regard. I

certainly support the concept of 2 entry points. In fact, I consider it vital to the most elementary form of security for the House.

The Executive Member for Education and Law was one honourable member who raised the question of closing the lounge and I know there was another; I think it may have been the Executive Member for Municipal Affairs. Where honourable members ever got that idea from I do not know. I accidentally referred to some people being unable to read in my original address and I am now starting to wonder whether that statement should not have been deliberate. It is not only in the report that the lounge is not supposed to be closed to members, it is also in yesterday's Hansard, quite clear for anyone to read. I once again assure honourable members that there is no intention to deprive them of the facilities of the lounge.

I do not think there is really any need to elaborate on the galleries. People have mentioned that there is no need to enlarge them, but I think anyone with the most remote sense of observation would realise that is not the case. We want to encourage school classes to come here and the only way that can be done is to provide adequate facilities in the galleries.

The honourable member for Port Darwin was very covetous about his carefully designed chair over there. I have been wondering all this time why mine is so uncomfortable and I now know; as we have been assured by the honourable member, the chairs were designed after his posterior.

While on the subject of comfort, I think it is worth pointing out, particularly for the benefit of front-bench members, that it is not a park bench that is proposed. In fact it will be an individual arrangement, as I visualise it anyway, with arm rests in it. It is not as if you are going to be put on a hard, flat surface, although perhaps it might keep some people more alert if that was done. But it is not my intention nor wish to see this House made in any way uncomfortable at all. In my original address I pointed out that we are tied up here at times for very long periods and it is necessary to be comfortable.

The honourable member for Nhulunbuy raised the problem of noise within the Chamber. One of the reasons for the redesign in the manner recommended is to overcome, to the largest extent possible, extraneous and ambient noise in the Chamber. I think that the system envisaged is the only way of providing this measure of silence within the House. I cannot see it possibly being done with individual chairs, with springs and squeaks and everything else that goes with that design of furniture.

The honourable member for Jingili seemed to have a number of points of concern. I did listen with interest to his comments, and I am quite sure that in the implementation of the report, if it is adopted by the House, his comments will be paid very careful regard to.

I would not presume to educate the honourable member but his knowledge of history, if he is giving us a lecture on history, would seem to me very far short of the mark. To refer to Charles II as a mediaeval king displaces his thinking by about 300 years.

Mr Everingham: I do not know that I did.

Mr ROBERTSON: Well, if you would like to look on page 29 of yesterday's Hansard, you will refresh your memory.

In reply to the honourable member for Jingili, I would cast his mind back some years. He is a gentleman well known to me and he would have been ...

Mr Everingham: Who, King Charles?

Mr ROBERTSON: ... a few years ago one of the most forceful advocates of tradition that I have ever come across. I remember a proposal I had in another place that took me 2 years to get through and it was only got through in a club after the honourable member had left. It was for the dropping of the royal toast in favour of a toast to Australia. Now this man hammers us

with tradition, yet in another place he went out of his way to maintain it. His inconsistency is boggling.

Mr Everingham: That is not tradition; that is principle!

Mr ROBERTSON: Yes, as is the report.

I would also ask the honourable member whether he would like to see this House treated with less dignity and whether he would like to be in it and treated with less dignity than the Supreme Court. I am quite sure that he knows his responsibilities in that place. To me this place is the first law body of the Territory. The Sipreme Court in my view is subservient to this House; it follows the law we set down. I think that the manner in which we conduct ourselves here should be at least equal to what he would like to see in that place. It is my view that those who oppose the refurnishing along the lines recommended in the committee's report, are acting in a rather selfish manner. I pointed out and made great stress of the point that we are not designing this for our benefit; we are not making recommendations of design for our benefit.

Mr Everingham: You are dead right!

Mr ROBERTSON: I know the honourable member is very concerned for his seat and I do not know exactly to which seat he refers, the one he sits on or the one he represents.

We are designing or making recommendations for the design and furnishing of the House which ultimately will be shifted to a new parliament house when that new parliament house is designed. We are talking in terms of generations, of setting a pattern. I fail to see that it is right of this House to completely break the normal traditional manners of the parliament at our own whim and inflict that at great cost. When this sort of thing is set up at such cost, it cannot be readily revised. Honourable members should not be suggesting that, because they find it more convenient to have a swivel chair, they should inflict their ideas on the next 15 parliaments of the Northern Territory. Your committee's report is based largely upon what is used in parliaments everywhere under the Westminster system. There are some modifications of it as we know it; in Queensland, they use a school type desk.

Mrs Lawrie: That figures.

Mr ROBERTSON: If you want to turn your parliament into a classroom that is all very well for you but do not inflict that on any Assembly following this one.

The Assembly divided on the question that the motion, as amended, be agreed to:

Ayes 8	Noes 10
Mr Ballantyne	Miss Andrew
Mr Dondas	Mr Everingham
Dr Letts	Mr Kentish
Mr MacFarlane	Mrs Lawrie
Mr Pollock	Mr Manuell
Mr Robertson	Mr Perron
Mr Ryan	Mr Tambling
Mr Steele	Mr Tuxworth
	Mr Vale
	Mr Withnall

TERRITORY PARKS AND WILDLIFE CONSERVATION BILL

(Serial 83)

In Committee:

Clause 17 agreed to.

New clauses 17A, 17B, 17C:

Dr LETTS: I move that new clauses 17A, 17B and 17C be inserted in the bill.

(See Minutes for text of new clauses.)

These amendments reinsert into the proposed legislation the concept of protected areas, a matter which we did discuss in committee yesterday when we were dealing with definitions. There seemed to be some agreement that protected areas had been useful in the past and should be continued. The aim of these new clauses is to do just that in a similar way to the protected areas

of the old Wildlife Conservation and Control Ordinance. There is some difference and the honourable member for Nightcliff may take note of that difference in relation to other legislation which she has given notice of. The difference is that the old standing exemptions which were provided in the previous legislation, including miners' rights, are not provided in this new form. The proposal is that anybody who must have an exemption in relation to firearms or weapons will require the written authority of the Director of the Parks and Wildlife Commission. To that extent, there is some tightening up in the new proposal; it is a matter which has been fully discussed by those concerned and we have done that deliberately.

Mrs LAWRIE: The Majority Leader and I have had a fair amount of discussion on this point, and he knows I have been waiting with bated breath for this section. I only have one question to ask him. It refers to "a person other than a person included in a prescribed class of persons". Where is the prescribed class delineated in the bill?

Dr LETTS: This will be left to regulations to take care of. It is intended that the prescribed class of persons would be those who by the nature of their duty in connection with wildlife management or enforcement may require to have firearms - rangers and wardens. In the case of private property containing a protected area, the owner may in the course of coming and going have a registered firearm for his use on other parts of his property. He can get an exemption to carry the firearm through the protected area but not to use it there.

Mrs LAWRIE: I thank the Majority Leader for his advice. If it was possible to prescribe the people in the old Wildlife Conservation and Control Ordinance, why is it considered that it is better to be left to a regulation-making power in this more important piece of legislation? I think this is more important and it has more weight than many of our old laws. Would the Majority Leader consider a further amendment, saying that for the purposes of the above section prescribed people mean such and such? I really feel deeply that, where such an important principle is at stake, the prescribed people should be described accurately in the principal legislation, not left to regulations. If he would agree, I would be happy for a postponement of this particular section for further discussion.

Mr WITHNALL: I do support the honourable member for Nightcliff. I think the honourable member in charge of the bill understands quite well that I regard these provisions as being necessary because they enable private persons who really are sincere in their desire to establish, if you like, a semi-sanctuary on their own land to make an application and to prevent other people, under penalty, from going on that land and shooting. Previously there have been some charges raised about declarations under this section with respect to private land, that it was an attempt to create some sort of private right in the owner to exclude other people from shooting. He already has that right if he has possession of the land, so this will not affect that right at all. I accept the intention of the section but I would like to draw the honourable members' attention to the provisions of clause 17C, and the reference in clause 17C to a protected area that is not a public road. In protected areas, of course, there are private roads. At least, in protected areas there may be private roads. I will give you an example. A person on Marrakai may very well, for legitimate purposes, be carrying a weapon and be proceeding over a private road within a protected area at some time, if it ever was declared to be a protected area; and an offence would be committed because the exception is only with respect to public roads. If I can remember exactly what I said when the Wildlife Bill was introduced in 1961, I said it was designed to make sure that people who are caught off roads - not public roads necessarily, but people who are caught off roads - with firearms could be dealt with because it is a fairly clear intention on the part of a person off a road with a firearm in his hand that he intends to use it. I think that, in spite of what the honourable member for Jingili thinks

about the closed situation on some country, the honourable member in charge of the bill may very well give attention to some amendment of clause 17C.

Dr LETTS: I think the principle here in relation to the first matter, the exemptions, is that we took a different approach in this legislation. Previously, we had the protected area; we specified that certain people were allowed to have firearms in it and the balance of people could not. This time we reverse the approach and say that people generally cannot have firearms in there except with specific exemption. However, rather than take up the time of the committee, because this is going to be a long committee stage, I would be quite happy to get someone to suggest further postponement of consideration of the new clauses 17A, 17B and 17C. We will then have a look at the points raised by the honourable members and see how valid they are and whether any adjustment can be made.

Further consideration of clauses 17A, 17B and 17C postponed.

Clause 18:

Mr WITHNALL: May I rise again to protest that the bill in its present form does not provide for a schedule of animals that are protected or not protected, or partly protected or pests or prohibited entrants. In the old Wildlife Ordinance, these things were declared by schedule and they were necessarily overseen by members of the Legislative Assembly. If the matter is to be left to regulation, we have retreated one step further. I regard provisions which leave the making of the law to regulations as pretty suspect. Some attempt ought to be made to provide in this bill for schedules of protected animals which would come into force immediately the bill came into force itself. As it stands, the bill cannot come into force until somebody provides a schedule, because the bill repeals the old Wildlife Ordinance and no protection is available unless regulations have been made. It seems to me that on 2 scores - because it is clumsy and because it removes authority from this Assembly to oversee what is going to happen - the clause ought to be amended.

Dr LETTS: I take issue with the honourable member for Port Darwin on this matter. In making regulations to declare animals to be in one of the special categories, those regulations, like all regulations, will have to be tabled in this Assembly. They will be examined by the Subordinate Legislation Committee and be subject to disallowance in the ordinary way, so that the Assembly still does have the opportunity to debate it in just the same way as if it was debating an amendment to an ordinance. I also point out that any criticism about late amendments being introduced certainly does not apply to this part because it is not being amended. It has been in the possession of honourable members for some 6 months.

Mr Withnall: I am not criticising it on that score.

Dr LETTS: The honourable member has not suggested to me at any stage during that 6 months that an amendment of this clause might be desirable. I do not see the force of his argument. I think that the clause is all right as it stands.

Clause 18 agreed to.

Clauses 19 to 24 agreed to.

New clause 24A:

Dr LETTS: I move that new clause 24A be inserted.

(See Minutes for text of new clause.)

There was considerable discussion amongst the interested parties from the Reserves Board, the two departments concerned and myself about this. I must admit that I was personally responsible for having this new clause drafted and it was based on my own experience and also the experience of a number of people. This is when wounded animals, abandoned animals and young animals have come into people's possession and they have done the humane thing and nursed and saved the lives of the animals. At times, they

have been able to release them again back to their environment. At other times, because the nature of the injury would not enable it to survive in the environment, they have kept it as a pet. In practice, these situations do arise from time to time and the legislation should not make it an offence to hold an animal in the circumstances I have described; it should be flexible enough to take account of such a situation. The provision is that it will not be illegal in these circumstances to hold an animal with the approval of the director. Notification to the authorities is required and the director may have some specific reason for taking a protected animal obtained in such a way or may, alternatively, give the person the right to go on having the animal in his possession.

Mr WITHNALL: I accept the principle of this clause but I wonder if it is going to be very practical. If somebody takes a sick animal into his possession, he "shall forthwith offer that animal to the Director". I am thinking of people out on Rabbit Flat or places like that. Somebody picks up an injured bird and he has to offer it forthwith under a penalty of $400. I know a wife of a ranger who has 10 or 15 animals which have been wounded. She has taken them in, nursed them and released them again. Are you to be made, under a penalty of $400, to drive all the way from wherever you are in the bush to the nearest place to ring up the director? It is a bit unreal isn't it?

Dr LETTS: I hope that we are not nitpicking here but perhaps the word "forthwith" needs examination. Just exactly what that means I am prepared to take further advice on. It seems to me that what we are really saying is "as soon as possible". Nobody has to get into a motor car and drive anywhere. I presume that normal mail services apply. If mail only goes to an area once a year, then that would be as soon as reasonable. I am prepared to accept postponement of this clause while that particular word is examined. I will take further advice on it.

Further consideration of clause 24A postponed.

Clause 25 agreed to.

Clause 26:

Dr LETTS: I move an amendment to clause 26 as circulated in schedule 101.22.

This relates to the onus of proving that an animal has been lawfully taken or bred in captivity lies with the person who has possession of that animal.

Mr WITHNALL: I agree with the terms of the amendment but I wonder whether it is properly placed. Section 26 does not create an offence and, when you are talking about onus of proof, it is more usual to place provisions of this sort in the section which creates the offence. The onus of proof relates to the procedure in the court when a charge is made. It seems to me that proposed subsection (2) could well be inserted in another section.

Further consideration of clause 26 postponed.

Clauses 27 to 29 agreed to.

Clause 30:

Dr LETTS: I move an amendment to clause 30 as circulated in schedule 101.23: insert in subclause (1), after the word "Gazette", the words "upon the recommendation of the Commission or a majority of the members of the Commission".

This is simply that rather than leave it to a non-expert body entirely to make a judgment on a declaration of a pest area, the Administrator's Council should take the advice of its expert body - the commission as to the sufficient and good reasons for declaring pest areas where these are necessary.

Amendment agreed to.

Clause 30, as amended, agreed to.

Clause 31 agreed to.

Clause 32:

Mr WITHNALL: Mr Chairman, there is one point here that I would like to raise. The penalty for the offence is $400 or $10 for every day during which the default continues after the first day. If somebody gives you a notice to eradicate wallabies, or to eradicate any other particular form of life, it is not going to be done on that day. It takes a lot longer than a day to eradicate pests in a given area of land and it seems to me that the provision is somewhat oppressive if a person is going to be liable to a penalty of $10 for every day during which somebody can go onto his land and find a pest.

Dr LETTS: Mr Speaker, I think the honourable member for Port Darwin is taking too stern and too literal a view of the way that this would -

Mr Withnall: It is what is says.

Dr LETTS: -- apply and be administered. If somebody is given a notice in respect of dingoes, for example, it would not be a notice to eradicate dingoes, it would be notice in relation to control measures. Subsection (2) goes on to say that he shall take all reasonable steps to comply with the terms. The offence is in relation to not taking steps to comply, not with somebody coming along and saying, "I saw a dingo on the road when I drove in this morning; you have not complied with the notice given to you 10 days ago and you are up for $100 or $500". I think that, in commonsense terms and the way that this kind of provision has been administered over the last 12 years or so, the public and the landholders will find no difficulty as long as they make some effort to comply with the terms of the ordinance.

Mr WITHNALL: Even if I accept what the honourable member says, the provision of a daily penalty is particularly inept because the prosecution would have to prove day after day what steps were not taken. It seems to me a daily penalty for this sort of offence is quite unfitting.

Further consideration of clause 32 postponed.

Clause 33 agreed to.

Clause 34:

Dr LETTS: I move that clause 34 be amended by omitting from subclause (1) all the words from and including "unless".

This amendment substantially changes the effect of the clause. It virtually precludes the laying of baits and poisonous substances in town areas but I draw the committee's attention also to the fact that this relates to prescribed poisonous baits or substances which would be those normally used in pest control, in dingo and other pest animal control; the prescription would not apply to the normal rat bait, mouse bait, cockroach bait, in household poison items, but to somebody poisoning as you would poison on a property in a town area, which we came to the conclusion was unnecessary and undesirable.

Amendment agreed to.

Clause 34, as amended, agreed to.

Clause 35 and 36 agreed to.

New clauses 36A and 36B:

Dr LETTS: I move that new clauses 36A and 36B be inserted.

These clauses relate to the functions and powers of the director. In the original bill we did spell out the functions and powers of the commission but not of the director. Later on in this bill there is some reference to the director carrying out his functions and powers but they were not elaborated on in the bill and we thought it desirable to do so.

New clauses agreed to.

Clause 37 to 41 agreed to.

Clause 42:

Dr LETTS: I move that clause 42 be amended by adding a new paragraph (d) to subsection (2).

As one of the grounds for termination of the appointment of the director, I have added to those previously set out

the ground of failing to comply with his obligations under section 93A which is a provision we have inserted relating to disclosure of pecuniary interest. Where a member of the commission, including the director, has a pecuniary interest in a matter under consideration, he will be forced under 93A to declare it and to abstain from voting on that particular matter. We would regard the failure to disclose this interest, in the type of operation we are considering, to be an extremely serious matter and one which could warrant the termination of the appointment of a director who was remiss in this regard.

Amendment agreed to.

Clause 42, as amended, agreed to.

Clause 43 agreed to.

Clause 44:

Dr LETTS: I move that in clause 44, the words "including delegated powers" be inserted after "powers".

This clause refers to the acting director. The amendment is designed to ensure that the acting director may also exercise the director's delegated powers.

Mr WITHNALL: I seek some clarification of this. It may be of course that this clause refers to delegation of powers from some person having authority under a Commonwealth act. In that case, I would suggest that it is probably invalid to say that the delegation under a Commonwealth act to a particular person is to be altered by a Territory ordinance to somebody else. I suggest to the honourable member that careful consideration might be given to it in the light of the possibility that the powers which are delegated are delegated under a Commonwealth act.

Dr LETTS: I do not know whether I can put my finger immediately on it, but I believe that the delegations referred to are delegations provided by the commission to the director and they would be quite valid delegations under this ordinance.

Mr Withnall: I have no objections to that, but I thought there was a contemplated delegation from Commonwealth bodies?

Dr LETTS: No, the Commonwealth act does provide for delegations under that act to another Australian Government body, a state government body, and particular people, but the delegations referred to in this amendment are delegations from the commission to the director and subsequently, if the amendment is approved, to the acting director. I have just had a whisper from the rear that if we look at section 60 we might get some clarification.

Mr WITHNALL: I withdraw my objection.

Amendment agreed to.

Clause 44, as amended, agreed to.

New clause 44A:

Dr LETTS: I move that new clause 44A be inserted as circulated in schedule 101.28.

Previously we did not provide a power of delegation to the director and this new clause 44A will provide that power.

New clause agreed to.

Clause 45 agreed to.

Clause 46:

Dr LETTS: I move the amendment to clause 46 as circulated in schedule 101.29.

This is merely a formal amendment that follows on a change of government from when this bill was first drafted, and the different ministerial and departmental arrangements which apply following that change of government.

Amendment agreed to.

Dr LETTS: I move that clause 46 be amended as circulated in schedule 101.30.

Amendment agreed to.

Clause 46, as amended, agreed to.

Clause 47 to 49 agreed to.

Clause 50:

Dr LETTS: I move that clause 50 be amended as circulated in schedule 101.31.

This will insert in subclause (2) the words "or fail to comply with his obligations under section 93A". This is exactly the same type of amendment as we agreed to before in relation to the director's position. In this case, it applies to other members of the commission. If they fail properly to disclose their pecuniary interest in a matter under discussion, this would provide grounds for dismissal from the commission.

Amendment agreed to.

Clause 50, as amended, agreed to.

Clause 51 agreed to.

Clause 52:

Dr LETTS: I move an amendment to clause 52 as circulated in schedule 101.32 and 101.33.

This involves inserting after subclause (1) several subclauses which combine to have the effect of spelling out in somewhat greater detail the procedures for commission meetings. In the first version that was before us, we did not have a time span for calling a meeting and we did not have a requirement for keeping records of proceedings and so on. These are fairly normal meeting procedures but it is advisable to have them there in relation to the commission so that there is no hanky-panky.

Amendment agreed to.

Clause 52, as amended, agreed to.

Clauses 53 and 54 agreed to.

Clause 55:

Dr LETTS: I move that clause 55 be amended as circulated in schedule 101.34.

This inserts after "property" the words "or an interest in real or personal property". This is in order that the commission may, where necessary, mortgage property. The Reserves Board in the past has had some slight difficulty because of the lack of a provision such as this and some disputations with the Auditor and Treasury as to their rights and entitlements. I understand that these words will remove that problem.

Amendment agreed to.

Clause 55, as amended, agreed to.

New clauses 55A, 55B, 55C:

Dr LETTS: I move that new clauses 55A, 55B and 55C, as outlined in amendment schedule 101.35, be inserted in the bill.

These clauses relate to traffic control on reserves, the display of traffic signs and the requirement to comply with such signs.

New clauses agreed to.

Clause 56:

Dr LETTS: I move that clause 56 be amended by omitting paragraphs (a), (b), (c), (t) and (z) from subsection (2).

The reason for the omission of all these paragraphs is that the bylaw-making powers and bylaws of the commission are intended to apply to reserves and park areas. The commission has no jurisdiction as a sort of subordinate legislature in relation to areas outside those transferred to its control, and to have left it as it was would have enabled the commission to make bylaws relating generally to the duties of rangers and the general protection and conservation of wildlife, not only in parks and reserves but throughout the Territory, and so on. The requirements to cover those areas is covered in the substance of the ordin-

ance in other places. The by-law-making power which is confined to reserves and parks will automatically be backed up by those other provisions of the ordinance in relation to the functions and duties of rangers and the protection and conservation of wild-life.

Mrs Lawrie: Including (z)?

Dr LETTS: Yes, paragraph (z) would have the same effect in that it would relate to licences and permits anywhere in the Northern Territory, not just in parks and reserves. They have that power elsewhere in the ordinance.

Mr WITHNALL: I do have a couple of comments to make on this, more particularly relating to the proposed by-law-making powers described in paragraph (s). In the report presented to this Assembly yesterday, the Committee on Tabled Papers and Subordinate Legislation referred to the possibility that some bylaws made by the Reserves Board concerning hang-gliding may be beyond power, and I think probably paragraph (s), which talks of the use of aircraft, may not be sufficient to cover hang-gliding and like sports which are becoming very popular. It is admitted that there are provisions relating to the regulation of the conduct of people on reserves in national parks but they may not extend to the conduct of people indulging in this sort of activity. I merely commend to the honourable member the provisions of paragraph (s) and ask him to give some consideration to the sufficiency of this clause.

Dr LETTS: Perhaps I did not follow the honourable member closely enough but I believe he was arguing the case for having hang-gliding included along with aircraft. In the amendment which I believe we agreed to yesterday, to clause 5, we included in the definition of aircraft the words "and including glider or hang-glider".

Amendment agreed to.

Dr LETTS: I move amendments to clause 56 as set out in schedule 101.37.

These amendments cover a number of additional bylaw-making powers. Most of these relate to the regulation of fishing in parks and reserves and are self-explanatory. They give reasonable powers for the commission to have full control of the regulation of the environment within its parks and reserves.

Mr WITHNALL: I refer to the proposed paragraph (bf) which relates to the seizing of fishing equipment, firearms, ammunition and traps reasonably suspected of being carried or used in contravention of a bylaw. If we are going to seize things under bylaws, we will also have to have a bylaw saying what is going to happen when we seize them. Section 80 of the ordinance does deal with the confiscation and forfeiture but it only deals with a case where a person is convicted of an offence against the ordinance and not against a bylaw. I suggest to the honourable member that, if bylaw-making powers are to extend to seizure, they should also extend to saying what should be done about the seizure and provide for some disposal of things seized.

I am not very happy, about a proposal to give a subordinate legislation making body a power to provide for seizure and for the eventual perhaps forfeiture and disposal of things seized. I accept the honourable member's statement this morning that the Subordinate Legislation Committee could very well oversee these things, but I would remind him that the Subordinate Legislation Committee has never thought and indeed is not I think empowered - to criticise legislation or bylaws or regulations on the basis of policy. That committee is not a policy-making body, nor is it a body which overrides or oversees policy, it is a body which deals with the form of the legislation and with such things as excesses in legislation which occur when somebody proposes a bylaw or regulation which, although not beyond power, clearly transcends the duties which one always associates with those legislatures even though they be subordinate legislative bodies. I suggest that perhaps paragraph (bf) goes too far, but if it is to be

accepted it will most certainly need some assistance from other parts of the ordinance.

Dr LETTS: I believe that wardens and rangers operating under bylaws within the park and reserve area will at times, in the carrying out of their duties, need to undertake the seizure of equipment being carried or used in contravention to the bylaw. I have no doubt that some power in that direction is required. I draw the honourable member for Port Darwin's attention to proposed new clause 99D which is on page 26 of the circulated consolidated amendments: "Where a person seizes an article under a bylaw, he shall, as soon as practicable, deliver the possession of it to the director or to a person nominated by the director to receive possession. The director or nominated person may retain possession of the article for 30 days from the date of its delivery to him or, if a prosecution in respect of the article is instituted within that time, until the prosecution is disposed of".

Mr Withnall: I would have been grateful if the honourable member had referred to that when he introduced the bylaw-making power.

Amendments agreed to.

Dr LETTS: I move that clause 56 be amended by omitting from paragraph (d) the word "sanctuaries".

It was the intention yesterday to delete the word "sanctuaries" from the previous clause, a clause which in fact has been postponed for further consideration. At some time, we may need to have a further look at the sanctuary clause but I think perhaps the honourable member for Port Darwin may have given further consideration to the matter in the light of a provision which I drew to his attention yesterday. Before a plan of management is laid down, the commission may take steps to control, regulate and administer areas under their jurisdiction virtually in any way they see fit pending a plan of management. This is the type of argument I will be using when we come back to discussion of that clause.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 56 as circulated in 101.40.

This involves a restructuring of paragraph (g) in relation to trespass to provide for removal on reasonable grounds.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 56 as circulated in schedule 101.41.

This is a further bylaw-making power in relation to prevention or control of nuisances in parks and reserves and the fouling of water in parks and reserves.

Mr WITHNALL: I merely rise to ask if there is any way in which the honourable member can indicate to me what sort of bad conduct is supposed to be controlled by the word "nuisance". Nuisance in common law is very well known but the word "nuisance" is used in many ways in the English language and it would appear that there is no practical limit to the ambit of this bylaw-making power. Nuisance could amount to anything at all and could even relate to the conduct of somebody who was described by somebody else as being a damned nuisance. I suggest that the word "nuisance" should be subject to more careful definition.

Dr LETTS: The honourable member for Port Darwin has on several occasions brought into this legislature ideas and legislation in the area of nuisance. I would not attempt off-the-cuff to suggest to him the full range of things which might constitute a nuisance. In an area that was set aside as a camping site within a park, if someone was making an unreasonable noise at 2 or 3 o'clock in the morning, I suggest that sort of thing might constitute a nuisance to the rest of the occupiers of the camping area and that some provision in the bylaw-making powers for a warden to take action in relation to it might be reasonable.

Amendment agreed to.

Dr LETTS: I move that clause 56 be amended by inserting in paragraph (m) after "entering" the words "camping in".

Amendment agreed to.

Dr LETTS: I move a further amendment to clause 56 as circulated in 101.43: insert in paragraph (o) of subclause (2) before "providing" the words "regulating or prohibiting".

That clause will now read, "Regulating or prohibiting and providing for the imposition and collection of charges for various services, parking, mooring vessels, landing aircraft and the use of vehicles ...".

Mr WITHNALL: With great respect, I think the amendment would result in paragraph (o) reading: "Regulating or prohibiting and providing for the imposition and collection of charges". I wonder why he wants to have a bylaw prohibiting collection of charges?

Dr LETTS: I am not too sure whether I am right in the explanation which I am going to give the honourable member. There will be provision in relation to parks and reserves under the control of the commission for certain services and facilities to be leased out to other operators on some agreed terms. The use of the word "prohibiting" there is because you have subleases within the park for the purpose of providing a service and, if a person wants to make a charge for one of these things, he can be stopped from doing so. I would have to check this with my advisers.

Mr Withnall: That would be a matter for the lease and sublease itself.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 56 as circulated in 101.44.

This is in relation to the concept of on-the-spot fines in parks which is a a very common practice in national parks around the world.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 56 as circulated in schedule 101.45.

The bylaw-making power as originally drafted related to the taking of animals into or out of reserves but we now add to it the concept of controlling animals while they are in the parks or reserves.

Amendment agreed to.

Clause 56, as amended, agreed to.

Clause 57 agreed to.

Clause 58:

Dr LETTS: I move that clause 58 be amended by omitting the present subclause (1) and substituting a new subclause in its place as circulated in 101.46.

This is quite an important amendment. As the subclause previously read, the commission could assist and cooperate with Aboriginals in managing land to which the section applied for the purpose of protection and conservation of wildlife on that land. The sense of the wording there was largely to leave the initiative completely with Aboriginal people and that, on their initiative, the commission might provide assistance. However, there are a number of areas involving Aboriginal land which are also very vital wildlife areas in the Northern Territory; they are either breeding grounds or refuge grounds or have some special importance. While Aboriginals are generally very conservation conscious, the actual scientific significance of a particular site may not be known to them and, without in any way taking away from them their rights in respect of their own land, the redrafted subclause (1) will provide for the commission to take certain initiatives in approaching Aboriginal groups where there is a common interest or where the expert management and assistance of the commission might be desirably applied.

Mrs LAWRIE: In having a look at the proposed amendment to clause 58(1), one

has to read it in conjunction with clause 58(2). I ask the sponsor of the bill if he has discussed this provision with the present Minister for Aboriginal Affairs or with any senior officer of the department and, if so, what their comments were because 58(2)(a) says: "After consultation with such Aboriginals, if any, as in the opinion of the Administrator in Council have traditional rights in relation to that land". There is a system operating at the moment, and we believe it will be validated by federal law, where we have a commissioner determining which Aboriginals have traditional rights to the land but, in this subordinate legislation, we now have the Administrator in Council making such determinations. Read in conjunction with the proposed amendment what, if any, have been the comments of the Department of Aboriginal Affairs?

Dr LETTS: I have not had any specific discussions with the officers of the Department of Aboriginal Affairs on this bill or this provision. I imagine, although I cannot say this definitely, that officers of the Department of the Northern Territory in the wildlife field who have an interest in this legislation have had from time to time such discussions on the generality of the community of interest between the wildlife authority and the Aboriginal people. As the whole of this bill now represents consultation with the Department of the Northern Territory, there was no doubt some indirect content of overall government policy in relation to Aboriginals.

An Aboriginal Lands Bill could be introduced in the Federal House this week and its passage will set down quite specifically certain land as being Aboriginal land. In addition to that, it will provide almost certainly for a commissioner to make determinations on land other than that which is originally prescribed, as it were, as Aboriginal land. Once it has acquired that status, then clearly it is Aboriginal land under a federal act, no matter what Northern Territory law says, and the Administrator's Council, in any consideration of land in which Aboriginals have traditional rights, would be bound to take notice of that federal law. The commission, in subsection (2) is obliged not to take action in relation to assisting and co-operating with Aboriginals except in accordance with an agreement between the commission and - in the case of land vested in Australia - the Administrator in Council and the Minister of State for Aboriginal Affairs; or - in the case of any other land - the person in whom, or body in which, the land is vested. So if the land is vested in Aboriginals, we will have to consult them. If it is still unalienated, still vacant crown land the property of Australia, we have to consult the Minister of State for Aboriginal Affairs where there is an Aboriginal interest. Outside that, if there are any other areas where, in the opinion of the Administrator in Council, Aboriginals have traditional rights, we have to consult them too. I think it covers the full list of possible circumstances.

Mrs LAWRIE: The one thing we do not want to see is this legislation being passed and then returned from the Governor-General with suggested amendments which will take another 3 months because someone has not tidied up what I think might be a little bit of sloppy drafting. In a bill as complex as this, that is only to be expected and I ask quite specifically whether the Department of Aboriginal Affairs have been consulted because my fear is that, through a lack of consultation, which could take place within the next 12 hours or so, the whole bill could be returned on as small a point as this which the department might think highly significant. I am not against the concept.

Mr WITHNALL: Nor am I, but I would like to raise another quite small question really. Paragraph (c) of subsection (4) says that the section applied to any land occupied by Aboriginals. I presume the bill is to be confined to any other crown land occupied by Aboriginals because I could not see that mere occupation ought to give this section application. It does however say "any other land", It would seem that in the long run mere occupation could confer an authority on the commission.

Further consideration of clause 58 postponed.

New clause 58A:

Dr LETTS: I move that new clause 58A as circulated in schedule 101.47 be inserted.

By this clause the commission would be empowered to negotiate with non-Aboriginal landowners for protection of land and wildlife. It may do this in relation to particular features of interest which occur at times in the Northern Territory on land alienated for pastoral leases or for other purposes.

Mr WITHNALL: I applaud the proposal.

New clause 58A agreed to.

Clauses 59 and 60 agreed to.

Clause 61:

Dr LETTS: I propose to amend clause 61 by the omission of paragraph (a).

The commission's finances in the normal course of events, as with other institutions, will be controlled by its budget, by the normal budget submission and approvals and the requirement to get approval for variations. It is not considered necessary that any specific ceiling of this type should be put into that section 61(a).

Amendment agreed to.

Clause 61, as amended, agreed to.

Clause 62 to 67 agreed to.

Clause 68:

Dr LETTS: I move an amendment to clause 68 as in schedule 101.49, to add to the grounds for dismissal the same ground as we previously applied in relation to the director and members of the commission. That will make it consistent through the various levels of operation of the commission.

I take the opportunity, in speaking to this clause, to say a word or two about the whole part relating to the Territory Parks and Wildlife Advisory Council. There was at the departmental level some questioning whether an advisory council would still be necessary in relation to this legislation, with the setting up of the new statutory authority and the various changes that were being made. I argued that the form of public involvement which an advisory council represented was most desirable; indeed, in my thoughts, essential to legislation such as this. It enables other organisations, bodies which have shown an interest in the conservation field, to put forward names for selection and appointment to an advisory council. By using it to obtain some geographical spread of interest in the Northern Territory, one can be sure that people throughout the Territory are informed as to what is happening and that the commission in turn is informed about the views of people throughout the Northern Territory if the composition is wisely chosen.

Amendment agreed to.

Clause 68, as amended, agreed to.

Clause 69 agreed to.

Clause 70:

Dr LETTS: I move that clause 70 be amended as circulated in schedule 101.50.

This provides for intervals between meetings not exceeding 6 months instead of 3 months. If the Administrator's Council does its job wisely and seeks representation from various interested groups throughout the Territory, members will have to be brought together for the meetings. From my own experience in relation to the Wildlife Advisory Council, we used to meet twice a year and, in later years, this degenerated to a stage where the Wildlife Advisory Council was only meeting once every 2 years and ceased to become a responsible and useful body. When we met twice a year, we did do quite a bit of work and established certain policies in relation to the administration of the legislation which are still standing. I think that is a reasonable interval and they can meet more frequently should they so desire.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 70 as circulated in 101.51.

This inserts a power for members to call a meeting of the advisory council if they so desire.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 70, as circulated in 101.52.

This will require the council to keep a record of its proceedings.

Amendment agreed to.

Clause 70, as amended, agreed to.

Clause 71 and 72 agreed to.

Clause 73:

Dr LETTS: I move that clause 73 be amended as in 101.53.

As presently expressed, the Administrator's Council would have to approve each individual who comes up for employment. The amendment will give the Administrator's Council the power to determine an establishment, as it were, and to leave the commission the right to employ persons to that establishment strength.

Amendment agreed to.

Clause 73, as amended, agreed to.

Clause 74:

Dr LETTS: I move that clause 74 be amended by omitting the words "with the consent of the Administrator in Council" and substituting "subject to section 89(2)".

This removes the need for the commission to refer each question of engaging services to the Administrator's Council. The requirement of the commission is to comply with budget approvals given by the Administrator's Council and to work within those budget approvals. I do not think that we need to tie them down to the extent that the previous wording of clause 74 did.

Amendment agreed to.

Dr LETTS: I move an amendment to clause 74 as contained in 101.55.

Amendment agreed to.

Clause 74, as amended, agreed to.

Clauses 75 to 78 agreed to.

Clauses 79 to 83:

Dr LETTS: I propose to amend the bill by inviting the committee to defeat these 5 clauses with a view to inserting other clauses. They cover the powers for wardens and rangers and it is believed that the new clauses will be more effective. The new clauses are in terms recently approved by the Assembly as the powers of rangers under the Wildlife Ordinance. There is still a need for wildlife wardens and rangers to have adequate powers and, listening to the news of the last day or so when birdcatchers were operating right under my own nose in the area of Batchelor, it is a situation which is likely to grow rather than decrease. Australian native fauna becomes more valuable for the smuggler and trafficker and I am afraid we are always going to have these kinds of activities. Therefore, these wardens and rangers do need better powers than contained in the original draft. I invite defeat of that group.

Mr WITHNALL: I accept the principle behind the honourable member's statement. I agree that searching without warrant is something that ought not to appear in any legislation but, unfortunately, in the circumstances in which this ordinance is likely to operate, I think that to require someone to get a search warrant would work to render the administration of the ordinance completely otiose. I do accept the limitations which the honourable member is proposing to put upon the powers which are given to wardens under the proposed new sections but I am still uneasy and ask the honourable member if he can explain the proposed subsection (2) of new section 80.

The CHAIRMAN: Order! Those clauses

have not yet been moved as new clauses. We are debating the existing clauses.

Mr WITHNALL: I am well aware of that, Mr Chairman. On a point of order, may I remind you that, if the proposed new clauses are unacceptable, then one should not vote for the defeat of the clauses now. It is in order to elucidate what is proposed to be put in place of those clauses to be defeated. I ask the honourable member therefore to explain his view of the sorts of directions that may be given by the director in subsection (2) of proposed section 80.

Dr LETTS: I am unable to give a satisfactory explanation of that particular application at this stage. If the 5 clauses are defeated, I would be quite happy to postpone the final consideration of those substitute clauses so that any questions of this nature can be considered and a satisfactory explanation supplied. I am unable to satisfy him at the moment.

Clauses 79 to 83 negatived.

New clauses 79 to 83:

Dr LETTS: I move that the bill be amended by inserting new clauses listed under schedule 101.57.

Mr STEELE: I move that further consideration of the proposed new clauses be postponed.

Mr WITHNALL: I have already indicated my position on these clauses. I do not like searching or arrest without warrant. I recognise that on some occasions it is necessary. I recognise that, because of the way in which this ordinance will have to be enforced, a power of arrest or the power of search without warrant is almost impossible to avoid. I applaud the honourable member's attempt to place limitations upon these powers of arrest and I applaud the idea which is contained in subsection (2) to which I have already referred. I may say to the honourable member that I regard it as a very useful innovation but I always like to obtain from persons who are introducing legislation into this Assembly some sort of idea which, while it will not amount to an undertaking, may amount to the foundation for future practice as to how the particular section may be implemented. It is merely for that reason that I want the honourable member to suggest to me the - if I can use a word I do not like - parameters within which the director may provide conditions to the exercise of the powers under this section by arrangement.

Motion agreed to.

Clauses 84 and 85 agreed to.

Clause 86:

Dr LETTS: I move that clause 86 be amended as in 101.58 to omit the words: "other than moneys referred to in section 85(2)". There is no section 85(2) and this is a formal correction.

Amendment agreed to.

Clause 86, as amended, agreed to.

Clause 87 agreed to.

Clause 88:

Dr LETTS: I move that clause 88 be amended by inserting in paragraph (b) before "invest" the words "except with and subject to the approval of the Administrator".

The effect of that will be to enable the commission, with the approval of the Administrator, to invest funds not immediately necessary for carrying out duties during its budgetary year. This is a fairly standard and prudent provision for statutory bodies to be able to benefit from funds not in immediate use.

Mrs LAWRIE: I have been waiting with some interest for this proposed amendment to come up and my question is whether there are any other statutory bodies in the Northern Territory presently operating in this way?

Dr LETTS: I think there are a number. Certainly I believe that the Darwin city council and the Alice Springs council, for example, invest money in short-term interest-bearing

loans and investments with banks and so on in order to get more money while waiting to spend it, as it were. That I believe is a fairly standard practice.

Amendment agreed to.

Clause 88, as amended, agreed to.

Clauses 89 and 90 agreed to.

Clause 91:

Dr LETTS: I move an amendment to clause 91 as circulated in 101.60.

This would remove the words "as soon as practicable" and substitute a statutory limitation of 6 months on the provision of the commission's report. Strangely enough, I thought the words "as soon as practicable" were probably fairly standard for the course but the departmental people and, particularly the Reserves Board, were very strongly of the view that the statute should put a requirement on themselves virtually to come up with a report within a reasonable time and to define that reasonable time as being no more than 6 months. The board is proud of its record in this area and it is also conscious of the fact that there are a number of bodies in the Northern Territory which have a statutory obligation to furnish annual reports either to this legislature or to other places and which often fall down on the job and sometimes get 1, 2 or more years late in the process.

Amendment agreed to.

Clause 91, as amended, agreed to.

Clauses 92 and 93 agreed to.

New clause 93A:

Dr LETTS: I move the insertion of a new clause 93A as circulated in schedule 101.61.

This provision has already been discussed quite extensively. It concerns the requirement for members of the commission, the Advisory Council and the Director of Parks and Wildlife, to disclose any pecuniary interest they may have in matters coming before the commission. This is in other legislation such as the Darwin Reconstruction Act. This is a very sensitive area and when we have a commission dealing with land amongst other things, it is essential that we include this provision.

Mrs LAWRIE: I agreed with the principle but I do not understand the reasons for the definition under 93A(1). It is pretty convoluted prose: "A member of the commission or a member of the council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the commission or the council, as the case may be, otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than 25 persons and of which he is not a director". Why that limitation?

Dr LETTS: The honourable member for Nightcliff has raised a question which I raised myself and which several other people who have looked at this draft legislation have raised with me. Clearly there has to be some limit as to how indirect a person's interest can be that would make him completely withdraw from a field of operation.

I remember the case of one Colin Adams who was very meticulous in his observance of the fact that people working in an official capacity in the mining administration field should not hold any shares or interest in any company dealing in mining. I am sure that Mr Adams was very scrupulous in this regard. I remember coming across him in another place nearby here one morning, looking very sorrowful, and I asked him what the trouble was. He said, "Since they are having trouble raising money to get Gove bauxite off the ground, they have again issued invitations to Australian companies to participate and AMP has decided to take up 2 or 3 percent of the shares. I took out an AMP life assurance policy 30 years ago and now I am going to have to cash it in". I said, "Adams, you are out of your mind. The ethics of your job would never demand that kind of extreme denial of interest". Somewhere the line had to be drawn and it was the legal draftsman's advice

that that was the normal place at which to draw the line.

Mrs LAWRIE: I thank the Majority Leader for his explanation but I do not accept it at all. I think it is not a sufficient safeguard and he might as well do away with most of the clause. I agree with the insertion of this disclosure of interest all the way along; I think it should be far more widely applied and I would also apply it to members of various parliaments. Although you may have a model in the Public Service Act, that act is not of itself an instrument which is beyond reproach. Surely there could have been some other system where, if it was a fringe interest, the commission then could decide whether in fact it was of sufficient importance to be taken as an interest or whether it could be discarded within certain guidelines. This guideline is far too broad. It will pose more problems than it solves because, with the disclosure of interest all along, the public will feel that they are being safeguarded, that things will not only be right and proper but shall be seen to be right and proper, but when we come to the definition of this new clause and what is meant by declaring one's interests, it does not go far enough. It is far too open.

Dr LETTS: The officers of the Department of the Environment in recent discussions initially raised this point. When I advised the draftsmen, they were then quite satisfied with the drafting of the clause as it was but the point is that the members of this Assembly have to satisfy themselves too. I am prepared to postpone further consideration of 93A until we have had a chance to have another look at it.

Further consideration of clause 93A postponed.

Clause 94 agreed to.

Clause 95:

Dr LETTS: I move that clause 95 be amended as in 101.62.

This adds a subclause requiring the director, who has been given the power to issue licences for scientific institutions, universities and expeditions to collect and to conduct research in the field of fauna and flora, to bring such licences to the notice of the commission by tabling them before the commission at the next subsequent meeting. This is an extra safeguard to stop a director who might get off the rails looking after his own buddies or issuing licences over and beyond the range which the commission would wish him to do.

Amendment agreed to.

Clause 95, as amended, agreed to.

New clause 95A:

Dr LETTS: I move the insertion of new clause 95A as contained in schedule 101.63.

This will give the commission the power to enter land and investigate its suitability for use under this ordinance as a park or reserve. If any damage is done during that entry and investigation, rights of compensation are provided for in the new clause. I simply draw the committee's attention to the fact that this is exactly the same as the existing provisions in the National Parks and Gardens Ordinance of the Northern Territory which have been there for many years and I do not think have led to any untoward sequelae or any problems.

Mr WITHNALL: I do not anticipate any trouble with the clause but I merely raise the question of what is supposed to be private land within the meaning of subsection (2) of the proposed new section. In many ordinances of the Northern Territory, leased land is not private land; it is said to be crown land under lease. The Mining Ordinance in particular considers all land to be crown land under lease. Yet those leases are referred to in the Mining Ordinance itself under its specific definitions as private land. I do not know what meaning "private land" will be given here, but I suggest to the honourable member that it might be just as well to be sure of what he really does mean.

Dr LETTS: As far as I am aware - and

I think I am right in saying this - the term "private land" is exactly the term used in current legislation in the National Parks and Gardens Ordinance of the Northern Territory.

Mr WITHNALL: That does not justify it.

New clause 95A agreed to.

Clause 96:

Dr LETTS: I move amendments 106.64, 106.65 and 106.66 to clause 96.

The same principle applies in these several amendments proposed to clause 96, removing the references to sanctuaries and relating them to parks and reserves and protected areas, the land classifications which are the basis of this new legislation.

Amendments agreed to.

Dr LETTS: I move that clause 96 be amended by omitting from subclause (3) the word "means" and substituting "includes".

That is in relation to the definition of feral animals, including an animal of a domesticated species which is living in a wild state.

Amendment agreed to.

Clause 96, as amended, agreed to.

Clause 97:

Dr LETTS: I move that clause 97 be amended as circulated in schedule 101.68.

This is the area of the legislation which was subject to a good deal of discussion by the officers of the Department of the Northern Territory, the officers of the Reserves Board, the Department of the Environment and myself. The old Wildlife Conservation and Control Ordinance contained provisions which were translated into clause 97 of the original bill, whereby the owner or occupier of a garden or field in which there was a crop may defend his crop against the intrusion of animals, whether they be protected animals or not. In the revised version of clause 97, that concept is maintained but an attempt has been made to introduce a further thought into it: where an owner or occupier has to destroy an animal in defence of his crop and land, the animal does not necessarily have to be completely wasted if it is reasonable to put it to an economic use.

This is a very difficult area to attempt to legislate in. The kind of situations that one comes across are fairly rare. We have a case of a man who had been trying for several years to grow rice down on the Adelaide River and, because he is more or less an island in a sea of wildlife, he has a very difficult task. Amongst the problem animals that he has, buffaloes, pigs and geese would be the common ones. He has to put a good deal of time, money and effort into trying to defend his crop during certain parts of the growing season. If he shoots some geese in the process of legally defending his crop, it seems reasonable that he would have some use of those geese which otherwise would be just left to rot on the ground. He should certainly be able to eat them himself and I suggest that he should be able to provide them as food for his employees or people who are associated with the project.

We have attempted to introduce that concept into this section and, at the same time, indicate our consciousness of the problems that exist in commercial trafficking of wildlife in Australia and the need to ensure that any use of a protected animal lawfully taken in this way is totally controlled and not in any shape or form subject to normal commercialisation, interstate trafficking and sale. That new clause represents our attempt to draft something suitable.

Amendment agreed to.

Clause 97, as amended, agreed to.

Clauses 98 and 99 agreed to.

New clauses 99A, 99B, 99C, 99D and 99E:

Dr LETTS: I move that the new

clauses circulated in schedule 101.69 be inserted.

These clauses provide that the moneys recovered by this ordinance shall be paid to the commission and that, in addition to other penalties that a court may order, it provides for action to be taken with regard to seized articles and the procedures for serving notices under the ordinance.

New clauses agreed to.

Clause 100:

Dr LETTS: I move an amendment to clause 100 as circulated in 101.70.

Clause 100 provided for the traditional use of land by Aboriginals for food gathering, sale, ceremonial and religious purposes, a common type of provision in Northern Territory legislation. I have now attempted to add a definition of what does not constitute traditional use and hunting methods for Aboriginal people. It provides that traditional methods do not include the use of vehicles or firearms. I think that the use of those methods is against the concept of traditional use; by using vehicles and firearms it is possible to engage in a much greater destruction of wildlife and environment than Aboriginals ever caused with their traditional methods.

Mrs LAWRIE: I would have thought that the Majority Leader would have expected me to query paragraph (b) where it is going to be an offence for an Aboriginal not only to have possession or be using but to be in the company of a person who has in his possession or is using a firearm. That is taken as evidence that he is not continuing the traditional use of the land. I think that has to be looked at again. Fair enough, I agree with the concept that if it is to be traditional use that does not include 4-wheel drive vehicles and a submachinegun. But to make it incumbent upon them to ensure that someone with whom they happen to be does not have even a concealed weapon is going a little bit too far and using a sledgehammer to crack the proverbial peanut. Perhaps it could be related to being with a person who was unlawfully using a weapon but this provision operates even if they are with someone who has a weapon in his possession. How on earth is an Aboriginal to satisfy himself that it is not going to occur unwittingly and unknowingly?

Further consideration of clause 100 postponed.

Clause 101:

Dr LETTS: I move an amendment to clause 101, as in schedule 101.71, to add provision for making regulations in relation to zoological gardens, menageries and aviaries. This area for regulation-making provision was overlooked in the original draft; it should be there and is now included.

Mrs LAWRIE: I am not rising to oppose this, I am only saying that if it is to be a regulation-making power to regulate these particular things - zoological gardens, menageries, and aviaries - there should be a definition of those 3 things inserted in the definition section. As we are going to reconsider the bill tomorrow, I hope that that too will be looked at overnight.

Dr LETTS: Fair enough.

Amendment agreed to.

Clause 101, as amended, agreed to.

Schedule agreed to.

Progress reported.

POLICE AND POLICE OFFENCES (APPOINTMENTS VALIDATION) BILL

(Serial 125)

Bill presented, by leave, and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

Prior to the gazettal of Regulations 1974 No. 19 on 29 August 1974, qualifications for appointment to the police force contained, amongst other things, the following requirements, all set forth in regulation 16 of the principal police regulations: (a) an

age restriction between 21 and 30 years for new recruits or 21 and 35 years for persons with previous police experience for male candidates; (b) an age restriction between 25 and 35 years for female candidates which could be waived in cases of previous service in a force, and - horror of horrors - (c) an unmarried or widow status without dependants for female candidates. In addition, a policewoman was not able to remain in the force after her marriage during her professional career without special dispensation by the Minister and warranted by reasons of public interest.

By early 1974, it was fully realised by all interested parties that these restrictive and discriminatory provisions no longer served any useful purpose. Accordingly, on instructions from the Attorney-General's Department, then responsible for the administrative control of the force, a set of regulations was prepared by the legislative draftsman purporting to remedy the situation. This draft was then considered by the Administrator's Council which subsequently advised the Administrator to make regulations in accordance with the draft. However, through an error, the copy draft presented to the Administrator for signature omitted the provision repealing the age restrictions on policewomen's appointments. Thus, by signing the defective draft into regulations, the Administrator has inadvertently acted in contravention of his Council's advice.

Now under the provisions of the Administrator's Council Ordinance, where the Administrator does act, whether by mistake or purely on technical gounds, contrary to the advice of his Council, he is bound to cause a statement of reasons to be laid before the next sitting of the Legislative Assembly. Failure to do this would, in the opinion of the Attorney-General's Department, nullify the act and effects of the act. In this case, the Administrator has signed a defective set of regulations which were not in accordance with the set on which he received his Council's advice on 20 August 1974. The next sitting day of the then Legislative Council was on 21 August but no statement of reason was tabled. Instead, the defective set of regulations were duly tabled as regulations properly made and were not subsequently disallowed.

In the view of the Attorney-General's Department, the Administrator's failure to table a statement of reasons on 21 August 1974 had the effect of nullifying the regulations made by the Administrator the day before. Regulations based on the first draft and failing to remove the age limits on candidates for policewomen's appointments were gazetted on 29 August 1974 and subsequently bulk printed for distribution. The error, not as to the validity but as to the omission to remove age restrictions against policewomen as candidates, was not discovered until several weeks after the regulations were supposed to come into force. An attempt was made by the Attorney-General's Department to have the matter rectified and a second or correct set of these regulations, as approved by the Administrator's Council, was resubmitted to the Administrator who signed it on 23 December 1974. Whether the Administrator's signature to the correct and approved draft on 23 December 1974 could have brought about the validity of these regulations, now seems to be immaterial. Even if they had been validly made on that date, they would have been lost for failure of tabling on the first day of the first post-cyclone meeting of the Assembly.

Under the provisions of the Interpretation Ordinance, all regulations which are not laid before this Assembly on the first sitting day after they have been made are void and of no effect. You, Mr Speaker, and those honourable members who attended the first sitting day of the Assembly in January 1975 will appreciate that no department or departmental officer could be blamed for failing to table these regulations on that day. However, the practical result of failing to table a statement of reasons on 21 August 1974 and probably to table the correct set of regulations in January 1975 is that Regulations 1974 No. 75 are a nullity and the principal regulations stand as they were prior to August 1974; that is, with the age limits and discrim-

inatory provisions included and still in force. The problem is, however, that in the meantime, since August 1974, everybody, including former Attorneys-General, have acted as if the amending regulations have been in force. I am informed that several appointments to the police force have been made outside the prescribed age limit and in at least one case an active policewoman has married, with the honourable member for Nightcliff's assistance, without the Minister's special approval.

I am informed that there are serious legal doubts about the validity of their appointments and, although they might have acted in good faith and according to the book at all times, they might not be able to claim the protection of the police badge for acts performed in the course of their lawful duties as members of the force. Furthermore, the defects in their appointments may have adverse effects on their public service career and pension entitlements. I am informed that the Department of the Northern Territory, in collaboration with the Commissioner of Police, is preparing an early submission to the Administrator's Council regarding the introduction of regulations which will abolish all age and sex discrimination within the force. Such regulations however could not legally validate the appointments already made and the acts performed pursuant to the regulations which, in the view of the Attorney-General, are void or subject to serious doubt.

The purpose of this bill is to ensure that regulations may be made which are both valid and effective and capable of operating retrospectively from 29 August 1974, the date on which the original regulations were approved but not correctly made. The bill merely empowers the Administrator's Council to make specific regulations with that retrospective application. The making of the regulations will restore the position with respect to the appointments and actions of the concerned members of the police force.

There is every justification to avail ourselves of the parliamentary procedure provided for the speedy and efficient passage of measures considered to be of great urgency in the public interest. This bill I consider to be one of those measures. I commend the bill.

Debate adjourned.

ORDINANCES REVISION BILL

(Serial 124)

Bill presented, by leave, and read a first time.

Miss ANDREW: I move that the bill now be read a second time.

The legislative drafting office has been preparing manuscript for the consolidation of the laws of the Northern Territory as at 31 December 1976. As part of the preliminary work for this consolidation, it will be necessary to have an Ordinances Revision Ordinance. The draftsman has been keeping notes of formal errors in ordinances with a view to drafting an Ordinances Revision Ordinance later this year. Six months ago, the draftsman advised that the Government Printing Office in Canberra was able to take work from Darwin for reprinting Northern Territory ordinances. At this time, it was not possible to give the printer all the manuscript for a full consolidation, but the draftsman immediately sent to the printer manuscript for the 23 ordinances that are most in need of pamphlet reprinting. Since that date, the draftsman has received back from the printer proofs of most of those 23 ordinances.

From time to time, the draftsman has rung Canberra to sort out delays that have taken place in printing. Last week, while making such a call, he learnt that the printing was being delayed because a number of the 23 ordinances were in need of formal revision. This bill is a bill to make formal amendments to those 23 ordinances. It has been drafted in a hurry and it does not pretend to amend every formal error in those 23 ordinances. Its object is only to remove sufficient of those formal errors to enable the pamphlet reprinting of those 23 ordinances to be speeded up.

A further Ordinances Revision Ordinance will be presented before the end of this year in preparation for the consolidation of all laws of the Northern Territory as on 31 December 1976. As all the amendments proposed in this bill are formal amendments, I feel there is no need to comment specifically on them one by one. I commend the bill.

Debate adjourned.

DECLARATION OF URGENCY

Mr SPEAKER: I have received a request from the Majority Leader that the Unit Titles Bill, the Freehold Titles Bill and the Real Property (Unit Titles) Bill be declared urgent bills. After consideration, I am satisfied that hardship could result from delays in the passage of these bills and accordingly I have declared them to be urgent.

UNIT TITLES BILL

(Serial 117)

Continued from 1 June 1976.

Mr EVERINGHAM: I rise to support these 3 bills. The Unit Titles Bill is, it seems to me, the principal one and I am pleased to support it because it will bring into effect certain provisions to enable people in the Northern Territory to get on with the building of strata title units. There is no point of principle involved in this bill, it is simply a matter of machinery and mechanics; the Unit Titles Ordinance will still in theory permit the stratifying of any type of building, providing that building complies with the terms of the ordinance and the building regulations.

I am also pleased to support your ruling, Mr Speaker, that this is an urgent measure because I believe it is. There are many people waiting to get on with the erection of this type of building, and it will do a great deal to alleviate problems of accommodation and possibly problems of people who are unable to afford to buy a house, or may not wish to buy a house but may much more conveniently and perhaps for less cost purchase a strata title unit as a dwelling.

It is unfortunate that for the time being, because the Freehold Titles Ordinance will not permit it, commercial land will not be able to be developed as strata titles. I hope we will see that come in the not too far distant future and the proposed amendment before us does not shut this out.

Mr ROBERTSON: I would like to lend my support and, in doing so, I would like to commend you, sir, on declaring this bill to be urgent. When the bill was first introduced by the now Senator Kilgariff, it gave rise to great expectations in many people's minds. I am aware of some very expensive parcels of land recently auctioned in Alice Springs in the order of $27,000 for residential A land that were purchased specifically by developers on the understanding that they had this legislation to work by. We then found a great series of delays in the administrative structure making up its mind about various real or supposed amendments. I personally cannot see why it could not have been brought into operation anyway, but it has been seen fit to make these apparently necessary amendments. I would like to thank the Executive Member for Finance and Community Development. His efforts in regard to this bill have been untiring; it has been a rather outstanding performance. The honourable member has had an awful bashing from the member for Gillen; I think he probably has been subjected to some 20 or 30 trunk calls over this. Over the last 6 months, he has never been able to run into me without getting his ears bashed over it and he has responded very well. If the Executive continue to work in the manner in which he has approached this bill, then our progress towards statehood is going to be all the smoother.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

FREEHOLD TITLES BILL

(Serial 119)

Continued from 1 June 1976.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

REAL PROPERTY (UNIT TITLES) BILL

(Serial 118)

Continued from 1 June 1976.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

TRESPASSERS (TEMPORARY PROVISION) BILL

(Serial 122)

Continued from 1 June 1976.

Mrs LAWRIE: I did not realise that this legislation was coming on today but I am quite happy to indicate my support for it and, furthermore, my support for its urgent passage. Previously in this Assembly, we have seen criticism of such bodies as the Civil Liberties Council who were accused of making wild and unfounded statements in relation to the operation of the emergency Trespassers Ordinance. In retrospect, we find that their statements were not as wild and exaggerated as they were represented. Hence, we see amending legislation introduced and I think the sponsor also indicated that she would like an urgent passage of this legislation. I have had a good look at the previous legislation and I am certainly of the opinion that it needs the provision promised in this particular bill. It validates the comments of concerned members of this community who found a lot wrong with the earlier provisions of the legislation.

Mr EVERINGHAM: I rise to support the amendments proposed. In supporting the bill, I would say that representations were made in perhaps a less spectacular fashion for certain amendments to the previous legislation by the Law Society of the Northern Territory. I believe that the Executive Member has accepted the submissions of the Law Society when preparing these amendments.

My previous remark in this Assembly was that I considered the statement made by Mr Wesley-Smith on behalf of the Civil Liberties Council, and I make this statement on my own behalf, was entirely without justification. I am still quite satisfied that the magistrates were protecting the rights of people against whom proceedings were taken under this ordinance and I do not believe for one minute that our magistrates would not do this. These amendments are certainly being put forward but I do not think that, in the interim, any person has been in grave danger and I do not know of any case where any person's rights have been trampled on. It is our anxiety to make sure that no one's rights will possibly be trampled on that makes me support this bill. We can see that the definition of "trespasser" has been substantially amended. This, I think, will prevent any hanky-panky with notices to quit under the Landlord and Tenant (Control of Rents) Ordinance being given to tenants and then the argument being put forward that the notice was lawfully given, the person's tenancy is determined and he therefore becomes a trespasser and can be dealt with under the Trespassers (Temporary Provisions) Ordinance. This sort of argument has been disposed of. I do not think it has much validity in law but there are some people who are prepared to try these sorts of things.

The other principal improvement is that notice must definitely be given to the respondent to the application or at least the best possible notice as may be, and that is by affixing a copy of the notice or summons, or whatever it may be called, to a prominent part of the premises, and also by advertisement in the Northern Territory News. I do not really think one can be fairer than that. I do know that, in the past, and there have only been a total of 6 of these applications come before a magis-

trate, the magistrates have in fact written to these people who have been referred to as trespassers. I know of one case where the trespasser alleged an injustice, was written to and failed even to reply to the magistrate's letter or come near the court. I am satisfied that no wrong has been done but I want to try to see that there is no wrong likely to arise. The previous statements to which the honourable member for Nightcliff alluded were statements calculated to induce unneccessary panic on the part of people in this town and I consider that they were irresponsible.

Mr WITHNALL: The honourable member for Jingili has said that only 6 cases have come before the court. I think he might be prepared to agree with me that a very large number of cases did not come before the court because, by virtue of the existence of this ordinance, a number of people have been bluffed out of their tenancy or premises because they were not prepared to stand up to the landlord's view that they were trespassers. I know of some cases, and I do not propose to refer to them here, in which that has happened. Does the honourable member think that the ordinance should be used for the purpose of bluff or that it should be available in this way? This is a most extraordinary piece of legislation. It was proposed to meet a temporary situation and in my view that situation has long since expired and the ordinance should now be repealed. There is power in the Administrator's Council to cease its operation and I earnestly suggest that the operation of this ordinance should be ceased at the earliest possible moment.

The proposal before us now is to ameliorate the effects of the ordinance and I do accept that there was a great need for the ordinance to be amended because, in its former form, it permitted, in effect, the landlord to decide who was or was not a trespasser and no hearing was possible. The honourable member has said that the magistrates have protected persons against injustice, but the law did not and it had to go to administrative action before protection could be afforded. I know the magistrates were very concerned about the ordinance; I know that they understood very well the inequity and the problems that could arise if they enforced the ordinance according to its tenor. I welcome the amendment but I say that this ordinance should have been ceased long ago and it must be ceased now.

I have had circulated to me the schedule of amendments and I looked at the form which is proposed "To all trespassers". Surely the honourable member might be prepared to amend that expression to something a little bit more in accordance with the facts. There are, on many occasions, people who have a valid claim of right to be on the premises. Simply to address the notice "To all trespassers" and summon all trespassers to show cause why they should not be ejected is a piece of nonsense.

Dr LETTS: Mr Speaker, I move that so much of standing orders be suspended as would prevent you putting the question for the second reading of this bill and the passage of the bill through all stages during this sitting.

Motion agreed to.

Miss ANDREW: It would seem that the honourable member for Port Darwin's major criticism is directed at the principal ordinance. It was my understanding, in the quite lengthy discussions that went on before this bill was prepared, that the situation for which the legislation was first passed does still exist. Situations have come to my knowledge where people have found it impossible to get wrongful trespassers off their land. We are just doubly ensuring that the legislation will not be misused. I will undertake to look at the amendment that the member for Port Darwin has suggested.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT DEBATE

Dr LETTS: I move that the Assembly do now adjourn.

Mrs LAWRIE: I wish to refer to 2 matters. I asked the Executive Member for Finance and Community Development a question relating to the repair of government homes. He has paid me the courtesy of obtaining a reply from the Darwin Reconstruction Commission and handing it to me and he has no objection to my using the reply this evening. The official answer is that the Building Manual requires that, where a residence is more than 50 per cent damaged, the whole structure will be brought up to cyclone-resistant standards; and, where the damage is less than 50 per cent, the manual requires that the new work is according to requirements of the code - that is, to cyclone-resistant standards - and the balance of the residence requires no further upgrading work. If we just look at that particular anomaly standing alone, it shows that there has not been a great deal of care and thought put into such a decision. Obviously, the decision to thoroughly repair and upgrade any building more than 50 per cent damaged is a good one. However, if we have a building such as the one in which I am presently residing, which must be 49.5 per cent damaged, the decision is then that that damaged 49.5 per cent will be upgraded to cyclone-resistant standards and the other 50.5 per cent will be left, and we will still have an unsafe building. My worry is that public money is being spent on the repair of these buildings. If the repairs are not carried out satisfactorily and in a manner which will guarantee a substantial life for the entire building, it is nothing more than money wasted. Thus, 49.5 per cent of the building may stand up and the other 50.5 per cent will blow away. It does not appear to be a wise expenditure of public money.

The answer further advises us that there has been in the past a plan of waterproofing and tidying up of government residences as a first stage which would be followed by later upgrading, and that approximately a month ago the Department of Construction was directed to carry out the restoration and upgrading of residences in one stage in lieu of two. That is quite reasonable. We have passed the urgent tarpaulin or tin sheet over the missing window stage and we are now talking about doing both immediate repairs and proper repairs in one go. I approve of that too but I must advise the honourable Executive Member for Finance and Community Development that, notwithstanding this answer, that is not what is happening - at least, not in some government buildings in Nightcliff and Rapid Creek. They are having insubstantial repairs; they are having cosmetic treatment. A little bit of panelling is being replaced, the odd cupboard is being replaced and repainted, but there are no structural repairs or structural upgrading. My concern is that, given a decent blow and not even a cyclone, some of these places could collapse because they have already been under severe strain through Cyclone Tracy.

In my own case, let me assure the Assembly that I could not care less as I will be moving out of the place. I am only staying in it for a few months. But what about the incoming tenants? They will move into a home which has had a facelift but, in my humble opinion, it is going to be quite unsafe. If the DRC and the Building Board are going to insist that private people repair their homes to a specific standard and code, it is only correct that public buildings be repaired to the same standard and code. Anything less makes a farce of the whole program of upgrading and repair and cyclone-resistance.

Having delivered myself of that, I would like to revert to something dear to my heart. The Community Health Centre at Nightcliff was the subject of some questioning this morning and honourable members will be aware that this Assembly had the opportunity of inspecting the facilities at the Darwin Hospital and that there were some very unfavourable comments following and preceding that inspection. In my opinion, the bitterness should have been reserved for what has not been done at the various community health centres. The hospital is reasonable. The staffing problems are acute but there has been a reasonable attempt to get that hospital going.

The greatest step forward in commun-

ity health was taken in 1974 when the then Labor Government decided to implement a system of community centres. In the previous Council, members asked about these community centres, where they were to be constructed throughout the Territory, how they were to be staffed and funded, etc. The Department of Health was then directly represented in this place and gave us a fair bit of information. The Community Health Centre at Nightcliff has been located since the cyclone in the Nightcliff High School under extremely adverse conditions, adverse not only to the health centre but to the high school itself which desperately needs the space presently occupied by the health centre.

There has been one good spinoff from this occupation and that is the bringing of the community into the high school and making the high school itself more of a community centre rather than a high school operating independently from the community. However, it is simply not capable of coping with a large number of citizens seeking assistance in that health centre. I have obtained statistics on the attendance and I am going to read them out because they deserve to be incorporated in Hansard. They paint a brilliant picture of what community health care is all about.

I will divide them into 2 sections: the casualty section of the Community Health Centre and the child health section. In the first week of January 1976, in casualty the attendance was 454 persons, in child health 142 - a total of 596 people. In the second week, there were 339 casualty, 86 child health, 425 total. In the third week, there were 403 casualty, 153 child health, total 556. In the fourth week there were 454 casualty, 151 child health, a total of 605. In those first 2 weeks, there was no medical officer on duty at all; in the third and fourth week, there was a medical officer on a sessional basis. For February, where we progressed to having one medical officer part-time and 2 afternoon sessions, in the first week, 551 people attended the casualty section and 169 child health, a total of 719. In the second week there were 539 casualty, 170 child health, total 709. In the third week there were 502 casualty, 153 child health, a total of 655. In the fourth week of February, 634 attended casualty, 196 child health, with a total of 830 people seen at that Community Health Centre. The final month for which I will give figures is March, at which stage we had one medical officer part-time and 4 extra sessions. For the first week in March, at casualty there were 500 attendances, child health 186, a total of 736; second week: 597 casualty, 156 child health, a total of 753; third week: casualty, 625 attendances, child health 181, a total of 833. In the last week for which I have figures, the casualty section had 706 attendances and child health 196 attendances, a total of 902 people in one week. If I can give an example of a specific day, on Monday 22 March, there were 166 patients, plus 52 child health attendances, a total of 218 people attended the clinic in 8 hours, and those figures do not include field work or school health programs.

If ever there was an indication of the value of a community health centre, it is represented in those bona fide statistics kept at the centre. It is a disgrace that this long-sought-after community need is existing in such poor circumstances. Through the want of a few lousy thousand dollars and a little bit of work, it has been prevented from moving into its semi-permanent occupation in Phoenix Street, Nightcliff. I have made representations to various government departments and it does appear to me that the Department of Health has done all it can but is at the mercy of other departments such as the Department of Construction and, for a while, they were all at the mercy of that benevolent government department, the Treasury.

If Treasury have come to the party, I think it is about time the construction authorities did likewise. We are not asking for the building of multi-million dollar structure; it is only a few thousands of dollars work now required before the community centre, already operating at a tremendous pace, can move into its semi-permanent and proper home. I suggest to the government

departments at present scratching their heads and finding ways of saving taxpayers' money that they would do well to provide a service to the taxpayer, one which they are enjoying and respecting and that is the Nightcliff Community Health Centre. I take this opportunity of congratulating the people servicing that centre: the medical staff, the senior sister in charge and her staff. I have attended; my children have attended. I have seen people there; they are receiving courteous, prompt, excellent attention. It is no fault of theirs that it cannot be provided in a better place.

Mr DONDAS: Once again, the honourable member for Nightcliff has hit on a very sore topic. Everything she said with regard to that particular health centre was true, with one execption. She should have added almost 3,000 people a week are going through there and there is no water - no water for over 3,000 attendances a week. That is absolutely disgusting and disgraceful. A lot of people have been working to have this particular situation rectified but they have been running into stumbling blocks between the Department of Health and the Department of Construction. Nobody wants to come to the party, nobody wants to help overcome a problem of this nature. They have already rented premises in Nightcliff and they have been paying rent on these premises since November 1975. The Department of Health cannot get the Department of Construction to work so there is a waste of public money there. The lousy few thousand dollars that they wanted for the partitions has been wasted in rent for the last 7 months. I had this particular item listed among the few things I was going to speak about in my adjournment speech today.

The Tiwi Mothers Home in my electorate was to be built prior to the cyclone for women to convalesce after childbirth. In other words, it was going to take the pressure off the Darwin Hospital. Immediately after the cyclone, as soon as they knew that things were going ahead in the northern suburbs, the contractors finished repairing and completing the building. I do not even know whether it has been handed over but I know that it has been completed for almost a year and it still remains empty. We have Nightcliff and we have Tiwi and nobody wants to accept the responsibility of getting these services back into operation. We cannot blame the cyclone, 18 months later.

Another area of complaint is overcharging. There was an item in the "Spot On" column in yesterday's paper which related to the price of cold drink cordial. It is only a small matter when you say soft drink, cool drink, but when you think that one place charges 30c and another place charges 60c, that is a 100% difference and is absolutely disgraceful, especially when you are talking about water with cordial. A gallon of cordial would possibly cost about $3 these days. In my day, it used to be $1.92. Four gallons of water and 1 gallon of cordial make 5 gallons which represents almost 100 8 oz glasses. We used to charge 10c a glass, which gave us a return of $10 but it only cost $1.92 for the cordial. Out of the balance we paid rent, overheads and so on, and the margin was reasonable. However, cordials are now only up to maybe $3 and they are now getting maybe 800%. I do not think that is right and I should know because it used to be my livelihood. I think that I was a fair operator in that respect.

This brings me to another area - freight. Whilst I was in Adelaide, I had the occasion to buy a small table and 4 chairs. The freight was $112 landed in Darwin. If I had known that, I would not have bought this small table and 4 chairs but whilst we were in Adelaide we visited a store, Le Cornus, and we were told that they had containers going up all the time, that there would be a small packing charge and the freight would be minimal. Finally, my goods arrived, 2 months later, and I got a bill for $112. Of course, I had a heart attack; I was not feeling too well. I made some general inquiries throughout the trade, Wridgeways, Grace Brothers and gave them the approximate dimensions of what I had bought. It should cost $50 or $60 at the most was all that they could say. They could not give it to me exactly because they did not want to come out

and measure the table, but on the dimensions that I gave them it would not have been any more than $60. So there is another rip-off. At the moment things are pretty grim.

I will describe another rip-off. A lady commissioned a carpenter to build cupboards for her in the kitchen and she got an estimate for the kitchen cupboards of about $3,500. She knew it was a little bit expensive but she did not mind because she knew that his work was good, so they negotiated and agreed upon a price. During the course of construction, she asked for some other work or alterations to be done in her house. They were carried out and of course she made a mistake by not asking how much the alterations were going to cost. However the bill came to something like 42 hours work at $15 an hour plus the materials. She could not work out how in the heck the little job that he did could take 42 hours, and after getting a bit excited and maybe having a yelling competition with this particular person, he finally agreed to knock 17 hours off. She paid him with a cheque and then found that there was something wrong with the cupboard door, it was not closing over the washing-machine properly, so she stopped payment on the cheque. The carpenter rang her up the next day and asked why she had stopped payment on the cheque. She told him he had not done the work properly and she wanted him to come and fix it up, otherwise she would not pay. So he came around and she paid him and then she found that she had to take the washing machine out of this particular cupboard because it was not working. She found behind the cupboard a great big hole, a big hole which cockroaches could crawl through. This lady did not want this. She had paid over $3,000 for the cupboards and there was one particular area which had a great big hole, so she stopped payment on the cheque again. The whole crux of the story is that he took 4 doors away to repair them and he is holding on to the doors and is not going to put them back until she gives him another $192. It is quite unlawful. She has already paid for them and the $192 she owes him is for another job. But he does not care; it is another rip-off. Where is it all going to end? I certainly hope the Executive Member for Consumer and Minicipal Affairs looks at some kind of legislation to protect people. I think that people should be protected.

Another area I would like to cover is the Home Finance Trustee. The Home Finance Trustee, in my opinion, is doing a very good job under the circumstances but it is not good enough for people in Darwin who are trying to rebuild. Home loans now are taking anywhere between 6 to 8 weeks for approval. This time of the year we should be all geared up because we still have 4 months of this dry season to go and people should be able to build their houses before the wet. It is not the Home Finance Trustee's fault. He has a very limited staff, and when you take into consideration that some are entitled to annual leave, some get sick, that some people want to change their jobs, he hasn't got a hope in hell of being able to provide the service that we require urgently.

The northern suburbs have worked very hard in the last 18 months to get where they are but it is becoming evident that work is starting to slow down because progress payments are taking so long to get through. Progress payments take anywhere between 8 to 10 weeks. It is not the fault of the Home Finance Trustee; he is doing his best but he hasn't got enough staff. Now if a person is trying to build a house and he is waiting 8 weeks to get a progress payment - and normally it takes anywhere between 5 or 6 progress payments - that makes 48 weeks to build a house and he is not going to make it through this dry season. In fact he will be luck if he is in before the next wet. What can we do about it? I do not know whether the members of the Assembly can support me, whether somebody can come up with a motion that we can give to the Department of the Northern Territory or give to somebody to say, "For God's sake, please give this bloke some more staff to work with".

A person rang me today. His application went in on 5 March. He rang me about 6 weeks ago and said, "Look, I've had my application in for a home loan". I said to him, "I think you will have to give it a couple more weeks because

they are pretty busy there, anywhere between 6 to 8 weeks". He rang me today and said, "The 3 months is almost up. Do you reckon it is a fair enough time now for me to ring them and bother them to find out how my loan is going because I am frightened of losing my builder and costs are going up 3 per cent a month?" He said, "I want to know where I am going. I want to know if I am at least going to have a chance of getting a roof over my head before this wet season. I have a small family of 3 children". He is really worried. He rang the Home Finance Trustee and they were unable as yet to tell him what section his application is in. I have undertaken to make some inquiries and find out for him, but if they had the staff they would be able to handle the inquiries and that is my argument. Something has to be done and it has got to be done very quickly to assist that department which will in turn assist the people who are trying to rebuild their homes.

I refer again to Block 8. I would like to refer, Mr Speaker, to a question you yourself asked. The question was, "Will the cafeteria in Block 8 remain after the emergency is over and, if so, is it intended to repair the floor, upgrade the facilities, install airconditioning and then escalate prices, or merely to repair the floor and leave the conditions and the prices as at present?". The answer was a very good answer, much better than the answer I got the other day from the Executive Member for Social Affairs. The answer is in the Parliamentary Record for June 1975, a year ago, and says:

The cafeteria in Block 8 Mitchell Street, Darwin was designed as an Australian Government food service to cater for Australian Government employees. Though incomplete and damaged by Cyclone Tracy, it was opened on 13 January 1975 at the request of the Department of Services and Property to supply an emergency food service to the community. The cafeteria closed on 19 March 1975 after the requested period of emergency operation had been completed, but primarily because of serious operational problems, particularly safety hazards to which staff were exposed. Repairs are being effected to enable the cafeteria to operate at standards observed for Australian Government Food Services. Such standards include pricing of meals to cover prescribed operating costs. It is expected that when repairs are satisfactorily completed the Department of Services and Property will request the Department of Labour and Immigration to operate the cafeteria through its food service section as a normal Australian Government food service.

The reason for me bringing up this question again is that we have 3 areas of concern. We have the Tiwi Mothers Home; the honourable member for Nightcliff has the Nightcliff Health Centre; and we have Block 8 cafeteria. They are 3 services that nobody wants to do anything about. I blame the Department of the Northern Territory; I do not blame the Darwin Reconstruction Committee and I do not blame the Federal Government. I blame the Department of the Northern Territory because it is through their instigation that things eventually get done.

Mr STEELE: I will join in the community medical centre saga; I suppose one could call them "galloping health centre phantoms" or something like this. There was one proposed for Ludmilla a couple of years ago but we have not seen it yet.

I will speak briefly about some of the problems in Ludmilla that we have had to live with over the years. There is the bad road system through Wells Street and Hudson Fysh Avenue, the Bagot Road problems, the surge area problems, the Ludmilla dump - it just never seems to stop. I suppose it is a part of life.

This morning I asked a question to try to get some sense about the trail bike activities in the area behind Ludmilla North. The question I asked referred to complaints received from residents around the Ludmilla dump area. It was: "Under what section of the ordinance can the police act?" The answer I got back was: "The area in question is under the control of the

Aboriginal Land Council, and as such is private property. No power is conferred upon the police force to enter upon private property under these circumstances to prevent such a nuisance". I have to disagree with that reply because in my view the Land Council as it is constituted has no power to act over that land. That is my opinion. At this stage of the game the land is not owned by any Aboriginal group whatsoever. It is still corwn land and it will be until such time as other decisions are made in other places. That being so, in my view the police should get on their bikes and start controlling the trail bike operators in those areas. It seems to me that when the land laws are finally laid down as they relate to Aboriginals, with urban land like this, an area of land which is along-side an urban area, we must take into account the environment which we want to protect. We should start by controlling the use of trail bikes on these areas, I suggest. I will take every step I possibly can to have that area fenced so that trail bikes do not go onto it.

Mr VALE: I would just like to speak briefly on 2 points for a few moments. The first one concerns something the Executive Member for Transport and Secondary Industry has been saying here for the last 6 months. It concerns the 3-year program for roadworks. Some members would know that I have one bad stretch of road in the electorate of Stuart on the highway north of Alice Springs into the foothills where over the last 10 years there have been a large number of deaths and injuries and a high cost to the transport companies. It is essential that an undertaking be given that this road is to be reconstructed and realigned this financial year. That is important from the point of view of cost and life. And also important to the Northern Territory, and southern areas in particular, is the fact that unless the Government come out, and come out in the near future, with some contracts then we are going to see a mass exodus from the Territory of the contracting companies. These companies, men and equipment, will go from the Territory to other parts of Australia where they can get money for contract jobs. If we want to hold them, the Government are going to have to come out in the near future - and I am not talking about another 6 months, I am talking about 30 days, 60 days. Something must be done very quickly so that we can hold them in the Territory.

The other point I would like to raise was brought to my mind by the presentation today of this Katherine Rural College Report and, while I have not read it, my comments pertain again to central Australia and the obvious need down there to provide some facility for people on pastoral properties or people who would like to come into that area and get more professional training, both from a practical point of view on the properties and from an academic point of view in a college somewhere. It is quite obvious that we have not got the numbers necessary to justify spending large amounts of money to build a college especially for agricultural purposes. What I suggest should be undertaken is a study of the possibility of utilising caravans for accommodation on properties. I know that there would be a number of pastoralists in central Australia who would be more than willing to cooperate with the Government in having caravans put on their property and using lads as stockmen while they get some type of practical training on the property. Then, when they need more academic training, they could go back to Alice Springs and the facilities possibly of the adult education system could be used for such courses as bookkeeping and others. This would mean that, without dedicating huge amounts of funds, the numbers of caravans could be adjusted to the numbers of students each year. From my discussions with pastoralists in central Australia and a number of other organisations, I know that such a proposal would receive wide support. I have not read the Katherine college report in detail, I have skimmed through it, but I am sure that what is proposed for Katherine is going to be of tremendous benefit to the whole of the Territory. However, the problem will appear that people who are educated in Katherine will be educated around tropical areas. If they come from Alice Springs and they return to that arid zone, what they learn in

practical terms in Katherine will be of little or no use in central Australia.

Mr MANUELL: I would like to make a point about the question of productivity. I was somewhat refreshed by the remarks made by the honourable member for Jingili yesterday in his adjournment speech when he spoke of the gloom that appeared on the horizon as far as the Australian economy was concerned in relation to the nation's productivity. However, I am somewhat depressed in that I fear that the type of comment he made yesterday and the type of comment I may make today probably will continue to fall on deaf ears.

I believe that the restlessness of the trade unions today throughout the nation is frightening to say the least. The union members themselves do not frighten me as much as some of the union leaders. I firmly believe that there are some union members who are honestly working towards the positive growth of the Australian nation. However, my concern is that some union leaders have known designs and collaboration with people and organisations within our nation and also outside and they are interested in our nation's industrial, economic and moral demise.

I was very pleased to note last week the Executive Member for Transport and Secondary Industry's remarks during debate on his motion for the North Australia Railway retention. I was pleased to hear that unions in the Northern Territory, particularly the Waterside Workers' Union in recent days, was showing signs of cooperating as opposed to being antagonistic. In relating my remarks to some of these union problems, I would like to draw the attention of members here this afternoon to an article which I read the other day in the aircraft coming up from Alice Springs. It is an article by Joe Manton in the "Bulletin". He relates some of the problems that are being experienced by some state governments and I believe it is appropriate that we just very quickly listen to a couple of quotes from Mr Manton's article. This is from the "Bulletin" produced on 29 May 1976 and he says:

While the Fraser Government has been concentrating naturally enough on economic recovery, both Ministers and backbenchers have recently been considerably distracted by recurring industrial unrest. When the left-wing voting bloc at the Victorian Trades Hall Council steamrollered the tenuous agreement between the Trades Hall Council Executive and the Hamer Government on the Newport power station, the union problem was highlighted once again.

As it was" the moderates were forced to improvise by seeking to have the executive's recommendation calling for further discussions with Premier Hamer treated as an adjournment motion and thus not able to be debated. When the Trades Hall Council President, Jack Sparkes, himself a left-winger from the Meatworkers Union, ruled that there could be no debate, his ruling was easily overturned 147 to 102 on the motion of John Halfpenny. From then on it was a rout, with the moderates fighting a losing battle to stall a decision on an amendment which restates the original 1974 Trades Hall Council decision to ban the power station.

Perhaps the unkindest cut of all was to find that, having met the conditions laid down by John Halfpenny for the building of a half-capacity electricity station and having, through the State Electricity Commission, provided a competent answer to every single environment objection raised since 1971 against the siting of the station at Newport, the left-wing members of the Trades Hall Council Executive crossed the floor, repudiated the deal to which they had been a party, and voted for a continuation of the ban. The net product of more than a year's negotiation was a return to square one.

I recall also reading on Monday in the Adelaide "Advertiser" of the strikes that have continued to plague the building of the Ansett Gateway Inn in Adelaide. This company decided to build a new motel complex combined with a South Australian headquarters for their commercial activity, and proceed-

ed to buy the site of the old hotel opposite the Adelaide railway station. Since the commencement of that project, it has been strike-torn, and in the paper on Monday the leading article related how there was another strike undertaken by the Brick Labourers Union. These people went on strike and they said to the union organisers that they would continue to strike until up to 60 courses of bricks on 2 floors that had been constructed were torn down because they had not mixed the mortar to stick the bricks together. The bricklayers themselves had mixed the mortar and the Brick Labourers Union objected to this and so they continued to strike.

The remarks that I am making in relation to these union problems in my opinion relate purely and simply to the question of productivity and I am very concerned that this project and others are perfect examples of how the over-powerful influence of unionism in Australia today can blossom and destroy our very productivity which we need so vitally.

I went to the library and tried to find some facts but unfortunately some of the resources that were spoken of by the honourable member for Gillen this morning are still sadly lacking and so some of the information I wanted was not available. However, I did take the trouble to do some little research and I will refer to that in just a moment. In talking about this question of productivity, I would like to indicate how in the motor vehicle industry this productivity of ours is in the grip of the unions again, and I think not only the unions but in part the attitude of our Australian worker. It is interesting to note that it is estimated that the Australian Government subsidises the annual salary of each member involved in the motor vehicle industry by $4,000 per annum. That is how much the Government subsidises these workers for either their lack of productivity or the companies' lack of productivity.

In contrast, it is well known that there is one company in Japan that manufactures motor vehicles which are exported all over the world. They employ twice as many people as General Motors Holden Australia employ and they produce 4 times as many cars. They make a profit and they are not subsidised. Of coure, there are many people who will say the people who are employed in Japan in these industries are not paid as much for their labour as the people in Australia. That is a load of hog-wash or humbug. The people in Japan who are employed in these industries are paid as much and, in some instances, more than their counterparts in Australia. The important part is that they play their part, they have job pride and they are productive. Their contribution towards the gross national product through their own personal endeavours is easily noticeable. How on earth can we as a nation consider ourselves to have a need to be self-sufficient? How are we going to keep the people out who can produce goods and services at a cheaper rate than we can because our workers are not interested in producing them at a reasonable price - in other words, doing a day's work for a day's pay? Until this nation and the unions accept this philosophy, this country will come to its knees.

The other thing that is of concern to me in relation to productivity is in the primary production industry. I refer to the question of the escalating age factor, the average age factor of the people involved in primary industry. The most recent information I have indicates that the average age of people involved in primary industry is now approaching 57 years. This I think is a regrettable fact. I think it is deplorable in so much as it indicates the industry is displacing its own interested participants. I fear the day when, unless we have facilities like the rural college in Katherine providing the wherewithal for people to be generated with knowledge, primary industry in itself, in its own productivity, is going to decline.

Looking at this whole question of productivity, it was interesting just to glance over a few of the Bureau of Census and Statistics publications from the period 1945 to 1973. I tried to get 1975 but they are not available in our own library. However, in 1945

there were 2,119,641 working days lost with a working population of 315,938 people employed. In contrast to that, in 1955 and 1964 there were marked declines in the number of working days lost. In actual fact I think it is fairer to say that in 1945 the number of working days lost was a direct reflection of the returning servicemen coming back from the second world war, because as you look through the years 1955 to 1964 you can see that the actual working population increased and yet the number of working days declined. The interesting fact is that in 1945, out of those numbers of working days lost, lost wages amounted to something like $2,567,444, so you can virtually say that it was almost $1 for a day. However, the interesting fact arises that in 1973, in contrast to 1964, which is a span of approximately 10 years, there is an increase of nearly 100% in the number of working days lost but there is an increase in lost wages of 800%. Of course we have to take into account inflation but I do not think we could say that in 10 years we have experienced that degree of inflation. However, in 1973 there were 2,010,000 working days lost for a total lost wage of $32,074,000 out of a working population of 1,113,800 people.

In terms of productivity, think of the loss to the nation, but in terms of lost wages, think of the loss of cash flow that it contributes. If that money was in circulation, it would have a snowballing effect. These figures themselves do not reveal all that much because, unfortunately, the library has not got the information to provide it, but I will endeavour to gain it for a later date. I believe that, as politicians, we must be given some relief from having to repeat ourselves by having union leaders either respond to our pleas for responsibility or made to bend to a command to increase our nation's requirements. If there is no response from the labour force and its executives, I believe there is little doubt that Australia will be brought to its commercial knees.

In closing my remarks, I would like to return to this same publication of the "Bulletin" with one final quote. I expect all members have seen this publication but it is ironic that the front cover should nominate it as being "Australia Unprotitable". The leading article by Don Lipscombe says this in its opening remarks:

> *"Australia unlimited" has become "Australia unprofitable". Forget the problems of foreign investors plundering our resources; most of them you would have to bring here now at the point of a gun. The problem is that Australia has become too expensive. At today's prices, many of our richest mines, our most fertile land, our prime real estate, our development sites, have basically become unprofitable prospects. Australia is currently living off the fat it built up during the years of low inflation and good economic growth. Its competitive situation with the rest of the world has been eroded and prospects are glum.*

Unless we can get through to our total workforce, and I do not limit it to unionism, you can bet your bottom dollar that we have had the Richard.

Motion agreed to; the Assembly adjourned.

Thursday 3 June 1976

Mr Speaker MacFarlane took the Chair at 10 am.

DISPOSAL OF UNCOLLECTED GOODS BILL

(Serial 121)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

The bill was designed to give persons in possession of uncollected goods another means of disposing of those goods where the person entitled to possession does not resume possession of them. This situation can occur in 2 circumstances.

Firstly, goods are often left with another person for the performance of some treatment such as repairs or for storage. In this situation, a bailment arises either by express agreement or by implication of law. The bailee is under an obligation to return the goods to the bailor on the performance of the services required. However, if the bailor fails to take re-delivery or to give directions for re-delivery or fails to pay the charges lawfully due in respect of the goods, the bailee is left with possession of goods he does not want. In the absence of an agreement giving the power of sale or unless some statutory power of sale exists, the bailee cannot lawfully dispose of the goods yet he continues to be under a common law duty to take care of them.

Secondly, goods of one person may come into the possession of another person without any unlawful act but also without the creation of a bailment. This situation has been common since the cyclone as a result of goods being left by people departing from the Territory. The right of a person coming into possession of these goods to acquire and sell them is uncertain as the courts will not readily accept abandonment of ownership.

The bill contains 2 basic procedures. Firstly, part II deals with the disposal without a court order of goods valued at not more than $200. The part is restricted to the bailment situation only as it is felt that it would be preferable to require a court order for the disposal of goods in the non-bailment situation. The provisions of part II will assist the small businessman, repairman, storeman or other similar classes of persons to dispose of goods of little value without a great deal of expense. Safeguards are written into the bill in that 2 notices are to be given to the bailor 3 months apart, as well as notices to any person having an interest in the goods and to the Commissioner of Police. In addition, a notice has to be inserted in the Gazette. There is provision for the settling of disputes before the sale which, in the first instance, must be by public auction. Part III will apply to both the bailment and non-bailment situation, and is to apply to goods of any value. A notice must be given at least one month before the court application to the bailor and every other person known to have an interest in the goods, as well as the Commissioner of Police. The court has wide powers to determine the method and conditions of sale. After any sale under the ordinance, the seller is able to deduct all lawful charges from the proceeds and must pay the balance to the person entitled. If he is not aware of the whereabouts of the person entitled, he may obtain a discharge by paying the surplus to the Administrator. If there is any deficiency after payment of charges, the seller may sue for the deficiency. The seller must keep a record of the sale and, in the case of a sale pursuant to a court order, file the record with the court.

The bill contains a number of provisions designed to protect the person entitled to the possession of the goods. Firstly, he may dispute the right to sell before the goods are sold and the dispute must be settled before the sale can proceed. Secondly, the court cannot make an order unless it is satisfied that a copy of the court application has been served on all persons likely to be affected. Thirdly, the court has the power to reopen the sale or disposition transaction and order an account to be taken between the parties. Fourthly, al-

though a person acquiring goods at the sale or disposal is protected, the onus is on the seller to show that he has complied with the provisions of the ordinance.

It is hoped that this bill will be of considerable assistance to persons who are burdened with goods that they cannot lawfully dispose of. At the same time, the bill attempts to balance this against the need to protect the interests of the true owner. The bill follows in general terms legislation already in force in the United Kingdom, New South Wales, Victoria, Queensland, Western Australia and Tasmania. It is considered that similar legislation is overdue in the Northern Territory, particularly having regard for the fact that there is still a large quantity of goods left over after the cyclone which have not been claimed by their owners.

Since this bill was printed, a number of minor amendments have been suggested and these are presently under consideration. I intend to circulate the bill to interested bodies such as the police, the Law Society etc, seeking constructive criticism and further suggestions for improvement. I hope honourable members too will look closely at this bill and offer their suggestions. I commend the bill.

Debate adjourned.

POLICE RECRUITMENT RESTRICTION

Miss ANDREW: I move that this Assembly (a) express its concern at the restriction placed on the recruitment of Northern Territory Police beyond a limit of 468 including trackers; and (b) draw the attention of the Minister for the Northern Territory to the need for urgent reconsideration of this limitation.

I would like to refer for a moment to a brief history of submissions made by the Commissioner of Police and changes in strength over the past few months. In 1973, the McKinna Report recommended that the establishment of the Northern Territory Police Force be 548 head. On 2 August 1975, a submission was made to the Chief Commissioner of the Australia Police, with which our current police force has been involved, for an increase in the establishment of the Northern Territory Police to 640. Nothing has been heard of this application since the transfer to the Department of the Northern Territory. In October last year, the establishment of the force was increased by 9 to 468. In November, the actual strength of the police force was 451. In December, the ceiling of police sat at 459.

A submission was made in January of this year for an increase in the establishment of the Northern Territory Police by 12 members. Again, nothing was heard. In April, the Northern Territory Police being now 43 below the establishment of 468, application was made to recruit members to the authorised establishment. Nothing has been heard of this application. On 15 April, the Department of the Northern Territory advised that the ceiling level of the Northern Territory Police Force, including the tracker establishment, was not to be in excess of 460 as at 30 June 1976, and was to remain at that level for 1976-77. At present, there is an establishment of trackers in the Northern Territory of 43; their actual strength is 36. The ceiling, as I have said, is 460. This should include one commissioner, 2 assistant commissioners, 5 superintendents, 6 chief inspectors, 17 inspectors, 22 sergeants first class, 13 sergeants second class, 71 sergeants third class and 331 constables.

The Australian Public Service establishment which services the Police Force has an establishment of 66; the actual strength is 61 By 30 June 1976, it has to come down to 55. Nothing has been heard about the recruiting application. The last recruits emerged from their Adelaide training program that was instituted because of the cyclone last December. In mid-April, there were 61 applicants who had applied to join the Northern Territory Police Force but still nothing has been heard about any recruitment program.

Over and above numbers, we have to consider what the conditions of service are. Having 419 policemen does not mean by any stretch of imagination that you have that group there 24 hours a day and 7 days a week. Police, as a

result of their determination, are entitled to 7 weeks recreation leave, up to 12 days travelling time extra to and from leave, 4 days off per fortnight and 1 must be Sunday, paternity or maternity leave, sick leave, long service leave after 10 years, but this can also be accumulated from another government department if you wait for 15 years, and then training courses. For example, there was a detective course held last year for 10 weeks. In fact, 2 of these were held which meant that the number of officers attending are virtually not available for general duties. As a result of this, the ratio of 1 as to 6 men has to be applied to cover these conditions. This ratio provides for relief purposes 3 inspectors, 2 sergeants second class, 10 sergeants third class and 43 constables. Holes still exist all over the place. These people are not even making an impression.

At the moment, problems of staff shortage have been aggravated by a high rate of resignations. In December 1975, there were 7 plus 2 dismissals; in January 1976, 1 resignation plus 1 dismissal plus 1 fellow was forced to retire as a result of ill health; February 1976, 7 resignations; March 1976, 6 resignations; April 1976, 3 resignations; May 1976, 3 resignations. At least, they are declining but I suppose we are reducing the ranks to a point where we are not going to have many left to resign soon.

A policeman's life may not be a happy one but it is certainly varied. Aside from his court orderly and Supreme Court guard duties, there are other responsibilities including registration of motor vehicles except in Darwin and Alice Springs, registration of dogs, registration of firearms and, in most areas outside the major centres, they are an agency for all other government departments. They can be fisheries inspectors, licensing inspectors - they license hawkers, pawn brokers and auctioneers. They issue warrants; they are responsible for search and rescue; they are the missing person bureau and are concerned with lost and found property. This is not to mention the civil processes for which they are responsible such as summonsing. They provide gold escorts around Tennant Creek; they provide payroll escorts, mental defictive's escorts, VIP escorts and they issue permits for travelling stock if the stock inspectors are not available. They provide wide load escorts; they are collectors of public moneys, tote inspectors, lottery and gaming processors and coroners' officers.

Groote Eylandt is a very good example of this; they not only do all those duties but there are no wildlife inspectors there. I will just read from a report:

> *As there is only one fishery inspector on the island, from time to time police are called upon to assist with search and patrols in the area. There are no wildlife inspectors on the island and patrols are carried out in relation to the protected area. Members are required to register and inspect vehicles, issue licences, receive number plates, issue tests, temporary permits, issue third party insurance and handle miscellaneous matters in relation to registration. From time to time, members are called upon to assist the Customs Officer in relation to searches and surveillance. Every member of the police station is in the main actively involved in criminal investigation and apprehension of offenders.*

There are 38 police stations in the Northern Territory and, hopefully, two more will be opening in 1976 Port Keats and Hermannsburg. I hope a mobile station will be installed at Oenpelli; we have waited long enough. This number of stations for the population of 100,000 people must be viewed by honourable members in geographical terms of vastness and isolation. May I ask members to consider the travelling time from outpost stations. At Daly Waters, for example, there are 3 licensed premises in the area and breaches of the law are common. In keeping with the McKinna recommendation, it is proposed to upgrade the station to 2 constables. At the moment, there is one constable in Daly Waters.

The area of Wave Hill police district is about 47,800 square kilometres. What do we have there? One constable. It would take him all his time to drive from place to place. The approximate population is 1,700 yet the police force do not consider looking at the other areas of need; we need 2 constables at Wave Hill. The police force is not asking for any increase at Wave Hill because it feels other areas are in greater need. Thus, we have one man to cover this 47,800 square kilsmetres.

Take Darwin daytime patrols - there are 2 patrols of 2 men. In the evening, there are 3 patrols of 2 men; from midnight to 8 am, 2 patrols of 2 men. If any one of those patrols has to sit down and write a report, there are no typists. They have to stay off the road and spend 2 hours typing the reports themselves. The CIB has 2 shifts and, after that, they are on call if you happen to need the CIB. Murderers are not always so obliging as to knock people off between midnight and 8 o'clock. Forensic science has one shift that comprises one sergeant third class and 4 constables. This group is increasingly essential as evidence is increasingly being demanded by the courts. Fingerprinting - only one man can be afforded after midnight. Water police - work is required. Drug squad - one shift of 2 men for the entire Northern Territory. Women police - the total establishment is 9, one sergeant third class and 8 constables; at present, they are only in Alice Springs and Darwin. The police force again being quite rational has asked for an increase of 3. It would be noticed as a matter of course that increases have not been sought willy-nilly. A figure of 640 police has been arrived at after much thought and investigation, and I seek leave to table this account of the proposed establishment at the level of 640.

Leave granted.

Miss ANDREW: The organisational structure which would apply to 640 is soundly based and would provide a spread of responsibilities which could only result in a situation by which the public get the service to which they are entitled and which cannot be given by lower numbers. The establishment of 640 would comprise: 1 commissioner, 2 assistant commissioners, 6 superintendents, 7 chief inspectors, 25 ordinary inspectors, 39 sergeants first class, 19 sergeants second class, 92 sergeants third class and 449 constables, making a total of 640. The retention of the tracker establishment over and above that should also be ensured, vacancies in these ranks only throw an added workload on the already overloaded members of the police force.

The crime rate of the Northern Territory is high. In 1971-72, there were 15,000 crimes for a population of roughly 86,000. In 1973-74, there was a crime rate of 18,803 crimes for a population of 95,000. Last year was badly affected by the cyclone so I do not have any figures. Police at the moment have no time for prevention. They are too busy curing and, in this sense, this is chasing. We have an ever-increasing population and a high proportion of itinerants. Apart from that there is alcoholism. What other town has ever had a report done on it entitled "Drunks"? I refer of course to the Milner Report. Justice Kriewaldt said that police duties in the Northern Territory were more dangerous and arduous than anywhere in Australia. I ask the Minister to take a look at the desired increase. The only possible solution otherwise is a rationalisation of resources available to him through his department and to relieve what is left of the force of extraneous duties. I think this would be a pity, and I insist that he takes another very long look and gives the desired increase.

Mr TUXWORTH: It gives me great pleasure to speak in support of the motion. Since my early years in the Territory, the police in the Northern Territory have been regarded as the pillars of the establishment; they have represented all arms of government in the Northern Territory and they have always commanded the respect of the community. In the last 10 years, with the enormous growth in the Northern Territory, some of the police duties and functions that they have been asked to carry out have come in conflict with their normal police duties or duties that we would assume to be normal state-type police duties. I refer to such things as motor vehicle registration. Policemen now tend, feed and transport prisoners, they perform payroll escort duties, they are weighbridge operators, they are court orderlies, they license bottle collectors, they deal with marine dealers' licences, they are inspectors of dogs etc. Generally, they have become the dogs-body of the community through no fault of their own and they remain so because the McKinna Report, which was carried out some years ago, has not been acted upon.

I would like to elaborate on the motor vehicle registration problem which occurs in every major centre apart from Alice Springs and Darwin. We now have an extraordinary situation in Tennant Creek where motor vehicle registration and the value of insurance turnover is about $200,000 per annum and the police force has been asked to set aside one officer to carry out the functions of motor vehicle registrar. He has to inspect, to do the paper work, collect the money for an average of seven vehicles per day. To do this, he has had to restrict his inspection time of vehicles from 10.00 am to midday, then 1.00 pm to 3.00 pm and he closes all day Friday to balance the books. In doing all these duties, not only has he to be confronted with the clerical side for which he is not particularly well trained but he has absolutely no facilities available to him to make inspections on vehicles and his inspections are a cursory glance around the vehicle at the kerb. The idea of motor vehicle inspection is to check that the vehicle is roadworthy and the type of inspection that is offered in Alice Springs and Darwin is perhaps the only way that this will ever be established. It is just not possible in Tennant Creek, Katherine, Gove and Groote Eylandt where they have no facilities.

To give you an indication of the mentality that we are combating all the time within the department to rectify these problems and to try to help the police with their problems, during recent discussions with departmental officials, it was suggested we could take the registration out of the police station in Tennant Creek and place it in the District Office and in doing so we could reduce the police number by one and increase the District Office establishment by one. If we can afford to take it out of the police station and put it in the District Office, then let us do so and, in the event of this happening, let the policeman who has been trained for special duties get on with those duties. They are certainly not being carried out in the town at the moment.

In the electorate that I represent, there are 8 series of outstations and a reasonably large police station in one town which has an establishment of 17 men. There are always 3 men away on leave and one of the positions is for a tracker whose duties are rather limited. This has reduced the establishment quite considerably. In the event of any court being held in Katherine, Alice Springs or Darwin we have as many as 3 or 4 officers away at a given time for Supreme Court work. We have no regular CIB activity because the CIB man spends as much time away giving evidence as he does at his duties and he is not replaced when he goes away. We have no traffic section to maintain surveillance of traffic and roadworthiness of vehicles on the roads. We have no breathalyser unit and indeed some time this month we will have the first anniversary of the original visit of the breathalyser unit to Tennant Creek for a demonstration. We have not seen it since and we have as many drunk drivers in Tennant Creek as there are anywhere else in the Territory.

The most alarming thing that has been brought to my notice in the last 2 years, and it has been reported by every policeman in every out station that I have been to, is that when they approach a law breaker to apprehend him, the offender suggests quite openly that, if he is charged, he will claim that he has been beaten up by the officer and ask for legal aid to counter-claim. This situation of having 1-man stations has now made a travesty of our law enforcement situation and the sooner the recommendations of the McKinna Report come into force and 2-man and 3-man stations are brought into operation the better. We now have a situation where the policeman's word in court is equal to any other man's, which is the way it should be, but it is very difficult for him to prove after making an apprehension in an isolated case that he has not beaten an individual. Unfortunately, the court is inclined to disregard these cases and put them aside.

The motion by the Executive Member for Law and Education is most timely and I would hope that the Minister could respond to the needs of the Territory by ensuring that the police establishment limit is in fact increased.

Mr POLLOCK: I wish to speak in support of the motion because of my previous experience in the Territory and because I represent an electorate where a demand for increased police facilities is being made almost every week. A little over 10 years ago, I came with a group of 16 others to join the force and we then had a total strength of some 167. The force since those days has gradually increased in size but, at the moment, apparently the policy is to go backwards.

Instead of the establishment going forward, we now have included in it the group of trackers. They provide a very valuable contribution to the police force's work. Apart from their particular skills of being able to track, at many stations they are the people who carry out work which in other government departments they let a contract for - the keeping of the grounds and cleaning etc. The trackers do contribute in their own way to many of those fatigue duties.

In the MacDonnell electorate, there is a very large Aboriginal population, a large number of settlements, out stations and communities who are always crying for the police to attend to so many of the extraneous duties that we

have heard this morning as well as general routine police work. Always the reply is: "We will get a patrol out there as soon as we can. We just do not have any men available". If you were to check when the last patrols were made to many communities and out stations in the Alice Springs district, you would find that it is, in many cases, a considerable time. The most recent time was probably when there was some major crime committed at one of those localities.

The honourable member for Barkly mentioned his particular electorate. Unfortunately, he did not mention Avon Downs. From Tennant Creek to Avon Downs, there is about 350 miles of bitumen and there is one policeman at the end of it near the border. From my experience, if that policeman from Avon Downs was in Tennant Creek or up in the Tablelands, he was needed at Avon Downs for a road block. He usually had to solicit aid from one of the adjoining station owners or workmen or the tracker because invariably those whom he had to endeavour to stop were criminals of some dubious character who would not hesitate to use armed force if they had the opportunity.

The CIB in Darwin works on a 2-shift basis; it does not work around the clock. The CIB facilities in Darwin are rather constrained as compared to other cities of this size in Australia and, in particular, in relation to the crime rate which occurs here. The situation is that an officer works till midnight, 1 o'clock, 2 o'clock in the morning completing his paperwork. He gets home, gets to bed for half an hour and is called out again for duty. Invariably, this happens. In Alice Springs, there are about 7 members in the CIB. There was a series of murders recently in town and a Supreme Court sitting at the same time. They are required for court. They are just not in the race. They just have not got the manpower to carry out all the investigations and inquiries that are required to bring the offenders to court.

We have been hearing for years that there are going to be police road patrols on the principal highways. There are occasional patrols but they are usually in the course of a wideload escort. There are situations where police are required to provide up to 3-man escorts for a wide load from Kulgera on the South Australian border right here to Darwin. This consumes a lot more time and on the return journey the police carry out a routine highway patrol.

Mention was made of the drug squad; there are 2 members for the whole of the Northern Territory. That situation is absolutely ridiculous. You have just got to read the papers day by day. You have just got to walk around the streets in other towns in the Territory. In Alice Springs, you can see the need for a greater number of police specialising in this area of investigation and controlling the matter. From press reports in the last day or two, in one of our towns in the Territory, the situation appears rather grave. I would put it down to the lack of men and women who are specialising in this field of investigation.

There are moves to establish 2-man stations or upgrade some 1-man stations to 2-man stations and the police force has made some allocation of manpower for that. Associated with that, buildings are required and the Department of the Northern Territory must play its role in assisting the force to be able to house and accommodate officers at remote places like Kulgera, Avon Downs, Wave Hill and other places.

People will say that, whenever they go to a police station, they always see a great number of men apparently doing nothing. I would refute any of those claims. There are times of emergency when a great number of men are needed. The police, of course, are always the first ones to be called.

Mrs LAWRIE: The honourable member for Barkly said it gave him a great deal of pleasure to support this motion. Well, it does not give me one iota of pleasure because this should not be necessary, such a debate should never be taking place. We have had the McKinna Report; it was discussed at length and it is an indictment of the

Department of the Northern Territory that this Assembly has to voice its displeasure at the state of our Northern Territory Police Force.

The Executive Member proposing this motion said that the Department of the Northern Territory advised of a ceiling on the Police Force. That is the kernel of the problem. The sooner the Department of the Northern Territory gets its grubby little paws off the Northern Territory Police Force, the sooner will we have some chance of having a well-manned, well-trained, well-equipped, professional police force. The problem with the Police Force starts with the interference of a number of Commonwealth public servants into the affairs of a Northern Territory public service with a commissioner who should be answerable, even at the moment, directly to the Administrator, without even waiting for executive responsibility to be granted to members of this Assembly. What do we find? Clerks are deciding above the commissioner what is best for his police force. Clerks are deciding the optimum number of police needed by this community and the way in which they will be trained and equipped. These are clerks who are proceeding through the public service on the basis of seniority and who may have not the slightest idea of what being a member of the Police Force entails; the only meeting that ever occurs between these clerks and a member of the Police Force is when they are booked for speeding or some other minor offence. That is the kernel of the problem facing our particular force. We can talk all we like in this place but till the Department of the Northern Territory ceases interfering no good will come of it.

Honourable members have remarked on the range of duties performed by Northern Territory policemen. Twice I have heard mention of payroll escort duty, which prompts me to remark again that, the sooner we expand our police force and train them, the better it will be for this community. Then we might well be able to do without the private armies we see growing up, private security agencies accountable to no one, privately paid armies walking round the streets of Darwin flashing guns. I deplore this situation. There was a public comment by the general manager or a director of Mayne Nickless in Melbourne, that he had instructed his men to shoot first and ask questions later. This was with regard to the guarding of warehouses etc. That is hardly the mark of a civilised society. I do not want to see the accountable police force numbers run down and these private armies assuming their role, ordering citizens off the road, which they attempted to do once in Smith Street - they ordered the wrong group of citizens and were told smartly what to do. That was on a payroll escort duty. Do we want to see armed vans turning up with privately licensed people poking guns in a citizen's face and saying, "We are about to do a payroll delivery, get out of the way"? Citizens do not like that; they will accept a certain amount of direction from their police force but the problem is that if the police force cannot do the duties because its numbers are so depleted, then people carrying cash have to resort to what is in my opinion a second class and bad service; it is not accountable, and that is what makes it second class and a danger to our citizens.

One must assume that this ceiling on the police force with reductions in numbers is on account of the current craze to supposedly save public money. It is our money that is supposedly being saved and yet the representatives of the people whose money is being saved are standing here today saying that it is false saving and that we, as tax paying citizens, are happy to pay to support a well-trained, well-manned, well-equipped police force. Who are these clerks that decide for us that our money would be better saved? And what does it save? Very little. Are insurance payouts because of robberies and consequently higher insurance premiums borne by all the community a saving? Is the loss to property a saving, because of the depredations of individuals battening on our society? Is the loss of productivity through injury to persons a saving? Of course it is not. And yet some wonderchild sitting at some desk in the Department of the Northern Territory has deter-

mined that to scale down the police force is a saving of public money. The only word I can use which is parliamentary is rot, but I would like to use a far stronger word and it starts with "b".

Some honourable members have referred to problems in their particular districts which are faced daily by members of the police force. I can only refer to problems facing Casuarina and of course Casuarina has a fairly important role in Darwin. Casuarina Police Station is supposed to look after the entire northern area of a rapidly developing and changing community and I agree with honourable members' statements that, where one has a transient population, where one does not know one's neighbours, crime can grow. But we were all aware that this was going to happen post-Tracy. Any intelligent, concerned citizen knew this would happen. And yet instead of an increase in the police force, instead of having local people safeguarding life, property and doing prevention work, we find that their numbers have been depleted.

At one stage, I rang Casuarina Police Station as I had a flurry of complaints by phone from my constituents who gave me their names and were willing to substantiate facts about my old sore of motor vehicles and bikes on Casuarina beach. One lady had plucked her 2-year-old child from the path of such a bike and was extremely upset and was prepared to swear to whatever I wanted. I did the normal thing and rang Casuarina Police Station and advised the officer in charge what was happening. I said, "They are on the beach now. Can't you get a patrol there or does a child have to be killed". He said, "Fair enough Mrs Lawrie, but there is a little girl lost in the area; she is only 7 and we are trying to find her. What do you want us to do?" I said, "Obviously, find the lost child". He said, "That is what we are doing so we do not have anyone to go to Casuarina even though it is a direct complaint". That is a lovely way to run a large police station in a metropolitan district. What can I do as a member along with the members for Casuarina and Sanderson representing that area? I had to agree that he had his priorities right. I would hope that the anonymous clerk in the Department of the Northern Territory is proud of himself for allowing such a ridiculous situation to develop.

I support the honourable executive member in her motion that this Assembly expresses its concern at the restriction on the Northern Territory Police. I support her in drawing the attention of the Minister for the Northern Territory to the need for urgent reconsideration of this limitation. As I said in my opening remarks, it gives me no pleasure because this debate should not have to take place.

Mr BALLANTYNE: I rise to support the motion. When this motion was framed, it was not new in my mind because I knew well what had been taking place just recently with regard to the numbers in the police force. It appalled me to think they are putting a figure of a 150-odd less than was recommended from experts. That recommendation was not made ad hoc; it was taken on the basis that the Territory is such a vast area. Many closed communities have their musters but there are many outlying districts which need policemen and the only way you can do it is by basing men there.

I am appalled to hear that there has been no recruitment for the forthcoming year for the Territory. This year, there will be about 50 members of the force either retiring or resigning. There must be a turnover of staff but there is no follow-up to train new recruits. The Territory policemen are the most versatile type of policemen; they are not the ordinary southern type policemen who have restricted duties. Here, they have to do everything. You only have to listen to the honourable members this morning talking about their duties.

I come from Nhulunbuy where we have a force of about 16 and I do not feel that it is enough there to cover the area. Firstly, they must have a backup for policemen who go on leave. They get 4 or 5 weeks leave a year and if you multiply that by the number of men at the station you will probably find

that one man would be absent for the whole of the year. There is no backup there with regard to that. I know there is a reserve which they can bring across from Darwin but there are all sorts of problems which can arise. Policemen are often injured on the job, they are away sick, they have family problems etc. They find that they have so much work to do that their morale is starting to drop. I come from an area which has a very good police station, but it covers an area of many square kilometres. It covers Elcho Island, Milingimbi, Ramangining, Nungalala and Lake Evella. The population in those areas with Yirrkala and Nhulunbuy is something like 8,000 people, and there are 16 to 18 officers covering that area for those people. I will give you some idea of the duties that they have. They have to listen to and follow up complaints; they have to do patrols through the outlying areas; they have security checks on the housing and business sectors; they have to go to the out stations and also to other Aboriginal settlements; they have to register motor vehicles and issue licences for driving; they have road patrols out to the Goyder River where they have to check every year that the road is safe for people to go through to Katherine; they check on illegal fishing and shooting in the protected areas for protected animals and bird life; and they have to attend court sessions quite regularly. During the course of January to April there were some 260 court cases at Nhulunbuy and it takes a lot of time for a policeman to attend court cases.

Just recently, they would not register vehicles on a certain day because of the court cases that were on; a number of the policemen had to attend them so they had to cancel registrations. That service has got to be there for the people. Registration is done there but it is done in a very haphazard way, similar to what the honourable member for Barkly said a minute ago. They have no facilities; they have to lie on the ground to look under a car to check it. These policemen are versatile but they are not trained in that area properly and they could be overlooking a few things and they take a big risk in saying: "It looks all right to me". But in fact it may not be because they do not have the proper facilities and they are not trained to do that job. I think it is a burden on the police force to have policemen working daily on registrations and issuing licences and things like that. That is a specialist's job and there should be someone trained to do that work.

In those 260 court cases I was talking about, there were 9 committal proceedings involving murder, manslaughter and indecent assault and other larceny crimes. Those are the sorts of thing that you get in a community such as Nhulunbuy where you have 3,500 to 4,000 people who are living in isolation there and where policemen have a few problems as family men; some of them are single but most of them are married. They have all sorts of pressures on them from the public and the job itself.

I support this motion mainly because I think that it is unrealistic to think you can put a figure of 468 on this organisation. How they assessed that figure I do not know. The recommendation was 640 as shown by the tabled organisation chart. I have looked at it myself and I think it is very well done. I can only recommend that we do something about it. We have heard that crime is increasing; road accidents in the Territory are appalling and do you know why, Mr Speaker? Because there are not enough patrols; there is no one checking on these things. The policemen cannot do it. They have no decent patrol vehicles; they have to get them serviced through the department and I guarantee if we went around and checked some of the vehicles that policemen are patrolling in they would probably be unroadworthy, and I say that quite categorically.

There are all sorts of systems and all sorts of equipment which they can use in their job, but there is no assistance there. They have got to work on antiquated typewriters and all the other equipment around the place. They need decent radios; there is a lot of communication in the Territory done through the police and, if they do not have the right equipment, it only

causes more delays.

I recommend it very strongly to the Minister to take a good look at the Territory Police Force and its needs to uphold the law because that is one of the most important services in this Territory. I would like to draw it to the attention of the Minister and urgently request that he act promptly now.

Mr ROBERTSON: I just wanted to follow on from the comments made by the honourable member for Nightcliff. It would seem to me that it is always the clerks in the system who are deciding the ceiling and staff levels of the operational sections in the field. It can go into bushfires; it can go into primary industries; it also goes into the police force. I wonder if our ceilings are not being imposed in the wrong direction. I wonder indeed if we could not make better cuts in the direction of the administrators rather than the people who are required to go into the field and do the work.

The greatest single time-wasting factor in the police force in Alice Springs is the ridiculous situation where we find them acting as some sort of a debt-collecting agency. I have raised the matter of police acting as bailiffs time and time again, long before I was in this place, when I was with a legal practice in Alice Springs. We have a situation where police officers are required to go around and knock on doors and serve summonses. It is well over a year since 4 grade 4 clerical assistant positions were determined for Alice Springs. Nothing has been done; they have conducted interviews, but we still do not have those orderlies so we still have police officers doing the job of bailiffs. Every 5 or 6 weeks now we are having a Supreme Court sitting in Alice Springs and that requires 60 jury summonses ---

Mr Pollock: One hundred and sixty.

Mr ROBERTSON: Actually the honourable executive member suggests 160; it can work into numbers like that from the point of view that people are unable to be located which means the Clerk of the Court acting as the Deputy Sheriff has to issue a complete new lot. That probably ties up 2 constables for 3 or 4 days in all.

Worse still is the local court situation. I again draw this to the attention of the Attorney-General's Department and the Department of the Northern Territory. The average number of filed matters in the local court in Alice Springs over the last 5 or 6 years is in excess of 1,000. Each individual proceeding is numbered and the police officers are required among all their other duties to waste time in this idiotic field. You have the initiating original process, that is number one. Then you have the process after judgment is signed, number two; then the unsatisfied judgment summons. In the normal course of events in local court practice, it would mean at least 3 or 4 unsatisfied judgment summonses are required to be served. In a very substantial number of cases of local court action you get anything up to 4 different sets of unsatisfied judgment summonses and finally, in desperation, you get a warrant of execution. This concerns over 1,000 matters in Alice Springs, and we wonder why our police officers are unable to devote their time to the duties to which they should be devoting it. Notwithstanding the necessity for perhaps an increased number of police officers in the Alice Springs area, there needs to be a rationalisation of their responsibilities.

Dr LETTS: I have listened to more debates in this Chamber about the problems of the police force than about any other functional area. Unfortunately, I am of the view that those debates are likely to continue while the present situation remains as it is. There has been a good deal of talk this morning about the symptoms of the disease and it is necessary to talk to some extent about those in order to indicate that there is a disease present that needs treatment. However, I think a little bit more emphasis should have been placed on the fundamental issues and the Executive Member for Education and Law did refer in part to these in her introduction and the theme was developed further by the member for Nightcliff.

The disease is simply a relationship between the department, an Australian Public Service body, and the police force whereby the department has been for years paramount in making decisions in the fields of finance and establishment. As long as that continues, this problem will be with us and we can get up here meeting after meeting to illustrate the symptoms. I can add to the list indefinitely because I have 8 police stations in my electorate but it would achieve nothing. Apart from finance and establishment, the department interferes in all sorts of other ways in what is the proper authority of the Commissioner. A recent example in my electorate was the placing of the police station at Timber Creek. Due to a decision of the Town Planning Branch, they proposed to place the police station some 3 miles away from the community which it is supposed to serve. I am doing what I can to correct that but it arises from the lack of proper authority for the Commissioner. There are plenty of other fields in which this could be illustrated.

Not so long ago the ministerial and governmental authority for the police force was transferred to another department, the Attorney-General's Department. The police were proposed to be put into an Australia Police Force to which they objected; we resisted that on their behalf and together we have managed to get the police back into a Northern Territory force. I suggest that the police themselves need to consider their attitude further as to where they stand in the scheme of things. They desire the responsibility to be with the Minister for the Northern Territory and they point out quite rightly that the Commiysioner should have the authority which the Administrator used to have when he was the Commissioner of Police. I tell the police, and I cannot emphasise this strongly enough, that as long as they remain attached to the Minister for the Northern Territory, there is no way that they will not be subject to the interference of the Department of the Northern Territory and there is no way that the Commissioner can exercise his proper authority. The only way that they will overcome this in the long-term is for the Northern Territory people working through their elected members to take the responsibility for some of the decision-making on things like finance and establishment which is now being carried out by departmental officers - a situation whereby an executive member in this field has a direct relationship with the Commissioner and only at budgetary times and major police issues does he interfere with the normal functions of the Commissioner. Until they get in a situation where the Commissioner of Police can go directly to a "Minister" - which it will eventually be but at the moment it would be in the field of the Executive Member for Education and Law - without a group of other people in between who think they know best or are subject to financial and other departmental pressures, until they remove that group in between by putting the Commissioner directly alongside the person to whom he is finally responsible, this problem will continue. It is no good our passing motions and sending them off when that is the root cause.

We, of course, would not accept any responsibility in relation to the Police Force. We are not going out of our way to look for it, but I could assure the Police Force we would not accept any such responsibility unless the necessary understandings and undertakings were set down with the Commonwealth Government in advance in relation to finance and such matters of the establishment. Then of course it would be up to the Northern Territory people to decide what the priority was in having a police force with the proper function and a proper strength in relation to the other priorities within the Northern Territory. That is the situation which has to be achieved to solve this problem.

I ask the members of the Police Force to reconsider their present attitude in relation to this and the things that have been said here today. I indicate to them that we are willing to discuss the matter with them at any stage. The executive member responsible, myself and others who have helped them in the past are anxious to go on helping them and, by helping them, help the public

of the Northern Territory. With a little bit more thinking, we hopefully will not be moving motions like this in another year or two.

Miss ANDREW: In closing this debate, I would just like to have recorded that I hope the Minister takes time to read the Hansard report of this session this morning. I can only second the remarks made by the Majority Leader. In fact remarks along similar lines were going to take up quite the majority of my speech in reply.

I would like to urge the Minister, whilst he is reading the debate, to keep in his mind the equipment and numbers that we have expressed concern about this morning. The situation has arisen as a result of these interfering clerks who seem to be greater authorities on the police than either Commissioner McLaren or Mr McKinna; they seem to think they have a greater knowledge of the needs of the people of the Northern Territory than their representatives, the members of this Assembly. Any policemen, as the Majority Leader has inferred, would admit that if there had not been a period recently when they were under the Attorney-General, the police would probably be walking the streets of Darwin and Alice Springs or even the out stations with equipment that would probably be so outdated that it would not be worth anything.

There is an incredible fear in the police force of being under the Department of the Northern Territory. This is a result of past experience. In the words of the Majority Leader, this is the disease. The Commissioner must be made responsible for an independent unit and must be responsible to an elected representative of the people of the Northern Territory. Until this happens, we are going to have problems. But at least let us stop this ridiculous 460 ceiling rate that has been whacked on by a lot of clerks who know nothing about policemen other than that they pick up people on roads when they do things wrong. Let us have a little bit of rationalisation and direct control by the Minister.

Motion agreed to.

ROYAL COMMISSION INTO TRANSPORT IN THE NORTHERN TERRITORY

Mr RYAN (by leave): I move that this Assembly request the Government (a) to establish a Royal Commission to inquire into all aspects of transport affecting the Northern Territory; and (b) to defer the final closure of the North Australia Railway until the commission has completed its inquiry.

It is quite obvious from the events in the past two weeks that the transport situation in the Northern Territory needs looking into in depth. It is also obvious that the departments concerned have no idea of the implications of the decisions that they are making with regard to our transport needs. The closure of the railway is an example where a decision has been made without looking at the implications and the effects that it has on the Territory and on other facets of transport. When a department makes a decision, it obviously makes it on the information that comes from the department. However, in some cases, I do not think they go outside branches of departments to get some other people's views as to whether the decision that they are going to make is practical and whether it is going to have far-reaching effects. We get an arbitrary decision made without looking towards the future. The Territory transport situation must be looked into and a Royal Commission is the logical way to approach this. They have the resources and they have the expertise available to come up with the right answers and make the proper proposals to the Government so that, in future, when any decisions are made on transport the particular department involved has at least a guideline by which to work. They will be able to look at a report of a Royal Commission that was undertaken and they will see at a glance that their decision is either going to be effective or in fact create havoc as some of the decisions that have been made are doing.

I do not expect that the motion will be supported at great length by other members. The debate we had last week on the closure of the railway indicated the feeling that this Assembly has

against the decisions that are being made without having the facts supplied to the departments involved. I would like to quote an example. The decision with regard to ANL could be made on a commercial basis. When I explained to the Minister last week that the Darwin Trader in the last 12 months had been utilised by the Northern Territory, he said: "The information that I have been given is that the Darwin Trader is not being fully utilised". The Minister has been given information and he acts upon that together with other information which says that the commercial aspect of the operation is not good. I have since made some inquiries and in fact the tonnages on that particular operation have been increasing since the cyclone. In fact, the next Darwin Trader voyage is overbooked. I have brought this to the notice of the Minister and also stated that this was the indication I gave him last week, that his department was not supplying him with the correct information. I think this supports the move for a Royal Commission. When the report is brought down on the transport situation in the Northern Territory, the departments, no matter which department is involved, will have a guideline by which to make their decision.

The second part of the motion is justified. I am sure that, when an investigation is made into Territory transport, there is a strong possibility that the findings could be that it was a mistake to close down the North Australia Railway. I would hope that because of this possibility the Government would delay the final closure of the railway until such time as the report brought down by the Royal Commission is available. Then, if it is quite obvious the decision is wrong, then they can continue to operate the railway. But if they close it down and the decision is shown to be wrong, then it leaves us a little bit up in the air. If they act on the Commission's report, it will cost a lot of money to start the railway up again. I think we are quite justified in asking the Government to hold up any action to close the railway. I commend the motion.

Mrs LAWRIE: I am going to vote for this motion. I think it is about time we had a Royal Commission into all aspects of transport affecting the Territory. Of course, I support the second part which is for the deferral of the final closure of the North Australia Railway until the Commission has completed its inquiry. Any criticism I have now is not to be construed as criticising the Executive Member for Transport and Secondary Industry; I am going to criticise the Assembly.

I asked the honourable member this morning if he had received any assurance or any indication from the Federal Government that they would agree to this request and he was unable to give any such assurance. My fear is that this Commission will not be instituted. The present Prime Minister, Mr Fraser, indicated fairly clearly some months ago that he was not in favour of Royal Commissions or commissions of inquiry. I must assume that this too is "saving public money". My second fear is that if I am wrong and in fact the Government does as we request and establishes a Royal Commission into all aspects of transport, it would take so long for such establishment and so long for such a Commission to report, that the closure of the railway will not only be a fait accompli but there will be no hope of the reopening of that rail line. I therefore put it to this Assembly that it is time we told the people of the Northern Territory what we are prepared to do in relation to the NAR.

Having indicated clearly that I support both sections of this motion, I will agree to it. But I advise the Assembly that if we do not have an assurance within a week that there will be a Royal Commission or some other form of inquiry that the Government in its infinite wisdom may determine more appropriate and, more importantly, that the rail link will be kept open until such a finding is presented to the Government, I shall be sending a telegram to you, Mr Speaker, and to all honourable members requesting another sittings of this Assembly for the establishment of a select committee under the chairmanship of the Executive Member for Transport and Secondary

Industry. My fear is that the present Government will either ignore our request or delay the implementation of the request until it is too late to do anything to save the north Australian rail link.

I agree completely with the Executive Member that this inquiry will be of infinite value in the preservation of the Darwin Trader and the continuance of that service, but I think the honourable member may well be prepared to agree with me that this proposed Royal Commission is going to be far too late for the rail link. I do not regard the closure of the North Australia Railway as a fait accompli. We have all had reservations about the manner in which the decision was reached. I gave instances of what I think is wrong costing. I spoke of 50 flat-tops being charged to NAR and being used by Central Australia Railways. That has not been refuted. As I said earlier, I am not intending to criticise the Executive Member for Transport and Secondary Industry. In his statements to this House, he has indicated that he has approached the Minister on several occasions over the past few days. Nevertheless, notwithstanding his good intentions and his attempts to obtain information, he has been unable to table in this Assembly vital information regarding the costing and the effect of the cyclone on the costing of NAR.

This Assembly is of 19 people directly elected by the citizens of the Northern Territory. It has been pretty clearly spelled out that the decision to close down NAR will affect all citizens in the Northern Territory quite dramatically. Those people must be wondering if it is sufficient for us to refer back to the Australian Government this decision of theirs - not ours - to close down the line. Those citizens, I would imagine, would say: "Well, great, you have asked for a Royal Commission into all aspects and we agree that is overdue but what the hell are you doing about NAR meanwhile?". I put it to the Majority party that, if we do not get a clear indication within a week that both sections of this motion are agreed to and accepted by the Australian Government, the Assembly itself must reconvene and take a second step.

I support the motion in its entirety and I am pleased that the responsible Executive Member brought it forward. As I have said, I doubt it will achieve the purpose of keeping open the NAR, and we all have to examine the role of this Assembly and see if it cannot step in if the Australian Government abrogates its responsibility, as it has done so far in taking such a decision without any reference back to the local people responsible.

Mr PERRON: There is no point in going over a lot of ground which has already been covered in the House over the last couple of weeks. I will reiterate, however, that our transport lines are a limiting factor in the development of the Northern Territory and as such should be a prime concern not only to us but to the whole of Australia. The Port Authority here has regularly submitted to various governments proposals for port development. The railways seem always to have gone their own way regardless of the consequences. The road transport is disjointed and fragmented without any combined effort to rationalise haulage resources. Our airlines have also made their own arrangements presumably in consultation with the Federal Air Transport Department but with little or no liaison with anybody else. There appears to be no overall liaison whatsoever and certainly no consultation with the Assembly, industries or unions in the Northern Territory on the transport situation as it affects the whole of the Territory. I believe that it is necessary for a Royal Commission to look into all facets of transport in the Territory before any decision to reduce the existing system is carried out. Even if the railways decision is not reversed, I believe that there should still be a Royal Commission into the transport system of the Northern Territory because it is long overdue and there is no coordination at this present time.

I have some doubts as to the member for Nightcliff's proposal being very successful. If the railway does close down and the Federal Government does

not institute an inquiry as we are requesting, I doubt whether the Assembly forming its own special select committee to inquire into the railways would make any difference to the scene whatsoever at that late stage. I personally feel that what we want is an inquiry into the whole of transport into the Territory, not just the railways itself. It should be an integrated system, but at the moment it is just fragmented. I suggest that any Royal Commission which is appointed should start its inquiry by reading the debate in Hansard of Wednesday 26 May in this House.

Mr EVERINGHAM: We have heard the proposal of the member for Nightcliff to establish a select committee in the event of the Federal Government refusing to set up a Royal Commission for inquiry into transport in the Northern Territory. I am confident that the Federal Government will accede to our request in this regard. I should like to rebut the statement of the honourable member that the Prime Minister is against the establishment of commissions. The Prime Minister is against the proliferation of commissions and inquiries as it was the wont of the previous administration that, whenever there was a painful decision to be taken, it would avert taking the decision and hopefully in the long run avert public wrath, by holding an inquiry into it. This would put off taking the decision and put off the pain of amputation for another 12 or 18 months, and God alone knows what might turn up in that time. That sort of governing is not the way that a responsible government would pursue. I personally doubt the value of a select committee of this House to inquire into transport needs of the Northern Territory because I think we are all terribly subjective about this whole issue. Our attitudes are all well known; we resolved unanimously only last week that we did not want to see the railway close down or the Darwin Trader taken off the run. What we need now is some independent people who can examine from the outside what the Territory really does need and see what its priorities should be. I would hope that, when this commission is set up, it is set up not only consisting perhaps of a judge as chairman but that we might be fortunate enough to get someone of the stature in the transport industry of perhaps even Sir Peter Abels who has great experience through running one of the largest transport organisations in Australia, which coordinates road transport with rail transport. He could be just the man to sit on any such commission as this. And I think we also need someone with knowledge of the aviation industry and perhaps a top airline executive would be another good man to have on a 3-man commission because the Territory is very dependent on intra-territorial air services and also services from the east, south and west. This is the sort of commission that I am hoping the Federal Government will set up.

I do not think that there is any merit in what the honourable member for Nightcliff says about our Executive Member for Transport not having a firm indication from the Government that a commission would be established at this stage. It would have been anticipating the wishes of the House on the part of the honourable Executive Member had he come in this morning and said, "Yes I have already decided that the House is going to call for this commission and I have got the Federal Government to line up 3 commissioners already". How can he know in advance what is going to be the result of the motion?

Dr LETTS: The motion proposed by the Executive Member for Transport and Secondary Industry is very broad in its first term of reference and necessarily so because we are asking a commission to look at all aspects of transport in the Northern Territory: rail, road, sea including the port, and air. All of these areas are long overdue for investigation. Over a long period of years, we have never had a comprehensive investigation into the transport situation of the Territory. There have been various bits and pieces. I remember a few years ago the Loder Report which has long since been pigeon-holed. We have had the McDonell Inquiry into the port which again has been forgotten. The way is paved with broken promises and bits and pieces. We had a firm promise by the government of the day in 1969 that $20m was to be

set aside and appropriated for modernising and upgrading the port of Darwin. None of that has ever been spent. We had the setting up of the Rural Roads Conference ostensibly to help bring the community into the planning of the road network of the Northern Territory and advise on that. That has fallen by the wayside. The transport system of the Territory which has never been good is gradually eroding away through inattention and poor decision.

The Commonwealth Government has this responsibility in the Northern Territory for transport and it has a multi-million dollar investment when one thinks of the existing railways and the proposed new link from Tarcoola to Alice Springs and when one thinks of the roads which have been built in the past and are intended to be provided in the future. It is an investment running into hundreds of millions of dollars and the question is whether it is being properly utilised, whether the priorities are right in transport, in an area which is absolutely vital to everybody living in the Northern Territory, whether they live in a town or outback, because it is reflected very much in the cost of living of every citizen and in the profitability of every undertaking which is mounted here. There is definitely ground for the mounting of a comprehensive transport inquiry with particular reference to the railway situation.

As far as the suggestion by the honourable member for Nightcliff is concerned, I believe that the suggestion made at this stage in the way that she has made it would be counter-productive to what the Assembly is trying to do. We are trying to get a proper, independent, full-scale commission of inquiry, and her suggestion would give to the Commonwealth a weak alternative by inviting them to say, "Oh well, if we do not accept this request, they will go along and do their own little thing anyway". I think it was a mistake in tactics if nothing else to bring that forward.

The suggested time limit of a week for a decision to be made or you will be pressed to call the Assembly together again seems to be quite ridiculous, Mr Speaker, in light of the fact that it is well known that the Prime Minister to whom this matter will undoubtedly be referred is leaving to go overseas within a couple of days for a week or ten days. His thoughts and efforts will be taken up largely with the matters he will be attending to there and to say that we must have a decision within the week is quite absurd. As far as stopping the closure of the railways is concerned, one has to question whether the move suggested by the member for Nightcliff could be effective in any shape or form. If the railways closure is to become effective at the end of the financial year, how could we mount and carry out the work of a select committee and come up with a result in time to avert that? It would not achieve the effect that she is seeking.

Let us go all out for this Royal Commission; let us do everything we can to bring that about and, if we cannot achieve that, let us look again when that decision is known. It may not be known for several weeks.

Mr RYAN: In closing the debate, I would like to make one point. I trust that the Government, when conducting this inquiry, will do nothing to inhibit the projects that are presently underway in the Northern Territory such as the Tarcoola-Alice Springs rail link and the road program.

Motion agreed to.

ORDINANCES REVISION BILL

(Serial 124)

Continued from 2 June 1976.

Mr SPEAKER: In response to a request from the Majority Leader, I have declared this to be an urgent bill.

Motion agreed to; bill read a second time.

In Committee:

Miss ANDREW: The amendments proposed to this bill are quite complex. Except for a few obvious punctuation or spelling corrections, the purpose of the

amendments is not obvious. I can assure all members that the amendments are all formal in nature. None of them makes a substantive alteration to any legislation. They were prepared by the legislative draftsman solely for the purpose of making necessary formal amendments to ensure that the consolidated reprints of our legislation would be in proper form and free from error. I have been provided with notes to explain them, but the explanations themselves are necessarily complex. It is not therefore my intention to explain the amendments as I move them with the exception of the first. However, if any member feels that he requires further information in respect to a particular provision, I will attempt to explain it from the information I have.

Clause 1 to 3 agreed to.

Clause 4 negatived.

Miss ANDREW: I move that new clause 4 be inserted as circulated.

It is proposed to make an amendment to section 10 of the Ordinances Revision Ordinance 1973 rather than amend section 7A. Section 7A would not have covered a few situations such as in the Encouragement of Primary Production Ordinance where the repealing section repeals an ordinance as amended rather than repeals each individual ordinance.

New clause 4 agreed to.

Clauses 5 and 6 agreed to.

See Minutes for amendments to First Schedule agreed to without debate.

Second Schedule agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

TRESPASSERS (TEMPORARY PROVISION) BILL

(Serial 122)

Continued from 2 June 1976.

In Committee:

Clauses 1 to 3 agreed to.

New clause 3A agreed to.

Clause 4:

Miss ANDREW: I move that clause 4 be amended as circulated in amendment schedule 102.2.

Amendment agreed to.

Miss ANDREW: I move that clause 4 be further amended as circulated in 102.3.

A new subsection is added to section 7 to provide that, in addition to the action specified, at least one clear working day before the time set for the hearing the notice is displayed prominently on the land. This has arisen as a result of mailing problems with some of the people concerned. In fact, a magistrate has already sent one letter that has not reached the people and therefore they could not go to the hearing. This amendment is to make sure they do know about it.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to with amendment.

Clause 6 agreed to.

Clause 7:

Miss ANDREW: I move amendment 102.6 as circulated.

Mr EVERINGHAM: As I understand it, this proposed amendment relates to the form in the schedule. I wondered whether the sponsor of the bill proposes to change the heading of the form from "To all trespassers" to "To all occupiers" or something like that as we were told yesterday by the member for Port Darwin that he takes objection to that particular phraseology.

Amendment agreed to.

Miss ANDREW: I propose a further amendment to delete the word "tres-

passers" so that the form reads: "To all occupiers".

Amendment agreed to.

Clause 7, as amended, agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

TERRITORY PARKS AND WILDLIFE CONSERVATION BILL

(Serial 83)

Continued from 2 June 1976.

In Committee:

Postponed new clauses 4, 4A, 4B, 4C, 4D:

Dr LETTS: I remind the committee that the postponement of these clauses was sought by the honourable member for Port Darwin on Tuesday on the grounds that they had only been recently circulated. He did not raise any specific objection to them at the time and nobody has communicated any problems in relation to thess clauses to me since.

Mr WITHNALL: I have no objections at all.

New clauses 4, 4A, 4B, 4C and 4D agreed to.

Postponed clause 8:

Dr LETTS: I did propose an amendment to clause 8, 101.5, to omit from subclause (2) the words "a sanctuary or", and some debate ensued on this matter. I pointed out to the committee that the word "sanctuary" is not a word that is in use in this ordinance elsewhere, nor is it a word that is in use in the national legislation, and that it is falling more and more into disuse in the conservation field. Our bill provides for the reservation of reserves and declaration of reserves and parks within which wilderness areas can be provided and for which, even before a plan of management is drawn up, the commission can lay down such purposes and uses as it wishes in order to safeguard the area and other areas including protected areas as is laid down in the ordinance. The categories and classifications we have used are in line with national and common state usage. I did at a later stage of the committee draw the honourable member for Port Darwin's attention to the new provisions of clause 13 and I trust that his questions will now be answered on this clause.

Amendment agreed to.

Dr LETTS: There are a couple of other amendments proposed to clause 8 which we did not get to the other day. Amendment 101.6 which I now move is in relation to the subsoil below the park's surface. Originally we had intended to specify on a notice declaring a park the depths of subsoil which would be included in such a declaration, but having spoken to a number of wise people in the Department of Environment, the Northern Territory Reserves Board and having had a look at it myself, I realised this could cause complications and that it might be argued by interested parties that they did not know what was below the ground in the subsoil, that they intended to find out and they would seek the deferral of declarations until such time as fairly comprehensive examination of the subsoil area was made. This could just become an excuse against the declaration of parks which are necessary and we deem it wiser to remove that provision.

Amendment agreed to.

Dr LETTS: I move a further amendment of clause 8 as in 101.7.

This is to extend the subsoil principle out to the seabed area.

Amendment agreed to.

Dr LETTS: I move the amendment in schedule 101.8.

This is again an extension of the amendments relating to the subsoil areas. It provides that in particular cases subsoil may be expressly declared not to be within that park or reserve where it is known for some reason that

it should be excluded.

Amendment agreed to.

Clause 8, as amended, agreed to.

Postponed clause 13:

Amendment in schedule 101.10 agreed to.

Dr LETTS: There is a further amendment, 101.11, which is a very important one and which I now move.

This amendment provides that the commission, with the approval of the Administrator in Council, may perform its functions for a park or reserve while a plan of management is being prepared. This will provide for security and proper management of parks and reserves while the plans of management are being prepared and going through their normal processes. As I indicated to the committee yesterday, there are even at the moment something like 40 such areas under the control of the Reserves Board. It would be quite impossible for plans of management for the whole lot to be all prepared at the one time and available at the one time. In fact, there could be even several years before the whole range is covered by plans of management. In the meantime, it is necessary for the commission to have the authority to carry on business as usual with proper controls laying down purposes for which the areas can be used and looking after them. That is the purpose of that amendment.

Amendment agreed to.

Dr LETTS: I move amendments 101.12 and 101.13.

These are identical types of amendments to subclause (5) and subclause (6) respectively of clause 8. They remove the sanctuary words again.

Amendments agreed to.

Clause 13, as amended, agreed to.

Postponed new clauses 17A, 17B, 17C:

Dr LETTS: In the discussion on these new clauses which would bring back into the bill the protected areas concept, 2 honourable members asked who would be included in prescribed classes of person. I have prepared a new clause 17C and a new clause 17D which will clarify that situation and I need to find a way to propose these amendments to the new clause before the question is put that the new clause be agreed to.

I move amendment schedule 106.1.

I need to speak not only to that proposed amendment to the amendment but also to the other successive amendments including an additional new clause 17D. Members will find that we have drafted a list of persons who are exempt in respect of possession of firearms while in the protected area. They will also observe that all of these persons are doing work on behalf of the commission - a warden, ranger, officer or employee of the commission, an officer or employee of Australia. Anybody who has any doubt about that last expression should read it in relation to section 17D. It can only apply to other officers of the public service when they are actually carrying out duties under this ordinance and on behalf of the commission. I hope that this will help to satisfy the honourable members who raised the point yesterday.

Mrs LAWRIE: I rise to indicate my support for the proposed amendments. I agree that it is a far better way of providing exemptions than that previously envisaged.

Amendments agreed to.

Dr LETTS: I move circulated amendment 106.2.

This refers to new clause 17C. The honourable member for Port Darwin raised the question yesterday that it is not only public roads which are involved in protected areas. Some of these protected areas are also on private land and they may have private roads running through them. In the light of his comments, I propose to insert the words "or private".

Amendment agreed to.

Dr LETTS: I move amendment schedule 106.3.

Amendment agreed to.

New clauses 17A, 17B, 17C, as amended, agreed to.

New clause 17D:

Dr LETTS: I move the insertion of a new clause 17D.

This is the clause referred to earlier which defines the people who are exempt for the purposes of new clause 17C.

Mr WITHNALL: I discussed this clause this morning with several persons and it was pointed out to me that, although the exemption does not make any reference to owners or employees of private land, this would be covered by the provision in the original section which provides that, subject to any authority of the director, a person shall not be on these protected areas with a firearm. While I accept that argument, I think it is a fairly unsatisfactory way of going about it.

I would ask the honourable member whether he has considered the difficulties that would be caused immediately on the coming into force of this ordinance in the declaration of those areas on either side of the road 20 miles off the Stuart Highway and further up to the East Alligator River where a mile or so on either side of the road is already declared a protected area. This declaration has been most effective and has been most useful in preserving wildlife in those areas but, since that area passes through 5 or 6 pastoral leases, certain difficulties may be seen to present themselves because, although an authority may be given by the director, nevertheless that would have to be by name. Since employees or persons on these pastoral leases change from time to time, it would seem that to rely upon the authority of the director to name persons from time to time as having authority would be a fairly clumsy way of administering these sections. I wonder whether the honourable member is prepared to give further consideration to the format of the exemption proposed in section 17D.

Dr LETTS: With the insertion of the new amendments, I understand that, where property adjoins the protected area or where the protected area may be over part of that property, the owner who has to come and go and perhaps his employees would be covered by 17C. The written authority of the director can be given to such people and it would be my understanding that this is the way it would be done. I am prepared to look at the proposition of the honourable member and, if necessary, bring forward further amendments at a later stage to the legislation. I cannot see at this time that it is sufficient gound for not dealing with the amendment as proposed.

New clause 17D agreed to.

Postponed clause 24A:

Dr LETTS: I move circulated amendment 106.5.

This further amendment was designed to meet a specific objection raised by the member for Port Darwin yesterday as to the literal interpretation of "forthwith" where people are in a remote area or place where communications are difficult.

New clause 24A agreed to.

Postponed clause 26 and amendment moved by Dr Letts:

Dr LETTS: This was postponed because of a point raised by the member fr Port Darwin who said that the offence is far removed from the penalty in geographical placement in the ordinance. There is a general penalty clause later on in the ordinance and I take it that his point has some force. It is usually desirable to have the offence and penalty closer together. In this particular case, the question for onus should be alongside the matters generally relating to the possession of the animal. That is where it is.

Amendment agreed to.

Clause 26, as amended, agreed to.

Postponed clause 32:

Dr LETTS: I support the clause standing as printed. After the discussion yesterday in committee, I had the opportunity to look at the legislation in the Northern Territory which has been in existence for some 12 years. I found that the penalty clause in relation to this particular one is exactly the same as the current legislation. I have no evidence of its ever being abused or misused. Taking into account the natural and reasonable discretion of the officers engaged in these kind of duties and their familiarity with the situation in the Northern Territory, taking into account the provisions which provide that the Director of the Commission may provide assistance to a landholder in relation to the control of his pests, taking into account those years of experience and that the honourable member for Port Darwin had something to do with the drafting of the original provision which has stood for 12 years, I can still see no good reason to change the provision.

Mr Withnall: It still does not make it good.

Clause 32 agreed to.

Postponed clause 58 and amendment proposed by Dr Letts:

Dr LETTS: I recall that certain questions rather than disagreements were raised by the honourable member for Nightcliff in relation to clause 58. The amendment which I propose under schedule 101.46 actually only provided for the commission to take more initiative than provided in the original clause, but she drew attention to a later provision of the original clause which I had not intended to amend and still do not, simply to ask whether in relation to wildlife and management on Aboriginal lands, Aboriginal people had been consulted or the officers of the department had been consulted or anything of this sort had taken place. In discussions with my wildlife advisers, I found that they have had some discussions with officers and members of the Northern Land Council and there is an indication already that Aboriginals would be interested in seeking assistance and advice on some of this wildlife management on Aboriginal land now or to be Indeed, they have some ideas already on some of the areas of particular interest. Since the committee discussed this last, I have been in touch with senior officers of the Department of Aboriginal Affairs and the senior adviser of the Minister for Aboriginal Affairs, and they see no apparent difficulty in relation to this clause at all. I think it is self-explanatory when you read the whole clause; all the necessary safeguards and provisions are there.

Amendment agreed to.

Clause 58, as amended, agreed to.

Postponed new clauses 79, 80, 81, 82, 83:

Dr LETTS: The sole reason why we postponed consideration of these clauses was a point raised by the honourable member for Port Darwin as to whether I could give any indication as to the circumstances in which the director might direct one of his officers, a warden or a ranger, not to exercise the particular powers proposed to be given to him under this ordinance. Some discussion did ensue afterwards in another place and with people who are actually working in this kind of field and it was pointed out that one of the circumstances in which this provision might be used is that enforcement officers might be told in particular to look after their own immediate areas rather than intrude into areas under the management and control of other people. In other words, there could be some geographical or zonal limitation of powers for particular reasons. This is quite common with such situations. If you have a field officer or enforcement officer who is handling a particular problem in his district and then somebody else comes in over the top of him, he is just as likely to mess it up. I could give honourable members plenty of examples from the field of that sort of thing.

The other point of concern with the honourable member for Port Darwin is

whether policemen in particular who would be ex-officio wardens and rangers in this legislation might do as has been suggested that 1 or 2 of them have been inclined to do in the past, and that is to use the provisions of one ordinance as an excuse to take action in relation to some other matter altogether. I certainly will undertake to bring to the Commissioner's attention the point raised by the honourable member and, on his appointment, to the attention of the Director of Parks and Wildlife, to make sure that they are instructed that the powers are only to be used in relation to wildlife matters and there will be a close watch kept to see that the powers are not misused in relation to other matters.

Apart from that, there is some further protection in the fact that a report has to be given under subsection (6) where action is taken. If action is not properly taken under the provisions of this ordinance, there is no protection specifically given under subsection (7) for a warden or ranger who exercises his power in contravention to any direction given to him by the director.

New clauses agreed to.

Postponed new clause 93A:

Mrs LAWRIE: I have discussed this clause with the Majority Leader and I am still completely dissatisfied. As it does not appear that the matter can be satisfactorily cleared up at this session - and I do understand the Majority Leader's wish to finalise the legislation - I can only advise that I would hope to have further discussions with him in the future with regard to tightening up this procedure considerably as I do still regard this as completely unsatisfactory.

Dr LETTS: I have had some further discussions with the honourable member for Nightcliff since yesterday and cannot inform the committee that I am able to satisfy her on this matter. Neither is she able to satisfy me entirely. I have had quite a hard look at this matter again. The advice I have is that it is a pretty standard provision in this type of legislation. In fact, in the federal legislation, there is no provision at all for declaration of interest because the National Parks and Wildlife officers would probably be outside the Public Service Act as far as the normal provisions of that act would apply to other people in the Australian Public Service. Throughout the service you have people working in mining, in parks, in responsible fields at top levels of administration, who are all in the same situation. When you appoint people to a responsible position, you must have in mind that they will exercise that responsibility, and one of the weaknesses of what she was trying to do - although I must say that I am prepared to discuss it further with her at a later stage - is that you can have it laid down in a piece of legislation that, if somebody holds shares in a company or any pecuniary interest whatever, he has to disclose his interest, but that still does not stop a meeting taking place with somebody who had not got any interest in that matter, a decision being made which could influence the future history of the place and the person concerned going straight out and buying 5000 shares in it if he wants to. If they are going to be dishonest to that extent, they are going to be dishonest anyway. We cannot get a complete coverage; all we can do is the reasonable thing.

New clause 93A agreed to.

Postponed clause 100 and amendment proposed by Dr Letts:

Dr LETTS: I have a further amendment to the amendment which has been circulated under schedule 106,6 which I now move.

It is an attempt to take care of a point which the honourable member for Nightcliff raised yesterday relating to traditional use of land by Aboriginals for hunting and foraging. It is not considered traditional use to be using a motor vehicle or a firearm in conjunction with land use. She drew attention to the words "being in the company of a person who had in his possession or was using a firearm". She took exception to the words in that somebody who was in the company of

somebody who might have possession of a firearm may not know of it if the weapon was concealed. I have proposed an amendment which removes those words.

Mrs LAWRIE: I have paid close attention to this proposed amendment and I think that it adequately covers the point which the Majority Leader was trying to make.

Amendment to the amendment agreed to.

Amendment, as amended, agreed to.

Clause 100, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported; report adopted.

In Committee (on recommittal):

Clause 5:

Dr LETTS: I move that clause 5 be amended as circulated in 105.1.

We had the same problem here as we had in relation to the Encouragement of Primary Production Ordinance the other day. We are not allowed to commit the Auditor-General, who is the person previously mentioned in the bill, to specific duties. We can make reference to the Treasurer who in turn may appoint the Auditor-General or some delegate to these duties but it is beyond our powers to actually secure his appointment directly.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 92:

Dr LETTS: I move the circulated amendments 105.2 and 105.3.

These are concerned with this same matter which we have just dealt with on clause 5: the removal of "the Auditor-General" and the substitution of "the auditor" as defined.

Amendments agreed to.

Clause 92, as amended, agreed to.

In Assembly:

Bill reported; report adopted.

Question put, that the bill be now read a third time:

Mr EVERINGHAM: I seem to recall in November 1974 that the first debate in the first fully-elected Legislative Assembly was one condemning the then Minister for the Environment and the then Government for proposing legislation in a federal sphere in relation to national parks because the legislation proposed to take away from the Territory any jurisdiction in that area. It now seems that the wheel has turned a full circle and we have almost passed through all stages in this House a most comprehensive bill in this area. I think that we must thank the new minister, Senator Ivor Greenwood, who is very ill at the moment, for the cooperation that he has been able to give in the short time that he has occupied that office.

I know that the Majority Leader has devoted a great deal of time over the last few years pursuing his objects in this regard. I know that there are other members in this House equally interested and equally devoted to this area and I would like to congratulate them all. I think it is a very significant and historic occasion in that once again control over some of its own house is being returned to the Northern Territory and the people's representatives in the Northern Territory.

Members: Hear, hear!

Dr LETTS: I thank the honourable member for Jingili for his remarks and I would like to take this opportunity of thanking the officers of the Department of the Northern Territory, the officers of the Department of the Environment and the members and officers of the Reserves Board of the Northern Territory who have worked with me over some weeks on this matter. I am sure that we will be amply rewarded by the fact that the Assembly has seen fit to accept this legislation. I

would like to include in those words of thanks the legislation officer of the Assembly executive and the draftsmen who have all cooperated with great enthusiasm and a good deal of dedication in trying to satisfy the various points of view and getting something which can finally be agreed upon here. I am sure that what has been done will be of long-term benefit to the Northern Territory.

Bill read a third time.

POLICE AND POLICE OFFENCES (APPOINTMENTS VALIDATION) BILL

(Serial 125)

Continued from 2 June 1976.

Mr SPEAKER: In response to a request from the Majority Leader, I have declared this to be an urgent bill.

Motion agreed to; bill read a second time.

In Committee:

Clause 1 agreed to.

Clause 2:

Mr WITHNALL: I move that clause 2 be amended by omitting all words before and including "then" and substituting "If the Administrator in Council makes a regulation under the Police and Police Offences Ordinance in the terms specified in the schedule".

The words in the schedule do not constitute a regulation. Regulations are made by the Administrator in Council and therefore it is wrong to speak of the regulations specified in the schedule. The proper way to deal with it is as I have suggested. If the Administrator in Council makes a regulation in the terms specified in the schedule, then it may be made retrospectively.

Amendment agreed to.

Clause 2, as amended, agreed to.

Schedule agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

NATIONAL TRUST OF AUSTRALIA (NORTHERN TERRITORY) BILL

(Serial 116)

Bill presented and read a first time.

Mrs LAWRIE: I move that the bill be now read a second time.

This legislation is presented on behalf of the Australian Council of National Trusts. There are National Trusts established in Victoria, New South Wales, Western Australia, Queensland and South Australia. This ordinance follows closely the South Australian act as, in the opinion of the Australian Council and in my opinion, it appears to be as practical and functional as any and achieves the purpose without being too verbose. The objects of the Trust are pretty well the same as the national trusts throughout the world. The administering body in the Northern Territory is to be the council. In view of the special circumstances existing in the Northern Territory, it was considered desirable first to constitute the 2 regions and from the regions to constitute the council. Honourable members do not need to be reminded of the vast distances of the Territory, and that is the special circumstances referred to.

Another consideration is that previously in the Northern Territory there was an incorporated body in Alice Springs known as the Northern Territory National Trust Incorporated, and there was a body for the same purpose formed in Darwin. There has been close consultation with the 2 bodies during the preparation of this legislation and it has been discussed fully by them and agreed to by them. Within the region to be established, it is envisaged that branches will be established in Katherine and Tennant Creek where there has already been a deal of interest shown. Katherine, in particular, is ready to form a branch as soon as possible.

If there are to be proposed any amendments by this Assembly, I would like time to refer them back to the

Australian Council of National Trusts for their comment and to the 2 regions, and I would appreciate some notice of such proposed amendments before the next sittings as this bill is really presented on behalf of the Australia-wide body and the 2 regions already formed in the Territory. They are all hoping for more or less uniform legislation, if not in words at least in intent, throughout Australia. This legislation, to my knowledge, does not set any precedents.

Before dealing with the bill, I would like to express thanks for the assistance given to me in the preparation by Mr Peter Spillett and By Mr Toogood who is the Director of the South Australian National Trust. I would like to thank the Parliamentary Counsel who have been in the unenviable position of having to deal with the 3-way preparation of the bill, not only with myself as sponsor but with the local regions and with the Australian Council of National Trusts. Out of this rather large conglomeration, I believe has come reasonable legislation.

To move to the sections of the bill, section 2 deals with definitions and section 3 establishes the Northern Territory National Trust and provides for a common seal. Section 4 provides for the taking over of assets and liabilities of the Northern Territory National Trust Incorporated and for the dissolution of that body. I would stress to honourable members that this has been discussed and agreed to by that body. Section 6 specifies the objects of the Trust; these are Australia-wide. Section 7 deals with division of the Northern Territory into 2 regions. At this point, may I say that the regional committees have been established and have elected their various chairmen. I stress to honourable members that with all these provisions in the bill, there has been full consultation with the regions and the provisions are in accordance with their wishes and the wishes of the Australian Council of National Trusts.

Section 10 deals with the setting up of the council of the Trusts and I draw honourable members' attention to subclauses (4) and (5) providing for the appointment of the president of the Trust and a senior vice-president, ensuring that each region shall be properly represented. The fact that the president and senior vice-president alternate annually as president of the council need not upset continuity and will retain the balance between regions and, although independent accounts and sets of books will be maintained by each region, it is realised that it is essential as a unified body that a consolidated balance sheet shall be prepared annually; that too is provided for in the legislation.

Section 11 deals with exemption from rates and taxes and exemption from stamp duty. On the information provided to me by the Australian Council, I understand that these are privileges extended to all national trusts the world over and they are written into their regulations.

Section 12 of the ordinance provides the council with a bylaw-making power which again follows normal power invested in other national trusts around Australia.

We then come to section 13 relating to the rules of the National Trust and the classes of members. The National Trust in the Northern Territory wish particularly to have these rules set out in this form; they are looking for uniformity in legislation. If any member wishes to query any of the rules, I would appreciate early advice, and I would be happy to arrange a meeting between any concerned honourable members and the regional committees for discussion.

We now come to the provision for nominated members of regional committees in paragraph 7 of the schedule. There is provision for the appointment of a member of the Museums and Art Galleries Board, the Northern Territory Reserves Board - and I realise that may need some amendment with the passage of the National Parks and Wildlife Bill - and there is also provision for appointment of an authorised officer or person within the meaning of the Native and Historical Objects and Areas Preservation Ordinance. Those 3 classes are provided for specifically.

The bill then provides for the constitution of the council, for the filling of vacancies on the council and specifies the powers of the council and the appointment of the chairman of the council. Paragraph 12 of the schedule allows for the appointment of such officers and servants as the council may from time to time think desirable. Further, there is a provision for the appointment of vice-patrons and, in paragraph 14, there is provision for the appointment of committees and sub-committees for any specific purpose; there is power to add to any such committee for any such length of time and with such powers of voting or otherwise as the council may think fit, any member of the National Trust or other person whose aid they judge useful to forward the objects of the National Trust.

Paragraph 15, deals with vacancies and defects not to invalidate proceedings. I believe this is a normal provision in legislation of this type. We then proceed to deal with the keeping of minutes and with the mode of executing instruments and notices.

Paragraph 18 deals with arrangements with local authorities and persons and is of course of extreme importance. I draw honourable members attention to sub-paragraph (2) of paragraph 18:

> *Where any persons willing to agree with the National Trust that any land, or any part thereof shall, so far as his interest in the land enables him to bind it, be made subject either permanently or for a specified period to conditions restricting the planning, development or use thereof, in any manner, the National Trust may, if it thinks fit, enter into an agreement with him or accept a covenant from him to that effect.*

In Western Australia, this particular provision has been used, not only for the benefit of the Western Australian National Trust but I believe to the benefit of the citizens of that state generally.

Paragraph 19 deals with powers to borrow and paragraph 20 with gifts. Paragraph 21 deals with investment and I am advised that this is the common provision in this type of legislation. Honourable members will recall that I queried such a provision in other legislation but I am advised it is perfectly normal. Honourable members will notice that in subparagraph (3), the Northern Territory National Trust may, under certain circumstances, sell any property belonging to it which is not required for the purposes of the ordinance. Paragraph 22 states that the National Trust is to keep proper accounts of the income and expenditure and I must advise honourable members that in subparagraph (2) of proposed paragraph 22 there was a quite an incredible misprint. At present, it reads, "The Council, and every employee of the annually audited by a member of the Institute of Chartered Accountants in Australia.". That is, of course, gobbledegook. There is an amendment to be circulated which will correct this. Paragraph 23 deals with the repeal and alteration of the rules of the council.

The next section of the bill deals with branch rules. Again, I advise that the Australian Council of National Trusts and the local bodies already formed agree with the expression in the ordinance of the branch rules in this form. It was a specific request that they be included in this form. The remainder of the bill deals with arrangements within branches, their aims, names, committee vacancies in branch committees, powers of the branch committee and the duties of the chairman. These branch rules are proposed from the Council of National Trusts and they have been considered and accepted by the local bodies. If honourable members feel that there is something that they would wish to query, I would appreciate such advice so that we can meet with the branches to discuss it.

Paragraph 31 deals with the appointment of such honorary servants from among branch members from time to time as it thinks desirable. Following paragraphs deal with the appointment of committees, subcommittees and sub-branches if necessary and also with the keeping of minutes, accounts and subscriptions etc. I draw honourable members' attention to paragraph 40 which states quite clearly that no member of

any branch committee shall have the power to execute any documents on behalf of the National Trust of Australia (Northern Territory). Paragraph 42 clearly states that no branch committee shall engage in any form of litigation except with the expressed consent of the National Trust and under the direction of and in the name of the National Trust (Northern Territory).

The final part of the bill deals with the winding up of the branches. I must advise that I shall be preparing and circulating a schedule of formal amendments to tidy up spelling mistakes, grammatical errors and, in some parts of the bill, the transposition of printer's lines. None of these formal amendments will alter the intent of the proposed legislation.

I think I have made the point pretty clearly that, in the interests of good legislation for the Northern Territory and in the interests of safeguarding the good name of the Australian Council of National Trusts, it is really most necessary that any proposed amendments be referred back for comment. I commend the bill to the House and I will be available if the Majority Leader or any other member wishes to have particular meetings with a member of the body known as the Australian Council or the Northern Territory Regional Council or the sub-branch committee.

Debate adjourned.

TRAFFIC BILL

(Serial 92)

Continued from 24 February 1976.

Mr RYAN: I do not have any particular objections to this legislation as such. However, the department is looking at the whole question of the provision of special licences with a view to bringing in an amendment to the ordinance to rationalise this particular part of the legislation. In view of this, I recommend that the debate be adjourned until we have considered the total question of special licences.

Debate adjourned.

ADJOURNMENT DEBATE

Mr TAMBLING: I move that the Assembly do now adjourn.

I would like to take this opportunity to make an announcement on the Majority Party's proposals which have been widely canvassed and discussed in this community with regard to a home sales policy scheme for the Northern Territory Housing Commission. I and other members have made a number of statements with regard to the proposals that we were putting together to initiate a suitable home sales policy scheme for the Northern Territory Housing Commission. These are most desirable because it is very important that we have policies in the Northern Territory which will encourage people to stay in the Northern Territory. In 1975, this Assembly passed an amendment to the Housing Ordinance which enabled the Housing Commission to build and sell houses on privately owned land. That provision was largely to provide for the circumstances of some 600 to 800 homes in Darwin that had previously been sold by the Housing Commission and were in a damaged state. A number of those people were desirous of using the resources of the Housing Commission to reinstate their buildings. That amendment was passed and is currently being implemented by the Housing Commission. I am aware that they are dealing with a number of people under the provisions of the ordinance and arranging contracts and finance for them as required.

The special situation of the Northern Territory has always been evident to the Housing Commission. There are a number of government subsidies both direct and indirect that have affected the Housing Commission's performance over its entire life period. The fact that it receives its finance at 4% from the Federal Government traditionally tied its hands with regard to the way in which it dealt with or disposed of any of its assets. It has applied rental rebates subsidies to people under terms and conditions that are generally applied nationally and it has enjoyed considerable subsidies with regard to the cost of land.

My party has prepared legislation, and we have it in a draft form, which would take the next step of establishing a very suitable form of home sales scheme. I was preparing to introduce it at this sittings of the Assembly; however, very recent developments between the Commonwealth and the states have meant that it would not be timely for me to introduce it because the states have asked the Commonwealth Government to totally review and reconsider the Housing Agreement Act 1973. Since that act has been adopted, in general the Housing Commission has been forced to abide by the guidelines, with regard to its finances, as set down between the states and the Commonwealth. The fact that the states have now called for a review of that act and an alteration to the ball game, if you like, means that, if I was to proceed with the introduction of legislation, I could force the Housing Commission into a very invidious and embarrassing situation if the financial arrangements were in any way to change drastically. I would also embarrass the eligible home purchasers that we would be providing for because I could give them no guarantee of surety or certainty with regard to the way in which they would be eligible for the terms which they could expect from the Housing Commission. The Majority Party has therefore decided to defer introduction of the legislation. Hopefully, I will be in a position in August to introduce legislation in accordance with the new rules which will be established between the states and the Commonwealth.

I attended the state housing ministers' conference several weeks ago at which a decision was taken to hold off until after the Premiers' conference, which I believe is scheduled for mid-June, when the new rules with regard to uniform means tests and sales restrictions will be established between the Prime Minister and the Premiers. There will naturally then be a flow to the Northern Territory; and how will these new rules affect us?

Firstly, I believe that we have to get the Government to accept the very special situation and special needs of the Northern Territory. We have to establish the outstanding insurance claim of the Housing Commission so that they are not financially embarrassed as a result of all the damage occasioned by Cyclone Tracy. Then we have to establish whether or not the rules that will then apply between the states and the Commonwealth will hold the same degree of relevance that they have held in the past. My basic understanding is that the states generally tend to utilise their Housing Commission to provide for welfare housing; that is, for people who can in some way be termed to be either at or below the average male weekly earning rate. I do not accept that that is the basic criteria that ought to be applied to the Northern Territory. We do not have a situation in the Northern Territory where finance is readily available to people who wish to build privately. We have an inflated building cost factor that has a great deal of bearing on people wishing to build privately in the Northern Territory and we have a number of other considerations that must make us special, particularly with regard to our isolation.

The legislation that we propose to introduce is basically going to provide that the commission would be able to sell its houses throughout the Northern Territory to approved tenants. Naturally, there would be a number of qualifications as to who is an approved tenant, but basically it is a satisfactory occupation, tenancy and family arrangement, and a qualifying period that they have been satisfactory tenants for a continuous period of 5 years. The legislation we propose would accept that applications could be received either by the head of the household or jointly as is the applicable family situation. We are proposing to institute suitable deposit and repayment terms, possibly of the order of a $500 deposit and up to a 45 year repayment term. There would naturally be restrictions on the sale of the dwellings within a period after purchase, possibly 5 years, in which the offer of resale would have to first be made to the Housing Commission.

The areas with which I feel there is now some "grey" questioning or areas in which I could not proceed positively at this time are the formula to establish

the sale price of the home, whether it is to be a replacement cost factor, a market value figure or the original cost or some formula in-between, and whether or not an equity factor - that is a proportion of the rent paid in the 5-year qualifying period - could be deducted from the purchase price. These were our initial considerations and the area in which we would still like to proceed. However, this is one of the areas that is currently under review.

The needs test eligibility for purchase is another area that is in question. Basically the states accept a situation where a person who earns less than 85% or 95% of the average weekly male earnings is then an eligible person to purchase at the subsidised interest rate through the Housing Commission. We would have to argue the case for and look very strongly here at a two-tiered system of interest. We would firstly have to establish what is the average weekly earnings applicable to the Northern Territory and I certainly would not like to feel that we were bound to an 85% or 95% rule. I believe there is a case for a much higher figure in the Northern Territory because of the particular nature of our land tenure arrangements, the types of personnel - the skilled tradesmen - that we want to attract for development purposes to the Northern Territory. Firstly, I would be arguing for a much higher percentage in that area.

Secondly, if there was to be a two-tiered system - that is, where the people above the average percentage determined would have to pay a higher interest on their mortgage - then I would want to be sure that the Government will be forthcoming with mortgage finance on suitable terms and conditions - at higher interest naturally - but on suitable terms and conditions for the Northern Territory. In the states, there are readily available banks and finance institutions that will accommodate the requirements of people who wish to purchase and who are generally in that category. We do not have that facility as readily available in the Northern Territory and therefore I will be pursuing a suitable arrangement whereby this can be looked at. I raised the issue in my discussion with the Prime Minister last week and he agreed to look at such a proposal.

The other area that will have to be decided is the actual interest rate that must be determined. The money market has been so flexible because of inflation over the last few years that I believe we will have to establish this to guarantee that the Northern Territory Housing Commission is not put in a situation of financial embarrassment which would then preclude people in the future from obtaining suitable welfare or general housing as required for Territory needs.

Mr KENTISH: I rise to remark on several things which have forced themselves on my notice recently. I was interested in the reply of the honourable member for Stuart Park this morning concerning the lights at Farrell Crescent, Winnellie. I think it may be something like a year since I first asked him about these things. I asked him because people approached me and wanted to know what I was doing about it. They said, "Haven't you got any influence?". I said, "I haven't got very much influence but I know a chap who has a lot of influence; he is the member for this area and I will see him about it. He will get something done". I think he has tried very hard, I have no doubts about that, but apparently all without avail. This callous situation still exists. Oddly enough, and perhaps regardless or because of his hard trying, lights have been installed a few chains down the road at the weighbridge which is only open at night on appointment, which is not very often. Also more recently, between the weighbridge and Farrell Crescent, lights have just been installed at the entrance to Showgrounds Road which nobody uses except about 3 nights a year when the show is on. At Farrell Crescent, nothing has been done. This callous situation still continues. Perhaps some department has planned this particular job but they are very secretive about it and it would be interesting to know. I would be glad to hear what their plans are for relieving this dangerous and callous situation.

Another thing that has come to my attention is the tenders that have recently been let for several areas regarding the taking of buffaloes on Crown Land. This particular schedule is for the slaughter of up to 3,000 head on the Alligator River head waters. I presume that the conditions are much the same throughout them all but I have not read them all. There are some interesting things in these conditions which I have not seen before. On page 3 we have, "The contractor shall not take buffalo within ½ a mile of any tourist or other persons in the area for recreation purposes when in sight of those persons or their vehicle or camp.". Perhaps you can understand the reasoning in that but it is a peculiar situation. I do not know whether the contractor will have to drive the buffalo further away before he shoots it or whether he will ask the tourist to move on.

Also on page 3 are the conditions that apply before the taking of buffalo for pet meat: "The contractor must have equipment and facilities capable of processing and producing pet meat for the local Darwin and Northern Territory market and also must have suitable and sufficient outlets in Darwin and the Northern Territory for the sale of pet meat". This precludes any newcomer to the industry. He already has to have a market and a viable business in operation before he can tender so there is no fear of anyone gatecrashing or coming into the industry. Further on: "Operators and their representatives shall be fit and proper persons and be eligible to hold firearms licences". I am not sure who examines them to find out if they are fit and proper persons but that is a stipulation of the contract. Sixteen says: "The tender may be cancelled if the operator or his representatives become improper persons". Apparently, they could suffer a character change and lose their licences over a period of time or become ineligible to hold a firearms licence.

These are interesting provisions and what amazes me is some of the thinking that must be behind them. It would be interesting to hear some elucidation of them. On page 4, we have: "Tenderers shall make available for inspection by the Tender Board or the delegate all the equipment intended for use for the killing and dismembering of animals, storage and transport of meat after submission of tender, at a time to be notified by the Tender Board". Before tendering then, they must have something like $50,000 to $100,000 worth of plant lined up ready for inspection in the hope that they may get a licence. Again this adequately takes care of the fact that no one new may enter the industry. Also, of course, it is a great risk for even an older operator that he has all this equipment in excellent order on the strength that his application for a licence may be granted, but it has to be there to be inspected before he is issued with a licence.

Disposal of offal - I mentioned this in a question this morning. "All offal remaining from dismembered and cut-up carcases will be placed in a separate container, vehicle, trailer, for transport to a central point or points for burning or burial in a manner so that this offal will be inoffensive and incapable of spreading disease, or burned or buried on site of kill or kills, or disposed of as directed by an inspector under the Stock Diseases Ordinance". I asked a question this morning about what happended to the 3,000 buffalo that were killed a few years ago at Woolwonga. Were they all buried or burned? The reply was inconclusive but I suspect that they were left to rot because I heard a good deal of what you might call protest from some people that they were left to rot. There was some protest about that, so that may be why that clause is in there. However, it would be a more sensible clause if someone would devote himself to cleaning up the pigs and the cattle that are skittled on the Stuart Highway and the Roper River Road which is a prolific area for cattle mutilation by trucks and so on, and some of the other side roads leading off the Stuart Highway. If someone would devote himself to cleaning up these animals, there might be more reason for stipulations like this in the buffalo tenders.

If my time permits, I would like to

remark a little on the matter of education. I am disappointed that this matter has not come up at this session for debate or particular mention because of the number of people I hear remark about this, and the amount of things we see in the news media concerning education: letters, statements and so on, headlines about children 10 to 14 everywhere getting into trouble at achool because of lack of basic training before that age. It is not an exaggeration to say that the standard of education is now a matter of public concern, a matter of public disquiet, not only in the Territory but in all parts of Australia. Apparently education has got right into the hands of experts, completely. Many schools have become de luxe play houses where children are rather engaged in playing than learning.

I regret that nothing definite has come up at this sittings about education and the standard of education that is being foisted on our children and on ourselves. We are told that the parents should take an interest in it. What can you do? Most of the schoolteachers that you may approach on these things will tell you that the education of the children is their business and that you should mind your business and they will mind theirs.

Too many children are leaving school hopelessly unequipped to cope with any semi-skilled pursuits. We wonder why we have dropouts who have little or no desire for work. It is a long time since I went through school but I cannot remember any dropouts. I do not remember that the word was in existence at that time and yet people got a good education. I did not go very far myself; I was more of a practical person than an academic. Nevertheless some people who went through school with me 50 years ago gained university degrees and academic qualifications so the standard of education then must have been reasonable. However, it has deteriorated deplorably in important directions. I think that the time has come when we as individuals and as an Assembly should take an interest in correcting a dangerous and deplorable situation.

Mr TUXWORTH: I would like to take this opportunity to make a statement concerning a decision taken yesterday in the Administrator's Council on the management of the barramundi fishery. The Administrator in Council has considered recommendations relating to the barramundi fishery arising from a review of the Northern Territory fishing industry in 1974-75. The review revealed that the commercial barramundi fishery was in a depressed economic state and that action was necessary to control entry to the fishery. Accordingly, the Administrator in Council has decided that a limit should be placed on the number of operators in the industry. Although production has been relatively high in recent years with a gross value in excess of $1.2m, the numbers of fishermen are continually increasing. The current average return to each commercial fisherman is less than $3,000 per annum. In spite of this, licences are still being sought.

If these poor economics are allowed to deteriorate, any further slight drop in stocks or prices, even for a short period, could destroy the fishery. As there is little scope for markedly increasing production, the most appropriate form of management is to limit the number of operators, both commercial and employee, in this fishery. Action to limit licences will not include any currently licensed fishermen nor will it restrict the numbers of net and line fishermen working outside the barramundi fishery. It is likely that the optimum number of fishermen to take the best yield from this resource will be less than those currently licensed. No action will be taken to replace those fishermen who voluntarily leave the fishery and the economics of the fishery will be kept under constant scrutiny. Transfers of licences may be considered in other circumstances. Any offence against the ordinance or the regulations will exclude the convicted fisherman from this fishery. The Northern Territory Commercial Fisherman's Association and the local branch of the Australian Fishing Industry Council have both indicated very strong support for effective management of the fishery.

I would like to refer to one other

item of an electoral nature. This has been of great concern to me for some 3 or 4 years and has been brought to my attention again this afternoon by virtue of a letter received from the Warramunga Pabulu Housing Association in Tennant Creek seeking my support for their plea to the Department of Aboriginal Affairs for accommodation. To outline briefly the history of this organisation, in 1972 some very well-meaning citizens of the Northern Territory and the Department of Aboriginal Affairs and the Department of the Northern Territory misplaced their enthusiasm and constructed in Tennant Creek a property known locally as the Pink Palace. In 1973, we saw the establishment of an organisation known as the Warramunga Pabulu Housing Association and its prime object was to construct additional accommodation facilities for Aboriginals and fringe dwellers in Tennant Creek, to manage the village and organise the future of the Pink Palace. In 1974, this organisation was funded and we saw the beginning of a 3-year spending spree that got through $300,000 and failed to erect one dwelling for Aboriginals. In 1975, there was still no progress with homes and Aboriginals of their own volition scrounged corrugated iron and built as many as 20 wurlies in the mulga on the north side of the town. In 1976, there is still no accommodation concluded by the association although I will give them due credit for having made great progress in the area and having tried to redeem the situation that they inherited this year.

The Aboriginals are now out in the cold and are seeking tents at this stage from the Department of Aboriginal Affairs. The fringe dwellers and the Aboriginal people of Tennant Creek have my very strong support for their pleas for tents. It is a great let-down from the heady days of 1973 when they were going to build houses that would give them each protection from the wind and the elements. This organisation has the support of the local people of Tennant Creek, the Town Management Board, the Department of Aboriginal Affairs in Tennant Creek, and my very strong support. Despite this, they have not been able to achieve anything and the only happy thought to come out of the sorry mess is that they can take consolation in the fact that nobody is trying to frustrate them because I would hate to think what their plight would be if this was the case.

The plea by the housing association should be heeded by the department and the Minister and I will be referring the letter to him with my support. In fact, it does nothing more than project an indictment of the Department of Aboriginal Affairs and it reflects their callous attitude towards the needs of people.

Mr POLLOCK: I rise mainly to answer some questions which have been asked on notice during the session. One was in relation to the Aboriginal advisory body set up some time ago to advise the Administrator on local Aboriginal affairs. My advice is that this body was established some years ago when there was a welfare branch, partly dealing with Aboriginal affairs, as part of the Department of Interior. With the change of government in late 1972 and the new incentives of the Labor regime, the committee was stood down with the projected establishment of the National Aboriginal Consultative Committee and, in later time, village councils and land councils. Some attempts were made last year to re-constitute the advisory body but there were some opinions that there was a conflict in the role of this body and the land councils, the village councils and the NACC which had been established. Those moves have not progressed beyond a stage of considering re-constituting the advisory body. However, I believe further consideration is about to be given to re-establishing the Aboriginal advisory body and we could see some action in the near future.

The other matter I want to speak about briefly is the Tiwi Mothers and Babies Home. I am advised that the idea of a mothers and babies home in Tiwi was conceived when the then Welfare Branch intended the premises to cater for pre-natal and post-natal cases which had to be brought into Darwin, and other complications in relation to pre-natal or post-natal situations. Young children coming to

Darwin for medical treatment who needed to be accompanied by their mothers would also be accommodated at this centre. It was located at Tiwi on the basis that it would be an adjunct to the Casuarina Hospital. However, ideas have changed since the original conception and, as it was a medically orientated premises, it was considered that the Department of Health might be the best body to operate and control it rather than the Department of Aboriginal Affairs. The home would also have provided some training for mothers in regard to the feeding and looking after children and babies.

The Health Department found that financial limitations and the ceiling restrictions placed on it in recent months made it impossible for them to assume responsibility at this stage and the premises reverted to the Department of Aboriginal Affairs. The Department of Aboriginal Affairs have now decided that for the next 3 years the premises will be taken over by Aboriginal Hostels, 3 years being based on the fact that the Casuarina hospital should be ready for opening about then. The board of Aboriginal Hostels has agreed to take over and operate the hostel but included in the agreement, which has not been finalised but is in the process of being finalised at the moment, is that they will agree to give priority to medical cases, pre-natal and post-natal cases. As Aboriginal Hostels are required to operate on an economic basis, they may also utilise part of the premises as a hostel for students attending the Community College and other purposes if room is available. The target date at the moment for Aboriginal Hostels taking over the premises is 1 July.

Mr ROBERTSON: I was not intending to address the House on the adjournment tonight until I heard the Executive Member for Finance and Community Development make his statement in relation to our home sales scheme in the Housing Commission. In the light of that statement, I cannot remain silent. I have been given some figures by the honourable Executive Member in relation to eligibility of Housing Commission tenants at the moment under the proposed home sales scheme as the Majority Party has it in mind. It was announced that there are 583 families, the breakdown of which is 25 in Tennant Creek, 162 in Alice Springs, 33 in Katherine, and in Darwin 363. Bearing in mind what the honourable Executive Member said, that it is a flowon system, whereby after 5 years of satisfactory residence you become eligible under the scheme as proposed by the Majority Party, it can be seen that over a period of years that number will significantly grow.

What disappointed me greatly was that he could not introduce his bill at this session. It disturbs me greatly because I have been telling the people in my electorate for quite some time that we will be introducing this legislation. It had the unanimous clearance of the Majority Party; it was a matter of fundamental policy in the housing field. We now find - and I guess substantially as a result of the meeting held in Canberra on 24 May; I have in front of me a joint statement of the housing ministers at that conference - reading between the lines of what the honourable Executive Member said, what appears to be a change of heart in relation to the financial arrangements under the proposed loans scheme to the Housing Commission. If I get the correct impression, it is proposed by the Federal Treasury that we are going to have a means test imposed in this scheme on a person who earns - to use the figures that I think were given by the Executive Member for Finance and Community Development - in the order of 85% to 90% of the average male weekly earnings of the country. What happens after a person earns above that figure? If a person takes on a home at 80% at the time of taking it on, he works hard and he gets a rise of $15 a week and his interest rate on a $30,000 house goes up by 3%, he is going to wipe off every cent of his increased earnings.

I inform the House and I make no secret of it, in fact I am proud of it, that I am a Liberal from a long way back and I consider myself a big "L" Liberal. I am now a member of the Country-Liberal Party, and my heritage and background is all Liberal. To me a Liberal is a person or a body in

politics which has as its sole role, in my view, the encouragement of self enterprise, of self help, of improvement by people through their efforts. What sort of encouragement is this? Our philosophy in government is to give you incentive to improve yourself, to reduce your taxes so that you can re-invest, to go out and improve your lot. However, if you dare to do it within our philosophy, we will clobber you on the head by upping your interest rates by 3% or 4% or 5% over a period of 40 years and absolutely cripple the very incentive that I believe Liberalism is supposed to encourage.

I hope that I have misheard the honourable member. If I have heard him correctly, I hope he uses, and I am sure he will, his absolutely desperate best endeavours to persuade the Federal Government that this is not the sort of thing that encourages enterprise and it is not the sort of thing that encourages people to come to this Territory. I personally will not have it. I have gone to the people time after time in my electorate and I have promised them, on behalf of the Majority Party, that it is our fundamental aim in housing to provide the best homes sales scheme in the Commonwealth of Australia. We hear now that we may be forced to provide one of third or fourth class. I personally will be applying every ounce of pressure I can on the Executive Member and I hope that he relays that pressure to the authorities in Canberra.

Motion agreed to; the Assembly adjourned.

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