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NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly
Second Session

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G. L. DUFFIELD, Government Printer of the Northern Territory

NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Third Assembly
Second Session

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PART I

DEBATES

DEBATES

Tuesday 24 May 1983

Mr Speaker MacFarlane took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I read message No 14 from His Honour the Administrator of the Northern Territory:

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to make interim provision for the appropriation of moneys out of the Consolidated Fund for the service of the year ending 30 June 1984.
Dated this 18th day of May 1983.
E.E. JOHNSTON
Administrator

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Attorney-General): Mr Speaker, the procedure notice is a little inaccurate as to the intention of the government this morning. I move that so much of Standing Orders be suspended as would prevent the Chief Minister moving a motion relating to the construction and funding of the Alice Springs to Darwin railway line.

Motion agreed to.

MOTION
Alice Springs to Darwin Railway

Mr EVERINGHHAM (Chief Minister): Mr Speaker, I move that this Assembly call on the federal government to fulfil its legislative obligations and honour the firm undertakings made to the people of the Northern Territory to construct and wholly fund the Alice Springs to Darwin railway, with a completion date of 1988.

Mr Speaker, much of this is history but, in moving the motion, I think I should recount some of it. On 26 October last year, the Leader of the Opposition took great pride in reporting to us that Australia's Labor leaders had consolidated their commitment to major pro-Territory initiatives which were thenpart of the party platform. The Alice Springs to Darwin railway was one of those commitments. On 15 February this year, the federal Labor member for the Northern Territory said that a federal Labor government would give Territorians a better deal. A week or so later, he also said: 'There is going to be one person from the Territory in the House of Representatives so it is important to talk out and talk out loudly'. Last Thursday night, we found out exactly what it means to have the Alice Springs to Darwin railway in the Labor Party platform, what it means to give the Territory a better deal and what it means to talk out loudly for Territory interests.

During the recent federal election campaign, the Prime Minister made an election promise. He said: 'If elected, we will complete the Alice Springs - Darwin rail link'. The Deputy Prime Minister, Mr Bowen, while campaigning here, told us that he thought the Northern Territory had been

very much neglected. The federal Labor Minister for Transport, Mr Morris, told us that the ALP's comprehensive transport package for the Northern Territory included construction of the Darwin - Alice Springs rail line with a target completion date of 1988 and completion of the Stuart Highway by 1986. Last Thursday night, Territorians found out how much the Prime Minister's election promises meant. We found out how the Labor Party proposed to end the long neglect and how the Minister for Transport would defend our vital transport interests.

On 30 March this year, the Leader of the Opposition said: 'If the Territory is to achieve its true potential, the federal government must constantly be conscious of our needs and aspirations'. On 8 May, just over 2 weeks ago, the federal member for the Northern Territory told us that only a Labor government could be trusted to build the Alice Springs to Darwin railway. Last Thursday night, we learnt how the Leader of the Opposition was representing our needs and aspirations and we learned something about trust.

The honourable Leader of the Opposition has defended his party cronies by telling us that things are tough, that the economy is in bad shape and everyone must tighten his belt, Territorians included. With amazing foresight, the Leader of the Opposition told us on 22 February that there were 'dark clouds on the Territory horizon'. They say a prophet is without honour in his own country, and I begin to understand why they say that, Mr Speaker. The Leader of the Opposition has participated in one of the most dishonourable performances that we have seen for a very long time.

At the recent National Economic Summit Conference, we congratulated the Prime Minister on calling together national leaders in a climate of consensus. He talked about national recovery. He said that job-creation schemes could maximise the number of real jobs. We agreed on the need to ensure improved transport, infrastructure and export development. Last Thursday night, we found out what the federal government means by 'real jobs'. It does not mean jobs created in the building up of Australia's infrastructure and enhancement of its future productivity; it means make-work schemes and fence painting in Sydney and Melbourne. Whatever honourable members opposite may say and however they may try to dodge around it, the fact is that last Thursday night's decision was a betrayal: a betrayal of binding legislative commitments, a betrayal of promises solemnly made, a betrayal of the principles which the federal government told us it had and, lastly, a betrayal of Territorians.

The Leader of the Opposition says that the principle of Territorians paying for the railway is reasonable. He says that 40% is a little bit too much but $1 for $2 would be reasonable. I thank him very much for his resolute defence of the Territory's interests.

Mr B. Collins: Can't you do better than that?

Mr EVERINGHAM: Is that the same person who said: 'If the Territory is to achieve its true potential, the federal government must be constantly conscious of our needs and aspirations'? Is that the same person who returned in triumph from his party's conference and talked about the party's commitment to major pro-Territory initiatives? Is that the political colleague of our federal Labor member who said that only a Labor government could be trusted to build the Alice Springs to Darwin railway? Is that the political colleague of our federal Labor member who said a federal Labor government will give Territorians a better deal? Is that the political colleague of the opposition's spokesperson on development who called on the government to launch a vigorous campaign with the then federal government to

have an early start on the construction of the railway? The federal government, the federal Labor member for the Northern Territory and the honourable Leader of the Opposition do not seem to know what it is all about. They are either totally ignorant or totally cynical.

The so-called offer by the federal government is not only monstrously wrong but also based on not one false premise but four. The first is to call the railway a Territory project to justify the argument that Territorians should pay for it. Federal governments, and federal Labor governments in particular, have always held the view that railways are a national and federal responsibility. The previous federal Labor government spent millions to take over the South Australian and Tasmanian railway systems. Federal governments have built and rebuilt the Transcontinental Railway to Western Australia. We have always plugged the railway as a national project, Mr Speaker, and why not? After all, its benefits would be national in their scope and impact. Defence would be one of those benefits. It was the Labor Deputy Prime Minister who spoke of Australia's defence potential in the north as being abysmal. I wonder how Tindal stands now. Secondly, there is national development. Thirdly, there is trade and, finally, there is employment. It was the Labor federal Minister for Transport who spoke of the railway as a major boost to the ALP plans for economic recovery.

The second attempt at deception is the argument that the Territory is generously treated by the Commonwealth in its funding arrangements. This is an insult and for the Leader of the Opposition to support and endorse that attitude of his federal colleagues is cowardly and damaging to the interests of Territorians. It may be true that the Territory receives more per capita than other parts of Australia. I make no apology for that. Indeed, I am proud of it because it demonstrates that, since self-government, we have forced the Commonwealth to recognise its previous neglect of the Territory.

For nearly 70 years, Territorians have survived a total lack of interest in this part of Australia by the Commonwealth. The states have built their railways and their roads, and have established their industries, their agriculture and other services. Many of their industries are propped up, I might add, by tariffs with the benefit of federal financial assistance. The Territory remained a complete backwater. Under the previous coalition government, those historical injustices began to be put right. We entered self-government under a financial arrangement which was designed to build roads, bridges, schools, health facilities and all the other services that other parts of Australia built years ago and have taken for granted ever since. Let me tell those honourable members opposite, who accept the monstrous proposition that the Territory is somehow overfunded and can easily afford to pay for the railway, that we have a long way to go before we catch up with the inheritance of Australians in the states, an inheritance which includes essential transport links and, more specifically, railways.

The Leader of the Opposition keeps talking about my painting the Territory government into a corner and about my going to Canberra to present the Prime Minister with an ultimatum. Nothing could be more of a misrepresentation. It is the federal government which has presented the ultimatum and which, without consultation, has dropped the bombshell on us. I will not indicate what I am prepared to discuss with the Prime Minister until I am talking to him, except for one thing: there is no way that I or any responsible Territory leader would or could compromise future generations of Territorians by agreeing to accept $1 of responsibility for the construction of this railway. I note that, as late as yesterday afternoon, the federal Minister for Transport, Mr Morris, said that it is still a good offer, a good deal.

Since self-government, the Commonwealth Grants Commission has visited the Territory regularly. For the benefit of honourable members, perhaps I should explain the role of the Grants Commission. It is a Commonwealth statutory authority set up to examine the financial needs of the states and the Territory and to recommend appropriate levels of special purpose funding. We fought hard to bring the Territory under its jurisdiction at the time of self-government. The commission has pored over Territory budgets and been into our schools, our hospitals and our communities and, firstly, confirmed the Territory's continued need for accelerated funding and, secondly, acknowledged that our isolation, distance and our population structure and the like mean that our costs in providing similar levels of services to those in thestates are very much higher. The Grants Commission's verdict was that extra funding was recommended just to keep the Territory moving towards parity with the rest of Australia. In other words, the Grants Commission, the expert body for over 50 years, has confirmed that the Territory's funding arrangements are not generous but barely adequate. Why is this? The answer is simple. We have received funding for every specific function that has been devolved on us or we have refused to accept responsibility. We are not going to start breaking that rule with railways.

The third fallacy is the imputation that the railway really can go ahead on the basis of the offer made. Mr Speaker, it cannot. The Territory just cannot afford it. To follow the practice of the federal Treasurer, I have several scenarios here as to why the Territory cannot afford it: scenario A, every Territory family to pay $20 a week forever just to pay the interest; scenario B, every Territory family to pay $30 a week over a period of some 10 years; scenario C, every Territory family to pay $30 a week; and scenario D, every Territory taxpayer to pay $20 a week. They are available to any honourable member who wants them.

The capital cost of the railway - and these are yesterday's prices - amounts to 3 Darwin Hospitals, 30 high schools or 4 years of total construction and maintenance expenditure on all roads in the Territory. The interest bill alone would amount to more than our total budget for police, fire and correctional services every year forever. The interest bill alone would amount to $20 per week for every Territory family and that is taking the 1982 escalated cost of $540m. In fact, as anyone with any knowledge of major construction projects will understand, the final cost is likely to be very much greater and Territorians will still be up for 40%. You will notice they did not put any fixed amount; they put a percentage. We cannot reduce expenditure in other areas to meet this bill. To do so would not only be a breach of faith with all Territorians, it would also mean that we were rejecting the very principles of self-government which saw both us and former federal governments committed to the delivery of state-type services in the Northern Territory. Nor, Mr Speaker, can we raise revenues to fund the bill. Territory taxpayers are already contributing 107% more in local taxes and charges as their contribution since self-government. They have met this burden because they can see the benefits, but to impose a further $20 a week on every family for ever is just beyond the realms of possibility. The Leader of the Opposition is truly misleading Territorians in suggesting that we should negotiate a suitable basis for sharing the bill. He would commit us to reduced services and draconian taxes. I do not believe that Territorians should accept that and there is no reason why they should.

Mr Speaker, the fourth mistaken premise is the federal government's blithe assertion that a unilateral offer has been made and it is now up to the Territory to decide whether the railway will go ahead. That is not so, Mr Speaker. The federal government has a binding legislative commitment not only to build the railway but to pay for it. The commitment was first

accepted in 1911 under the terms of the Northern Territory (Acceptance) Act. It was confirmed and amplified by the Railways Standardization Act of 1949. Let us be clear about what the 1949 act says. In section 21, it describes the standard gauge railway from Port Augusta to Darwin and, in section 22, the Commonwealth accepts the cost for carrying out the necessary work.

No matter how you read it, no matter what sidetrack the honourable members opposite might like to take us down, 2 things are clear. The Commonwealth accepted an obligation 72 years ago to build a railway. So far as I know, of the many obligations accepted under the 1911 legislation, the railway is the only major one which has not been honoured. In 1949, the Commonwealth clearly accepted the responsibility to pay for it. It is ironic that it was a federal Labor government, the Chifley government, which accepted that obligation. We know of the Prime Minister's admiration for Mr Chifley, and mine too, for that matter. The federal government's offer casually jettisons some very firm promises made by the Prime Minister and his ministers during the recent federal election campaign.

The facts are these: there is a long standing legislative undertaking by the Commonwealth to build the line, the Commonwealth has accepted a legislative commitment to pay for the work and the current federal government, until last Thursday night, has taken every opportunity to reiterate that it would honour all commitments made. If that is not plain enough, let me just draw attention again to the Minister for Transport's statement of 1 March 1983. He said: 'The ALP's comprehensive transport package for the Northern Territory includes construction of the Darwin-Alice Springs rail line with target completion by 1988, and completion of the Stuart Highway by the 1986 target date'. The Leader of the Opposition tried to run a hare - I think over the weekend - that 1988 was a political date. I assure you, Mr Speaker, that the Chief Engineer of Australian National Railways assured me that 1988 was a realistic and practical date to be set and that, in fact, the railway could be completed before 1988 if funds were available.

Mr Morris had earlier assured me that a federal Labor government would honour all commitments to the railway. That surely includes the commitment on Commonwealth funding. But, as late as yesterday evening, the Minister for Transport was quoted as saying: 'The railway offer of 40% payment by the Northern Territory is reasonable'. Mr Speaker, the Leader of the Opposition is talking to us about negotiations. Is that the way the federal Minister for Transport is going to negotiate?

The Leader of the Opposition has been told by his federal masters to take the line that times are tough and that it is only fair and reasonable for Territorians to share in the costs. He has been told to bleat about the dreadful state of the national economy. I know all about the state of the national economy. As the Leader of the Opposition has pointed out in recent press statements, I helped draft the summit communique. I thank him for pointing this out because it reminds me that there were a number of very important conclusions from the economic summit. We all know that times are tough. The issue is: what can we do about it?

At the summit we agreed - that is, the federal, state and Territory governments and employers and employees - that the only course for national recovery was renewed economic growth. We agreed on a number of important steps for growth. You cannot have more jobs unless you have growth in the economy. We agreed that job-creation schemes should maximise the number of real jobs and that we therefore needed to be concerned about developing the nation's economic infrastructure. We agreed on the importance of improved transport links and new opportunities for export development. What we get

instead from the mini-budget is that $300m is to be spent in 1983-84 on fence painting projects, mostly in Sydney and Melbourne. Mr Speaker, that is our railway money. At the summit, we talked about real jobs, not make-work ones. The Leader of the Opposition knows what I mean by real jobs. He too visited Whyalla recently. He knows the employment impact of this project for the iron and steel industry alone.

I might add that, when we are talking about the creation of real jobs, the Territory's uranium industry could make an enormous contribution. In his mini-budget, the federal Treasurer, Mr Keating, described the new jobs as being 6-months' full-time work. He undertook to spend $300m to create 70 000 such jobs. Under the Keating job-counting technique - that is, counting a job as 6 months' work - the Territory's uranium industry could generate about 60 000 new jobs: 10 000 in the construction of Jabiluka, 2500 in the construction of Koongarra, 44 000 in the operation phase of Jabiluka and 3600 in the operation phase of Koongarra. These are new jobs to go with the existing employment in the uranium industry and they do not include the additional jobs created in service and support industries. The cost to the federal government of that would be nothing. Indeed, it would represent an injection of $1000m into the Australian economy. In one stroke, jobs could be created and that $300m could be put back where it belongs - into our railway. The references in the summit communique to transport, infrastructure and exports are not there just to take up space. If the federal government does not commit itself to those projects which build up our national productive capacity, which open up new investment, trade and commerce opportunities and which create an environment for improved productivity by Australian industry, then the ideals of the summit will never be translated into reality. That is why the railway is essential.

Mr Speaker, I have to put the Leader of the Opposition right in one more respect. 'Let's be reasonable', he says, 'let's not close the door. Let us negotiate and get our share down a bit. Let us be bipartisan' - although that, of course, is only yesterday's idea. Yesterday afternoon, during our TV debate on Territory Tracks, the Leader of the Opposition decided to call on me to make a bipartisan approach to the Prime Minister with the South Australian Premier and himself. Obviously, the idea had just occurred to him. As soon as he had rushed back to his office, he put out a press release in the hope of putting me on the spot to join him and Mr Bannon, neither of whom has any authority to talk for the Northern Territory, in an approach to negotiate a contribution of less than 40% on the railway line.

Mr B. Collins: Mr Bannon was not going to talk for the Northern Territory.

Mr EVERINGHAM: Mr Speaker, I have already explained the many reasons why the Territory, either in principle or in practice, cannot afford to make any contribution but I think these tactics by the Leader of the Opposition display his duplicity. The man is a fabricator. He makes things up as he goes along. He said on Territory Tracks that he had called on me to make a bipartisan approach with him. No such request has been received by me to this time other than hearing him refer to it on TV and seeing it in a copy of his press release of yesterday. The real position is that the Leader of the Opposition decided it was good politics last Friday for himself and the South Australian Premier to go to Canberra, on a prearranged basis, to meet with the Prime Minister and get the figure of 40% dropped to 30% or 33.33%.

The talk of the media in Darwin is that this has already been arranged

to make the Leader of the Opposition look good. But he knows now, from the reaction that he has had from Territorians, that there is nothing that will make him look good unless he stands up and fights the federal government and makes it honour its promise to build this railway line without contributions from Territorians. Yesterday, we had a new bipartisan approach with the Leader of the Opposition trying to weasel out of his earlier announced partisan approach together with Mr Bannon with absolutely no consultation at all with me, Mr Speaker, before he made his announcement. I have already explained why that is simply unacceptable. But the Leader of the Opposition does not seem to see the danger.

Where will we end up, Mr Speaker, if we start paying for the federal government's constitutional responsibilities? It now wants us to pay for 50% of the subsidy on the east coast shipping service as well. Will it be 50%, 40%, 30% or even 5% of the new Darwin airport? What else will Territorians, alone amongst all Australians, have to pay to have Commonwealth services established here? Defence establishments and airport terminals in this place have been neglected for 70 years or more by the Commonwealth. It owes a special responsibility to this place as a territory.

Is it really the Leader of the Opposition's intention to aid and abet his federal colleagues in subverting the Memorandum of Understanding? That is what he is proposing. That is where his so-called reasonable attitude would lead us. This is the very opposition which told Territorians that self-government would cost them top dollar. Now we are told that we must negotiate a contribution of $220m, or a bit less perhaps, to the cost of this railway line. That is not where my government intends to take the Territory and nor would any state leader countenance such weak and irresponsible behaviour. Will Mr Bannon put a cent towards this railway which means so much to South Australia?

Mr Speaker, the Territory has had to fight and fight hard for its achievements since self-government. I do not intend to accept any offer which is less than what we are entitled to and I do not expect members of this Assembly, wherever they sit, to sell us out. Let us now see how bipartisan the Leader of the Opposition really is. The resolution before the Assembly asks nothing more than what we have been promised. No one who puts the Territory first can fail to support it. I commend the motion.

Mr B. COLLINS (Opposition Leader): Mr Speaker, we all know how upset the Chief Minister and indeed his press secretary become when the Chief Minister does not score the front page on the NT News 5 consecutive days out of 5. I did not realise it would upset him quite that much. Before I move on to the railway itself, I would like to make one comment about something the Chief Minister said during his speech. I condemn him for it and I have condemned him for it before. It is the sort of condemnation that he richly deserves because his approach is not really a patriotic Territory approach, but an incredibly egocentric approach. I refer to the mini-budget brought down just recently. I point out that the government had absolutely no obligation to make that financial statement. Indeed, it had no obligation to make one until August this year. It chose to do so to inject into the economy some millions of dollars for job creation.

The reason that I want to dwell on this is because, clearly, the Chief Minister never has, and does not now, appreciate, as I have appreciated, what it is like to be unemployed. He writes off these job-creation schemes - just throws them out the window - as fence painting in Sydney and Melbourne and he ignores the fact that the money has been evenly distributed across Australia to give at least some temporary employment for people who are in

a desperate financial and mental condition. If he wants to dispute that, then let him do so with people who know more about it than he obviously does.

The statement I refer to is this: $300m has been allocated - and I commend the federal government for it - for job-creation schemes to provide employment on a fair basis across Australia. The Territory will get its share. The Chief Minister said in respect of that money: 'That $300m that has been given to create jobs throughout Australia is our railway money'. It is for that kind of approach that I will continue to condemn the Chief Minister. No one in the Northern Territory could be a more one-eyed Territorian than I am. I have been here for 16 years and I intend to spend the rest of my life here. How can he say that, of the $300m that the federal government will spend to give at least 6 months of employment to the people who have been out of work for 2 years, to give them a little bit of self-respect and financial independence, every single cent of that money is our railway money? That is a disgrace. Obviously, the Chief Minister's wonderful sentiments expressed at the economic summit and in the communique of which he was co-author apply to everyone else in this country except him. It is not Everingham land; it is the Northern Territory and it is about time that this one-man band woke up to it. He cannot continue to run this place the way he sees fit all the time. Other people are involved and they have different points of view. To lay a claim, as he did, that the $300m for job-creation schemes should be taken away from those people who are in a desperate situation and who have not had a job for 2 years or more because it is our railway money is an attitude that should be condemned by everyone.

Mr Speaker, the first point that I want to make in talking about the railway is that no persons in the Northern Territory would have been happier than myself and my Labor colleagues had the Treasurer announced that the federal government would fund the railway in its entirety as had been promised during the election campaign. I wish this furphy were true about the Chief Minister being upset about missing a Northern Territory News report about my having made some prior arrangement with Canberra. I refer the Chief Minister to my own comments. The very reason that I wanted the Chief Minister to be part of a bipartisan arrangement - and we have supported the railway in a bipartisan way from the very beginning - was that I wanted the Chief Minister to accept a share of the responsibility for whatever came out of that approach to the government. I do not know whether it will be a failure or not; I hope it will not be. I do not know how he could miss that point. I was offering him across-the-board support to join me ...

Mr Tuxworth: Big deal.

Mr B. COLLINS: It is a big deal in respect of trying to convince people in Canberra that this is not a party issue. If he cannot see that, he is blind.

I was offering the Chief Minister a chance to accept either the responsibility of success in renegotiating this deal or a failure along with me. He refused to accept it. I heard of his total rejection on the 6.15 am news on ABC radio. I did not see any point in contacting him during the day because he was locked away in his Cobourg hideaway on Friday where I could not find him. I intended to put it to him on Monday morning but, after hearing the 6.15 am news, I did not think that there was much point in putting it to him.

Mr Speaker, I and my colleagues are as dismayed as the Chief Minister by the federal government's announcement. My view is that the current level of the proposed cost-sharing arrangements places an unrealistic and excessive

burden on the Northern Territory. As I have pointed out in recent days, the Territory's budget is heavily tied to on-going health, education and welfare programs and simply cannot absorb extra imposts, particularly those of the size proposed by the federal government. I have made these views known as clearly as I can to the Prime Minister and I released that letter to the press yesterday. I expressed dismay at the heavy burden the federal government is asking the Territory to carry and pointed out that the cost factor was simply unworkable on the Territory's present budget. It is at this point, and I do not want anybody to be in any doubt about this, that the Chief Minister and I now differ.

The Chief Minister says that he is going to Canberra to tell the federal government that the Territory will not contribute $1 to the cost of the railway. He says that he has precedent for saying this because railways are a complete Commonwealth responsibility, nothing whatever to do with the states, it has been accepted that way for years and it is the way it always works. Like many of the Chief Minister's arguments, it does not stand up to 10 seconds' examination. I will mention a few more things that he said in the debate yesterday. To give one example - and there are many - the Chief Minister himself has used, straight off the top of his head, South Australia and Tasmania and the railway deals there as examples of where the Commonwealth entirely funded major railway initiatives. He is trying to con Territorians into believing that a dreadful deal has been offered to the Territory. It is not the 40% - we are in total agreement that that is too much - but the very concept of asking us to contribute anything. He said it has never been done before and it is outrageous because it is a total Commonwealth responsibility.

The Chief Minister also used the Western Australian rail standardisation in the 1960s as an example. That really intrigued me. I would like to give the Assembly and the Territory details of that agreement. The details are contained in act 67 of 1961 of the Western Australian parliament. I give them to you now. The Commonwealth paid seventeen-twentieths of the total cost, but the details, in fact, were less generous than that. Seven-twentieths was an outright grant; that is, only 35% of the cost was an outright grant from the Commonwealth. Seven-twentieths was repayable by WA over 20 years. Three-twentieths was repayable by WA over 50 years and three-twentieths was paid outright by Western Australia. In fact, on the very example the Chief Minister has used to justify not paying a cent, the present offer, which I say is too much, in fact is more generous than the deal that was given to Western Australia. He never does his homework. He is pretty good on political rhetoric and, as I have said again and again, it might convince a few people here in the Territory. That is what it is designed to do. But, when it comes down to a hard examination of getting a deal from people who know what goes on, it does not stand up for 5 seconds. In fact, the Chief Minister ends up making an ass of himself by using these specious arguments. I have pointed that out again and again. It might be good for domestic politics - though I doubt it - but it does not stand up when he is trying to negotiate with people who are a little more hard-headed. The possibility of the railway transporting bricks and fibre cartons from the Territory is a stupid argument. This is the same nonsense. The Western Australian example that he uses was, in fact, a worse deal for that state than the 40% is for the Northern Territory.

He also knows that the South Australian act on which he is proposing to base his court action, the 1962 act, was in fact an arrangement where the Commonwealth paid seven-tenths and South Australia paid three-tenths of the cost of that railway. The proposed electrification scheme - $300m promised by Fraser in the 1980 election campaign to electrify the line between Sydney

and Melbourne - was a joint proposal. It was to be jointly funded by the Commonwealth and the New South Wales and Victorian governments. It was on that basis. Those examples in Western Australia and South Australia, both examples the Chief Minister used, completely refute his arguments and make nonsense of them. I do not see, and precedent bears me out, that there is anything wrong in principle with a cost-sharing arrangement being struck between a state and the federal government in respect of railways. It has been done before.

Mr Speaker, I might add that I have been interested to see in recent days that a number of very prominent Territorians also share this view. The Chief Minister might find himself alone. My office has received quite a number of phone calls over the last few days from people who are as genuinely distressed as I am at the level of financial support expected from the Territory. However, not one of them thinks it unreasonable for the Territory to spend a dollar for the railway. They support the calls that the Mayor of Katherine made recently to the same effect. I am heartened by their attitude. It says a lot for the Territory and its people, certainly more than the Chief Minister's current attitude.

The game is getting rougher. There is no doubt about that. There is one thing I would like to nail down in the Chief Minister's statements. He said that this railway is something that was floated dishonestly. He called it a fabrication. Mr Speaker, have a look at the record. The federal Labor Party, when in opposition, was told in the budget papers - and I refer the Chief Minister to them - that the Commonwealth had a deficit of $3500m.

During the course of the election campaign, Mr Fraser grudgingly acknowledged that, in fact, it was $4500m. The Labor Party, along with the rest of Australia, accepted that figure to be an honest statement of the situation that we were in. The Chief Minister, along with everyone else, now knows that that was false. It was on that $4500m deficit that the Labor Party based its entire program for this country. I remind everyone sitting in this room that that proposal was a modest expansion of the deficit. It had set an optimum figure of $7000m and most of the economic analysts around this country supported it, unlike the Chief Minister yesterday in a debate on television. Particularly in respect of home loan interest rates, we could not afford a deficit of more than $7000m. The Labor Party laid out a program of capital works and costed it in the vicinity of $2000m. It actually proposed expanding the deficit by that sum. It is a matter of record that the entire cost of the Alice Springs to Darwin rail link was in the $2000m of extra expenditure for which the government was prepared to borrow. Let us just nail that to the wall.

Yesterday during the TV debate, the Chief Minister said that deficits do not matter. I would like to hear a comment from his Treasurer on that. He said that it does not matter if the deficit goes beyond $10 000m. He said: 'We can pay that off at our leisure'. Provided, of course, that it is the Commonwealth government that has to pay it off and not the Chief Minister. We all know that the Northern Territory's Treasurer has said on many occasions that he likes balanced budgets or, at the most, modest deficits.

The Hawke Labor government found when it came to govern that, to obtain its optimum of $7000m, it could not inject another $2000m into the economy, part of which was the entire cost of the Alice Springs to Darwin railway. To get to that figure, it needed to cut down expenditure by $2000m the other way. If the mandate given to that Commonwealth government was not to get this country back on the rails again, I do not know what mandate it had. I

speculated yesterday about where we would be with this railway if the previous government had been re-elected. The reason I did so was because of a public statement made last week by Mr Howard, the shadow treasurer. In respect of the mini-budget, Mr Howard said that it did not cut back expenditure enough. He called it 'a timorous document' which did not take hold of the hard decisions and did not trim the deficit down by more than $500m. That is the official view of this mini-budget by the current shadow treasurer of Australia. Where would we be if the previous government had been re-elected and forced to own up to the fact that the deficit was more than twice the figure it was prepared to announce publicly?

The railway was not an election gimmick, Mr Speaker. It was costed. It was costed as part of a planned $2000m expansion of the deficit to reach an optimum figure of $7000m. The government then found it had to cut $2000m to get back to that figure. The entire fault for that can be laid at the door of the former Prime Minister and former Treasurer who misled this entire country in respect of that deficit. How the Chief Minister can continue to push that aside and ignore it indicates the complete degree of financial irresponsibility he is prepared to apply to the Commonwealth government as long as it is not applied to his own budget. I look forward to a comment from the Northern Territory's Treasurer on that.

Mr Speaker, the Chief Minister has made a number of interesting public statements. During the debate yesterday, I said that he had made much of being part of the committee that actually drew up the communique from the summit. Certainly, since he has come back, he has made many public statements about the need for restraint. To my absolute astonishment, the Chief Minister looked me right in the eye and said: 'Oh, you are wrong. That communique did not talk about restraint at all. It said nothing about restraint. The whole theme of the communique that I helped to write was modest expansion'. May I quote the Chief Minister, Mr Speaker, from an article in the Northern Territory News. He will be happy to know that he got the whole page. On page 2 of the NT News of 5 May, the Chief Minister was talking about the communique which, he said yesterday on television had nothing to do with restraint. He wrote this article or at least his name is on it:

> *The vital issue now is whether the parties can settle differences in a new spirit of cooperation and consensus so evident at the summit or whether there will be a return to the sniping, self-interested attitudes that have done Australia so much damage to date.*

It did not take long for that nice sentiment to evaporate.

> *The Territory's inclusion on the communique drafting committee and on the working party to establish the Economic Planning Advisory Council places us in a unique position to influence the long-term results of the summit.... Clearly, restraint is the key which must influence our actions in times ahead. To quote the communique: 'There is recognition that to achieve recovery will require restraint in expectations and claims from all sections of the community except the impoverished'.*

And, of course, what that means - and he did not write it into the communique but perhaps it did not get past its co-authors - is restraint and a reduction of expectations by all sections of the community except the impoverished and the Chief Minister of the Northern Territory.

Those are his words, Mr Speaker. Quite categorically, everyone in this country knows that the key of that communique which he wrote was restraint and a reduction in expectations for the whole community. Yet

he said quite baldly on television yesterday that restraint did not rate a mention in the communique. As I say, when you lump the Chief Minister's arguments together, they do not stand up to 10 seconds' examination.

To my total astonishment, the Chief Minister said yesterday that a $10 000m deficit was no problem at all. He said that we can pay it off at our leisure. I can assure the Chief Minister that that has horrified a few economists around this country. The cold hard facts are that, if we allow this deficit to balloon out much more, it will mean that interest rates, particularly on housing loans, will go through the roof as they did before. I am sure that, whilst the Chief Minister does not see that there is any problem at all for the Commonwealth government - and he is advocating this - to be economically irresponsible in a way that his own government never has been, he is quite happy to disadvantage everyone in Australia who wants to borrow money to build a house. The Chief Minister is a very egocentric person indeed.

The federal government has acknowledged that the rail link between Darwin and Alice Springs must go ahead. It has said that it is prepared to outlay $320m on the project as long as the Territory pays 40%. I agree that that figure is too much and must be renegotiated. The Chief Minister stated yesterday that we do not have to worry about deficits, just let them blow out and pay them off at leisure. What a great economic solution for all of us! It will be nirvana when he is Prime Minister. We will get everything we want. We will just borrow forever and it will not matter. We will pay it back some time in the next century or the century after that. Have a look at his performance yesterday and tell me that that was responsible economic management. I think everyone in the Northern Territory will have much to fear if he applies those same principles to the Northern Territory's own budget.

I would like to turn to the question of legal action and the Chief Minister's figures about how much we will have to pay. He started off by saying that all taxpayers in the Territory - and that is what was on ABC news - would have to pay $20 a week for the bill. He then slid into saying that it was $20 for each family - that was a change during the day which he did not bother to explain. His original figure was $20 per head per week for 40 years. That is $1m a week, $50m a year and $1600m over the 40 years that he says it will take to pay it. Add the Commonwealth contribution based on the same calculations and you end with a railway that will cost $4000m. Obviously, it will be a great boost to Kalgoorlie, not Whyalla, because it will use gold for the rails instead of steel.

Mr SPEAKER: Order! The honourable member's time has expired.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I move that the Leader of the Opposition be granted an extension of time.

Motion agreed to.

Mr B. COLLINS: Mr Speaker, I thank the Assembly.

The Chief Minister cast doubts in the Assembly on the reality of the deficit but when he came back from the summit, he was quite happy to acknowledge that it was a real figure. His answer to it is that it does not matter.

I quote from the Chief Minister's NT News article after the summit. 'Australia is fighting for its economic life on both the national and

international fronts. Only through restraint, cooperation and common understanding about problems can we hope to meet the gravest economic crisis in this country for half a century'. Yesterday, he said that he did not mention restraint. In a recent speech in Darwin, the Chief Minister said: 'I lie awake at night worrying about the perilous state of our economy'. That is from the co-author of the summit communique. He said, 'Clearly, restraint is the key which must influence our actions in times ahead'.

Mr Speaker, the Chief Minister says that he will take the Commonwealth government to court and he will get a judge to say that the Commonwealth has to pay out certain amounts of money. I am fascinated by that. The Attorney-General of the Northern Territory government has a High Court action proceeding at the moment. It is an appeal against a decision of Justice Nader that the Territory government has to provide facilities for the grossly handicapped or criminally insane. The basis of the Crown's appeal, and I quote the public statement, is that 'the courts do not have the power to make decisions that require appropriations of money'. I might add that the courts agreed with the Attorney-General, as they did in the South Australian case in 1962.

The Chief Minister says he will base his court action on 2 acts of parliament: the Northern Territory (Acceptance) Act of 1910 and the South Australian Railways Standardization Act of 1949. Section 14(b) of the Northern Territory (Acceptance) Act of 1910 provides that the Commonwealth shall construct a railway from Darwin to the South Australian border and no time for construction is specified in the act. Section 19 of the same act, which the Chief Minister carefully avoided mentioning, says: 'Nothing in this act shall be taken to be an appropriation of any revenues or money'. South Australia took court action in the High Court against the Commonwealth on the very act that the Chief Minister is proposing to use. I refer to the Railways Standardization Act. I stress again that this was a situation where the Commonwealth government had agreed to spend seven-tenths of the money in a joint funding arrangement between itself and South Australia. The court found that there was no enforceable obligation on the Commonwealth as no time limit was specified in the agreement. In fact, the court found that, as the agreement was a political document subject to economic considerations, it could not be enforced at law. I do not think that you have to be a lawyer to work that out; it is just common sense. Governments' commitments to do anything that costs money depend entirely on how many dollars they have at any particular time. For the Chief Minister to suggest that he will go to Canberra and tell the federal government that the Territory will not pay a dollar for the railway and, if the Commonwealth does not knuckle under, he will take it to court and sue it is ratbaggery of the worst kind. It is ratbaggery that we have become used to from the Chief Minister over the last 5 years.

The Chief Minister has many strengths but he also has a few weaknesses that he demonstrates every now and again and that is one of them. Nothing would be gained by taking the Commonwealth government to court except wasting more Territory taxpayers' money. I might add, for the benefit of people who do not know it, that we have already a spectacular record of expensive failure in the High Court of Australia.

Mr Speaker, I will have to skim through the rest of my arguments unless the Chief Minister will agree to a suspension of Standing Orders. I need another 10 minutes and I am not going to get it.

This railway must be built. I might add again that the Chief Minister is already backing off from his totally committed statement of yesterday.

It will not be built by the Chief Minister saying that his approach to the government - and he said this 3 times in one day - will be that we will not pay a cent ourselves and that, if the Commonwealth will not knuckle under, we will take it to court. That is the message that he intends to take to the Prime Minister. I am sure that will not advance the Northern Territory's cause one whit.

Mr Speaker, I think that it can be negotiated; I do not know that it can. I hope that it can. I offer again to join the Chief Minister in a visit to Canberra with the Premier of South Australia. I assure him that Premier Bannon in no way presumes to be talking for the Northern Territory; he will advance the South Australian case for having the railway built. As the Chief Minister himself has used South Australia and Whyalla as a reason for the railway, that should hardly cause him any surprise. If he does not agree to that, I offer to go with the Chief Minister on his trip to Canberra to see the Prime Minister. My reason for making that offer is quite deliberate. I am offended because the statement that there is any sort of prior arrangement between myself and the federal government is untrue. Such an arrangement would be contemptible if it existed. I tell members quite honestly that I have not the slightest expectation of what will result from renegotiating this agreement. I say to the Chief Minister that I am quite happy to share with him the responsibility of either achieving something or failing to do so.

For the third time, I make that offer to him. I am prepared to go with him to Canberra with Premier Bannon or without Premier Bannon to indicate to the federal government that the dissatisfaction with the deal being offered has the complete support of this Assembly and not just the Country Liberal Party. I offer to share with him the responsibility for whatever comes out of that meeting. I ask him again to reconsider that particular offer and either reject it again publicly or accept it.

The railway has to be built. I do not think the approach the Chief Minister is taking will succeed. In fact, I predict that it will fail spectacularly. Telling the federal government that $10 000m deficits are not a problem and making statements that the $300m that will be spent for unemployed people is our railway money will not advance the Territory's cause one whit. In fact, it will damage it severely. I would like to try to help the Chief Minister to temper his approach a little bit.

Mr PERRON (Treasurer): Mr Speaker, we heard the Leader of the Opposition tell us that we should be grateful to the federal government for bringing down the mini-budget. It appears to me that perhaps we are getting our bad news in 2 doses instead of one.

During the election campaign, the Minister for Transport, Mr Morris, said 3 things that are certainly central to this issue. Firstly, he said that the ALP is committed to completing the railway by 1988. Secondly, he said that contracts arising as a result of the rail construction would provide a major boost to the ALP's plans for economic recovery. Thirdly, he said that the railway line would be complemented by the sealing of the Stuart Highway south of the Northern Territory border by 1986. These statements are central to the issues embodied in the motion moved by the Chief Minister today. Mr Morris' words were repeated during the election campaign by both candidate Reeves and the Leader of the Opposition. Linking those firm, unqualified statements with recent events has demonstrated that we are the victims of a giant sellout. If these were earlier and wilder times in the history of the Northern Territory, we could fear for the wellbeing of the Leader of the Opposition and the Territory's new federal member. In earlier days, those who betrayed the Territory were not brought to account within the civilised

confines of the Legislative Assembly. They faced retribution outside in a more direct sense.

Recently, I read a transcript of a weekly radio broadcast of the Leader of the Opposition and I was struck by an opening remark. On 22 February, he began his radio talk by proclaiming: 'It gives me no pleasure tonight to say that there are dark clouds on the Territory horizon and I am not talking about the weather'. Mr Speaker, rarely has the Leader of the Opposition been more prophetic. The clouds are dark indeed and they blow to us from the direction of Canberra. In those dark clouds are dangers for the Territory which go far beyond the outrageous proposition which has been put to us in relation to the railway.

We need to look at the attitudes of a couple of people towards the Commonwealth decision that has been presented to the people of the Northern Territory for our deliberation. I quote now from a news program on 19 May on Channel 8 in Darwin when the Leader of the Opposition was talking on the very subject of whether the Northern Territory should contribute towards the cost of constructing this national project:

> *I will tell you why it would be sensible. The problem is that we have got a global budget of $1000m, the majority of which comes from Canberra. There has been no indication given whatsoever of where cuts are to be made in that budget. There is a lot of logic attached to that proposition. It would certainly be a reluctant federal government that would say to any state government, even though they are supplying most of the funds: 'You will prune this or that out of your budget'. It seems to me that a very sensible way to go about it would be to say: 'This project will cost you this much out of your global budget. You will determine what your priorities are and you will determine where cuts will be made'.*

I think there lies the key to why we have been told in the Northern Territory that, if we want a railway constructed, then we will pay, despite the fact that it is a federal responsibility. We have been told to pick up somewhere between $216m and $220m of the cost. It is giving us the soft option, the option of chopping our $1000m budget around to save the federal government doing it for us. They are very important words. The most disturbing part is that this approach has the clear support of the Leader of the Opposition and the member for the Northern Territory in the House of Representatives. They describe this action as sensible: 'I will tell you why I think it would be sensible'. He went on to say that we should not let them touch our budget and that we should do it ourselves first. What a sell out! The message is there now and is becoming clearer with successive statements from ALP politicians both in the Territory and in Canberra. I believe the message is telling us that the very principles of self-government are under threat at present.

Unfortunately, the Leader of the Opposition and his colleague in the House of Representatives are willing cohorts in this sell out of the Territory. From the moment the ALP won government federally, these 2 champions of the Territory have been babbling about what they see as an unjustified level of Commonwealth support for the Territory. We heard the classic at the last sittings: the Leader of the Opposition was embarrassed about the level of federal support that the Territory receives. Now his federal colleague has joined in the chorus. Let us just look for a moment at the Territory's funding because those 2 politicians and the honourable member for Nightcliff at least have made statements that show that they believe that some, if not all, of the $216m being demanded of us could come from the Territory budget.

Those people should take the time to browse through one of the submissions to the Grants Commission and they will learn a great deal about the relative disabilities which face the Northern Territory.

I will give a few examples of why we receive many times the per capita grant from the federal government than any state in Australia, and explain why we receive it totally without shame or embarrassment. It is what the Territory deserves and it is what the Commonwealth is committed to pay, whether we have self-government or not, to administer one-sixth of this country. The type of thing which makes it very expensive for governments in the Northern Territory compared to those interstate is that 50% of hospital services in New South Wales and Victoria are provided by the private sector. In the Northern Territory, the figure is 3%. Obviously, the government has to pick up that extra 47%. The Northern Territory's contribution to housing is enormous and is well known. As a percentage of the budget, it is the greatest contribution to housing made by any government in this country and no one would argue that we should cut it by $1. Indeed, we wish we could put more money towards housing in the Territory. We have no leeway there for savage cuts.

The proportion of Aborigines in the Northern Territory is 57 times greater than in New South Wales and Victoria. Mr Speaker, I imagine that even the Leader of the Opposition can understand the implications for government to have such an enormous proportion of the population come from a disadvantaged sector of Australian society which consumes enormous government resources on a per capita basis. Of course we receive several times the contribution the states receive. How else could such services be provided? The recruitment costs to engage an expert public servant when one must advertise nationally can amount to thousands of dollars. Flying people across the country for interviews, removal expenses for the officer and his family, the provision of a house, air fares etc can be an incredible expense to the Territory. That is why we get several times the funds.

Statistics show that our police force and judiciary have twice the average crime rate to contend with than those in the states. We have 23 times the average road lengths per capita in the Northern Territory. Of course we need additional funds to maintain them. Would anyone advocate that we look after only the small portion of roads that would equate us, on a per capita basis, with New South Wales? We have 3 times the population growth of New South Wales and Victoria, bringing upon us a burden of infrastructure in the form of schools, police stations and other facilities which simply have to be provided by government from whatever source is available to it.

Mr Speaker, a clear demonstration of this is the fact that the Commonwealth itself has 3 times the per capita staff in the Northern Territory than it has in any state in Australia. The Commonwealth has to provide those staff with special conditions to bring them to the Territory. It provides them with housing, tropical leave loadings and air fares that are not provided to Commonwealth public servants interstate. It does not do these things because it is big-hearted. The federal government does them because it has a responsibility to carry out certain functions in the Northern Territory which are very expensive relative to the states. For goodness sake, let us put to rest this talk that the Northern Territory is grossly overfunded. We have 'money running out our ears' is the sort of expression used by members of the House of Representatives. With advocates like that down there, it is no wonder the Territory is getting a reputation of being overfunded. Perhaps they should do a bit of homework one of these days and find out the exact reasons why the funding for the Territory is

as it is.

Mr Speaker, the levels of funding for the Northern Territory were embodied in formulas within the Memorandum of Understanding and were the very conditions of the acceptance of self-government. Every year since self-government, the opposition in this Assembly has attempted unsuccessfully to cast some doubt upon the integrity of those arrangements. It has queried how long they will remain and whether there is an expiry date in the memorandum. It has not succeeded because the memorandum has served us well and remains strong. With the election of a federal Labor government, the opposition's tactics have changed. Suddenly, in absolute subservience to their federal masters, the Leader of the Opposition and the federal member are now trying to tell Territorians that they should feel guilty about what is justly and rightly our entitlement as Australians.

To highlight the threats to our self-governing status, I would like to mention 2 points made recently by the federal Minister for Aboriginal Affairs. These points are very important and every Territorian should dwell on them carefully and consider their implications. I quote now from an interview on the ABC television program, 'Territory Tracks', of 18 April. Responding to a question about funding for Aboriginal projects, the Minister for Aboriginal Affairs, Mr Holding said: 'There are some minor differences but there is plenty of room for cooperation. After all, more than 80% of Mr Everingham's budget is supplied by the Commonwealth, and I would think that should provide a very positive basis for cooperation'. Let us examine that statement. The threat is not even implied: it is crystal clear. The message is that we must do what they tell us or they will withhold our funds. Despite all the waffle about consensus, about bringing Australia together, the Labor Party has revived the old standover tactics. It knows what is good for the Territory. It will tell us what to do and our role will be to do it.

For the other quote from Mr Holding, I turn to a copy of the Northern Territory News of 13 May 1983. When speaking about funding a private school in central Australia, Mr Holding announced emergency funding payments to the school. He said: 'If it is not registered, paving the way for funding, the Commonwealth will fund it directly and withdraw the cost from the Territory's overall Commonwealth allocation'. In the 5 years since self-government, we have never had such statements made by a federal minister that threaten the very foundation of self-government. At this stage, they are only threats; there has been no tampering with the formulas for funding the Northern Territory yet. Mr Speaker, there had better not be.

The fundamental basis for self-government was that Territorians would take over the funds the Commonwealth was spending in the Northern Territory for administering the Northern Territory. We would also take over the responsibility for those functions as to whether they were correctly or incorrectly performed. In turn, we would raise a reasonable level of state-type taxes to contribute towards the running of those functions and we have done that. The whole concept is that we would make the decisions on the state-type services that were transferred to the Territory. The Commonwealth should have no role in determining what funds are used for in the Territory for those functions provided those funds are lawfully spent. To interfere in any way with the way the Northern Territory government allocates its money would be an attack on self-government. Unfortunately, it appears that the opposition no longer supports those principles of self-government.

The Leader of the Opposition has stated in this Assembly that the new federal government had, in his opinion, every justification to renege on its election promises and that his only objection would be if we were asked to

bear a greater burden of restraint than anyone else in the community. He has even sold out that last principle: whilst we are all Australians and we all have to take some of the bitter pill, he would fight tooth and nail for us if we were asked to bear a larger burden than other Australians. That is exactly what we have been asked. Where is the fight? It has been demonstrated clearly that what we are being asked in the joint funding arrangements for the railway is to bear a greater share than any other Australians for that national project. Does the Leader of the Opposition demand that we be relieved of this burden to the extent that other Australians are not contributing? We hear him tell us that we should be grateful and we should fund it from our own budget. He suggests we could cut out a few hundred homes or a few schools because we are overfunded anyway. Perhaps it would relieve our consciences a little to give some of it back to the Commonwealth.

In addition to telling us to find $216m for the railway, the federal Treasurer tells us that $60m of the federal government's contribution will come from funds now destined to complete the sealing of the south road. We really are getting into a sleight of hand or thimble and pea. Firstly, they tell us to pick up 40% of the tab and then, as an aside, they tell us that part of their 60% contribution would be at the expense of a currently committed Commonwealth project: $60m worth of sealing of the south road. That project has been in operation for some years. We can have either or but we cannot have both. What happened to that very early statement from Mr Morris: 'The railway line would be complemented by the sealing of the Stuart Highway south of the Northern Territory border by 1986'. Now it is either or. They will take away what we already have to give us 60% of what we do not have.

Mr Speaker, the dirty tricks keep on coming. We are told that, if Australia is to get a north-south railway, it is conditional not only upon 1% of the population of Australia paying 40% of the cost, but that promised funds already allocated to upgrading a portion of the country's basic road transport network will be diverted. It is a national disgrace that that road was not sealed years ago as part of a basic infrastructure for a country the size of Australia.

We hear ad nauseum about the deficit being an excuse not to do things. $9600m or $10 000m is a figure now being mooted as being a deficit that is just too much for the Labor government to bear. However, we can afford some other airy-fairy schemes which may not help Australians but they will help others elsewhere. Aid to Vietnam is a fairly topical subject at present. There is no talk about how much we can afford to give. A peace-keeping force in Kampuchea is also being floated as a good idea. There is no talk about whether the budget can stand it or not. If we are going to be in a peace-keeping force, why not bring in the Japanese or whoever else. Do not tell them.

Mr Speaker, I also recall an offer of about $500m to the Tasmanian government to stop building the Franklin Dam. That was made at the time of the election and indeed after the election. The budget deficit was known then. There was no screaming that we could not afford it any more. We can afford to stop developing Jabiluka and Koongarra. A decision was taken not to develop those uranium mines. Those mines would have generated thousands of jobs, hundreds of millions in private capital development and billions of dollars of foreign exchange earnings for this country - and, goodness me, we need it now - over the next 2 decades.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr SMITH (Millner): Mr Speaker, as is his wont, the Treasurer started off with a throwaway line that was not very well thought out. He said that, by its mini-budget, the government had in fact given us 2 doses of bad news instead of one.

Mr Perron: The second one is yet to come.

Mr SMITH: Thank you. The Treasurer could not make his statement clear enough at the time and has taken the liberty of an interjection to clear it up for us. He may feel free to do so as I go along.

Mr Speaker, as the Leader of the Opposition quite clearly pointed out, the federal government took the opportunity in the mini-budget to signal the broad areas in which it wanted to move. I would have thought that this government in the Northern Territory would have the courtesy at least to recognise that there were important initiatives in the area of job creation. Instead, we have the Chief Minister dismissing it in the cavalier fashion that he did previously. I would like to spend a couple of minutes dealing with that cavalier dismissal of the increased money available in the job-creation program.

I think that the Chief Minister's comments quite clearly demonstrate that he has lost touch with what is going on in this community. Unemployment in this community is a very real problem. If he spent more time in the Northern Territory and if he spent some time in his electorate office, he would find that he would be getting regular contact from groups of unemployed people who are desperate and who want jobs even for 6 months. Through my office I have had a large number of contacts in the last few months. It is particularly distressing to see 18 and 19-year-old kids who want to work, who have been tramping the streets and who have been to all the official agencies like CES, CYSS and others but who have not been able to find anything. Their hopes have been raised by the initiatives in the mini-budget last week. They will not be particularly appreciative of the Chief Minister's comments that the additional money that the government has put into those programs is basically wasted and should be used for the railway line. I think it is an absolute disgrace that the Chief Minister made those comments.

The second area that this government should have mentioned is the additional money that has been put into housing. The Hawke government has committed itself to a 50% increase in the amount of money made available for housing in the 1983-84 financial year, an increase from $333m to $500m. It will result in 130 000 new starts on homes in the 1983-84 financial year. This is a substantial increase in the number of starts that have been made this year. We all know that investment in housing is one of the most effective ways of putting money into the community because of the way the money circulates. It all goes into the local community; very little of it escapes beyond the bounds of that community. It is a very good way of priming the economic pump in particular communities.

As well as that, we have the initiative for a $7000 grant for first home buyers under certain very generous conditions. Again, no mention was made of that. I submit that the balance of the mini-budget proposals was to get this economy moving and that those 2 things that I have outlined are most important. It is extremely remiss of this government not to have made passing and favourable mention of them.

Mr Speaker, the Treasurer said we are talking about a railway. You would never have known it from his comments. Let me get back to another

point that he was making. He said at one stage that the very principles of self-government are under threat. The basic reason given by himself and the Chief Minister for the principles of self-government being under threat is that the Northern Territory government is required to put some money into the railway. That was a very basic premise of the argument of this government on this particular issue.

The Leader of the Opposition effectively destroyed that premise this morning when he revealed to a stunned group of people opposite that it has been done before and that in fact it has been the usual method over the last few years of getting railway developments off the ground. He mentioned the Western Australian example in the early 1960s. He mentioned the South Australian example and he mentioned the Fraser government's pre-election offer in 1980 to join with New South Wales and Victoria to electrify the Sydney to Melbourne railway line. We all know that, after the election, the Fraser government withdrew and did not commit $1 to that project.

The Treasurer also made a case why the Northern Territory government could not be expected to make cuts in its budget allocations. He spent quite a bit of time on that. He did not approach the question of where the Commonwealth government could effectively make cuts. He did not broach the question of whether, if it could not make cuts, he was prepared to allow the Commonwealth budget deficit to blow out even further. The Treasurer is quite clearly on the record as saying that he supports balanced budgets. The Chief Minister is quite clearly on the record supporting a blowing out of the deficit at least at the federal level. Despite the fact that he had a firm invitation from the Leader of the Opposition to state his position, the Treasurer omitted - deliberately I would suspect - to address that particular issue.

The monetary figures that have been floated in terms of the cost of development of the railway basically rely on the 1979 joint Commonwealth-Territory task force report. It estimates that the cost of the railway line is about $540m in 1983 figures. But, on top of that, there would be a rolling stock component of about $60m. It also estimated that, provided the capital was written off, to break even the railway line would have to transport about 500 000 t of products each year. It was anticipated that it would be the mid-1990s before this would be possible.

However, there must be some doubt about that. I do not want to throw any doubt on the feasibility of the railway line but I have a slight concern about whether the projected dates are realistic. My doubts emanate from the estimate of the tonnage coming out of the Peko mines - 77 000 t a year. We all know that the mining market has slowed quite considerably. My doubts also emanate from the estimated tonnage in agricultural produce - 123 000 t a year. We all know that there have been problems in the agricultural area. Perhaps that view may have been overly optimistic. The result is that 200 000 t of the anticipated 500 000 t are a bit rubbery. We have the situation where we could expect the federal government to be in a position, when the railway line is built, of having to pick up a deficit of some description.

Therefore, 3 months after the new federal government has been elected, we have a commitment of $320m for the capital cost, a commitment of $60m for the rolling stock and a commitment to meet the operating cost deficit. All of these commitments come from the federal government.

Mr Speaker, as has been pointed out quite clearly, the opposition does not believe that that offer is good enough. We believe that we need to go

back to the Commonwealth government and seek a better offer. But it is a meaningful commitment at this stage particularly when contrasted with the attitude of the Fraser government in 1980. In 1980, it said it would spend $10m on survey and design work for the Alice Springs to Darwin railway. In the 3 years before the election on 1 March, it managed to spend $5.3m. In fact, the Hawke government has had to chuck in $5m to finish the work the Fraser government undertook to do in 1980. In other words, at this stage, we have a Labor government which has been in office for 3 months and has committed 60% of the $540m that is necessary to build the railway line. That is compared with the Fraser government which, in 3 years, committed 50% of the $10m that it offered.

This commitment was made in the face of a $9600m deficit. We all know that the Labor Party knew nothing about that deficit until the Sunday after the election. Honest John the Treasurer, the $10 000m man, had forgotten to tell us in the election campaign that the budget had blown out. It was a deliberate decision by himself and the Prime Minister not to tell us. As the Leader of the Opposition pointed out, that changed the scene within which the government was making its decisions. It believed that it was facing a budget of $4500m. It believed that it was in a realistic position to increase that deficit to about $7000m. It was within that context that it had planned for the full development of the railway line. Instead, it was faced with the prospect not of spending $2000m but of saving $2000m.

Mr Speaker, the federal shadow Treasurer's response to the mini-budget, as has been pointed out by the Leader of the Opposition, was also very interesting. He said that the government had not struck hard enough; that it had not done enough to pull back the budget deficit, a budget deficit that we all know he was responsible for. With those sorts of comments coming from the federal shadow Treasurer who could be in any doubt about what would be the attitude of a federal Liberal government, if it had been re-elected, to the railway line proposal.

The other thing that is very interesting is that, as far as I am aware, apart from Senator Kilgariff, not one member of the federal opposition has spoken out and condemned the Hawke government for this particular action. I think that proves that it is very much a Territory issue and it is very much an issue on which we have to be united or we will not get anywhere. There will not be any national uprising on either the federal government side or the federal opposition side. It is an issue which we have to take up and it is an issue on which, if we take it up on a bipartisan basis, we will get much further than on the party political basis that the government is attempting to pursue at the moment.

As has been very clearly pointed out, the opposition supports the railway line. We believe that it must go ahead. We believe that the present offer from the Hawke government is not satisfactory. We believe that we need to go back to Canberra and talk to the government. But the basic difference between the government's position and our position is that, if it comes to the crunch and we have to put some of our own money in, we would be prepared to do it to make sure that the railway line goes ahead.

Mr TUXWORTH (Primary Production): Mr Speaker, let me start off by saying firstly that I support the motion put forward by the Chief Minister this morning. I think that that is something that has not been said by the people on the other side of the Assembly. So far the remarks of the opposition members have been innocuous. For 45 minutes, we had a diatribe from the Leader of the Opposition. He was offended that the Chief Minister had said untrue things about him. He was angry. We had a very noisy diversion

that said very little except that he wanted to give away a couple of hundred million dollars of Territorians' money. He failed to support the motion put forward by the Chief Minister. I would like to make the point that, as far as I am concerned, his attitude so far has been nothing short of treacherous.

In February and March this year, the Labor Party campaigned on the hustings with the Liberal Party and the National Party and it competed for votes by offering to do whatever needed to be done to win power. It bought its way into power and it promised anything to get it. That is fair enough. If it wanted to be in power so much, that responsibility carried with it the responsibility to provide the people with the things they were promised.

Mr Speaker, let us have a quick look at the promises. We would have tax cuts, pensionswould rise in the first pension cheque after voting day, petrol would be reduced by 3¢ a litre, there would be a decrease in the level of unemployment, we would have a free health scheme - mark 5 of Medibank - inflation would be reduced and 500 000 jobs would be created. Amongst all of these promises, to buy a couple of votes and to win a seat in the Northern Territory, the Labor Party said it would build a railway. It has said it and I do not think it is unreasonable that the people of the Northern Territory expect the government to honour its promise. All this business about the size of the deficit is just bilge water.

At a very early stage in the new government's life, it became pretty obvious that there would be some large financial and political sacrifices. If it wanted to be politically pragmatic, the Northern Territory was a sacrifice that could be given up very easily. Let us look at the financial aspects first. It promised a railway worth about $540m. It was in for $87m for the airport, $15m for the bicentennial road program, $130m-odd to shift the RAAF base, $105m for the BTB eradication program and various miscellaneous expenditures for airports and shipping subsidies. Over a period of 5 to 9 years, that would total $900m.

Let us examine the political trade-off. The Labor Party won the seat by a very small margin. It could not assume that it would win it again. It would hardly be worth spending that sort of money on an ALP oncer . Obviously, from the point of view of people sitting in Canberra who do not have our interests at heart, it was quite an easy option for them to say: 'Write it off. If they still want the railway, let us make them an offer we know they cannot accept because we know they cannot afford it and then all will be sweet. We will come out of it as the good guys'.

Let us consider the issue of the sacrifice and how early that decision was made. In the last sittings, the honourable Leader of the Opposition foreshadowed almost a dozen times that the economy was in difficulties, money might not be available, we should not have high expectations and, if the Chief Minister wanted a railway, he should at least put up a good argument for one. He said that we could not automatically accept that disease control funding would be available. The list was increased over a period of days and I raised it as a matter of interest during the debates. The scene was being set to sacrifice the Northern Territory and the Leader of the Opposition was instrumental in setting that scene.

Mr Speaker, let me ask you why a Territorian, a political leader of a party that aspires to government and a person who collects his pay packet from the people of the Northern Territory, would accept that the Northern Territory would be subjected to financial strangulation just because people in Canberra decided it. The financial strangulation was only part of it. He is prepared to accept his own political demise which must follow from it.

He is also prepared to make excuses for election promises that are broken. Let me put it to you that the honourable member was not fighting for Territorians and sticking up for us. He has no allegiance to us. His philosophies transcend the Northern Territory's aspirations and the wishes of the people. His allegiance is to people in Canberra.

Mr B. Collins: I thought you were going to say the Russian embassy.

Mr TUXWORTH: He may laugh and treat it very lightly, but it has taken some time for the people of this Territory to realise that this man has been selling us out, and for a long time. This debate on the railway has given us a good opportunity to see the man in his true colours.

Mr B. Collins: Are you upset because I went to Tennant Creek?

Mr SPEAKER: Order! The honourable member on his feet will be heard in silence. I ask all members not speaking to be quiet, and that goes for both sides.

Mr TUXWORTH: Mr Speaker, it is always easy to tell when you are getting close to the quick with the honourable Leader of the Opposition. His mouth runs off. He is doing it today to try and avoid his party's embarrassment.

Mr B. Collins: That's really solid stuff.

Mr TUXWORTH: Mr Speaker, the honourable member was not only involved in a cover up but he sold us out deliberately. When he sold us out, he not only sold out the railway but he gave away $200m of our money at the same time. Insult has now been added to this injury because the honourable member is saying: 'I think I could negotiate a better deal. John Bannon and the Chief Minister and I could go to Canberra and we could talk them down'.

Mr B. Collins: I did not say that.

Mr TUXWORTH: Why would he go to Canberra, Mr Speaker, to make a name for himself?

Mr B. Collins: To try.

Mr SPEAKER: Order! The Leader of the Opposition will not interject and I request the Minister for Primary Production not to be too provocative.

Mr TUXWORTH: Mr Speaker, I can assure you that I am restraining myself as best I can.

The Leader of the Opposition is going down to try to reduce the Territorians' tag from $200m to $150m. He knows, we know and the federal government also knows that we would not have $150m either. If this is the Leader of the Opposition's way of representing the Northern Territory and doing us a favour, I hope I am a million miles away if ever he decides to doublecross us.

Let us come to the promise, Mr Speaker. Let me read a few lines from a well-meaning document: 'The Hawke Labor government will develop the Territory. Point 1. Build the Alice Springs to Darwin rail line with a 1988 target completion date'. This is not just Bob Hawke's promise because this document has been authorised by Bob Collins, 83 Lee Point Road Casuarina. Nowhere in that document are there any caveats, provisos, ifs, buts or maybes;

it is a straight promise. Let us look at the promise. Are we asking for something very special? Yes, it is important to us and special. Are we asking for something that none of the states have? No, Mr Speaker. Are we asking for something that this country cannot afford? The answer to that is no. We are asking for a railway just like the railways that exist in the states. I would make the point that most of those railways were funded while the states were basking in the luxury of Commonwealth funds for the last 70 years, and when we had none.

Mr Speaker, let us just look at the cost of the railway at $540m - about $100m a year. The total budget of this country last year was $47 600m and these people are saying that Australia cannot afford $100m a year for 5 years to build the railway. What we are asking for in the Northern Territory is not special; it is just overdue. I do not think that it is unreasonable that the Labor Party meet its promise and its commitment.

The Leader of the Opposition is now saying that we should pay. How much we pay is a matter of conjecture. On a program on television the other night with Randy Westcombe, he said that the country was pulling in its belt and asked what was so special about us. I will tell him what is so special about us, Mr Speaker. The states have their railways and all the benefits that go with them and we have not. It is not unreasonable that we should expect to get a railway. We are not even arguing whether we delay it. We are arguing that the Northern Territory should not be required to cough up 40%. I am not saying that 40% should be taken from funds to create jobs for people whether they are painting fences or whatever. I am arguing that, in a $47 000m budget, we can afford $100m in this country for a few years to fulfil a promise that was first made 70 years ago.

The Treasurer touched on a point that is so important that it cannot go unnoticed. If we should accept the 40% proposal by the Commonwealth, it will also mean that our road-funding program will go down the tube. If that is not one of the craziest sell-outs that I have ever heard of, I do not know what is. How the Leader of the Opposition can subscribe to a view like that when he knows as well as we do the need for road money in this Territory has me beat. It can only be described as a sell-out.

A couple of weeks ago, the federal government put the kybosh on the 2 uranium mines. Do you recall the Leader of the Opposition sticking up for the Northern Territory, the companies, the traditional owners or anybody who might wish to see the projects go ahead? Mr Speaker, he was not interested. The silence was ominous. Let me reflect for a moment on the Koongarra situation. As members know, 21 of the 25 people at Koongarra would like to mine on their land. Mr Speaker, have you heard the Leader of the Opposition sticking up for the people who want to mine on their land? No, Mr Speaker! We are dealing with the railway and the sell-out. He would sell out anything in the Northern Territory that he did not agree with. He hates uranium mining and anything to do with it and he would do anything that he could to prevent it.

Mr Speaker, you did not hear the honourable member sticking up for the Territorians when petrol and av gas price rises were advocated. Not a word - just a big cover up for his mates down south. The charade is over. The Leader of the Opposition will not get away with the persiflage that he gave us this morning. He said that the railway must go ahead and then said that Territorians must contribute something to it. He knows as well as you and I, Mr Speaker, that Territorians cannot afford it. How can he argue for the railway with the knowledge that it cannot proceed because Territorians cannot afford it?

Mr Speaker, the trick that has been perpetrated by the federal Labor Party and condoned by people opposite is nothing less than deceit and treachery of the first order. They ought to be condemned for it. Let me remind the honourable members opposite again of the motion: 'That this Assembly call on the federal government to fulfil its legislative obligations and honour the firm undertakings made to the people of the Territory to construct and wholly fund the Alice Springs to Darwin Railway, with a completion date of 1988'. If it is beneath their political dignity to support that, there is no hope for them.

Ms D'ROZARIO (Sanderson): Mr Speaker, we have heard some amazing views about the state of the economy today. We heard the Chief Minister tell us that 700 000 unemployed mean nothing to him because he considers that the funds for the program that the federal government has undertaken, as a result of the clear mandate given to it on 5 March to create programs which would alleviate the high rate of unemployment that presently prevails in Australia, are his and that that money is his railway money. We heard from the Minister for Primary Production that a $10 000m deficit is so much bilge water. These sorts of perceptions about the economy cause ministers in Canberra to laugh. The Territory government ministers give no impression at all that they are grasping the situation that confronts not just the Territory but the entire nation. They seem to believe that somehow or other the Northern Territory has no part to play in bringing about economic recovery.

I would like to consider last Thursday's decision in the context of the mini-budget. We have a federal Labor government that was elected on 5 March. The Minister for Primary Production said - and this is probably the only sensible thing he said - that when governments are elected they have a responsibility. Indeed, this government has grasped its responsibility with both hands. In the brief time that it has been in office, it has sought departmental briefings about the true state of the economy - something which was kept from it and from the people of Australia by the former Prime Minister and his deputy, Mr John Howard, who now bleats about the mini-budget not being forceful enough. Since that time, the Prime Minister convened an economic summit which was approved by all participants. As a result of the views expressed at the economic summit and the communique that issued from it, the one that we are told that the Chief Minister participated in the drafting of and of which he is so proud, and indeed he should be proud, we have had the formulation of a mini-budget. All this has happened in the space of less than 3 calendar months.

The Minister for Primary Production said that the Leader of the Opposition had commented that, in the early life of the government, there would be hard times ahead. Mr Speaker, 3 calendar months is early in the life of the government. I do not know what the Minister for Primary Production is on about but clearly he has forgotten the events that the rest of the nation holds so clearly in its collective mind. Let it not be forgotten that the popularity of the Prime Minister and his government was never higher than just after the economic summit. No one in this country has claimed that the economic summit was a waste of time or a failure for the government.

I would also like to point out, as I think a couple of members have before, that the government was not required to bring down a budget until August. However, in line with the Minister for Production's view of what a responsible government should do, the federal Labor government has shown economic responsibility by responding promptly to the conditions which became so plain during the economic summit. Moreover, it is responding to the principles which were agreed to at the economic summit. A lot was said

about the participants at the economic summit. Some people complained that they had not been invited and other people complained that they had only been invited as observers. Nevertheless, the federal Labor government accredited delegates from the Northern Territory: the Chief Minister and his deputy. If what the Chief Minister is now saying is that he did not agree to the principles that were agreed to at the economic summit, notwithstanding that he co-authored the communique, then I think that we are not seeing a sleight of hand but rather a sleight of tongue. The mini-budget was brought down as a prompt response to this government's perception of its responsibility to the Australian people. It could have carried on in the way that another government might have. No government likes to take unpopular decisions. As I mentioned, the standing of the Labor government in Canberra was never higher than during the week after the economic summit.

Let us traverse the options which were available to the federal government. It could have waited until August and we would not have seen any of the petulance that we saw from the Chief Minister last week. It could simply have continued to ride on its current popularity wave. It is a popular government as the polls will show. It could have kept the Northern Territory happy by doing what its predecessors did in respect to the railway: continue to allocate small amounts for things like surveys and identification of the ultimate route. As I said, no government likes to take unpopular decisions. This government has responded to the conditions in the economy and I think it deserves credit for that.

Despite all the things that the government could have done to retain its popularity, after a mere 3 months in government, it has done more than any previous government in the way of a commitment to the Northern Territory railway. The federal government has made a firm commitment to allocate $320m above its other allocations and in excess of its commitment to rolling stock. Furthermore, the federal government has shown itself willing to negotiate on reducing the Northern Territory contribution.

Mr Speaker, let us see what we had from previous governments. We had occasional small sums of money appropriated in the annual budgets. When we saw these, we took heart that in fact a Northern Territory railway was still somewhere in the government's mind. But, of course, it was quite obvious that it was well to the back of the former government's mind. As the member for Millner pointed out, in the last budget the Liberal government allocated $10m to continue surveys of which we find that only $5.3m was ever expended. Let us not minimise now what the commitment of this Labor government is to the Territory railway. This is the first government that has ever put up a proposal that $324m would be committed unequivocally to the Northern Territory railway.

I exhort members to regard this commitment in terms of the government's budgetary processes and, more importantly, the objectives of any budget that is brought down by the Commonwealth government. I think it is an important point that it is not necessary for the federal government to state its objectives before August. However, in keeping with its decision to inform the nation of the economic situation confronting it, this government has taken the step of bringing in a mini-budget in order to make economic information available to the state governments. The budget is an estimate of the proposed expenditures for a given period or for a given purpose, and it includes the proposed means of financing them. This government is the first to propose an expenditure of $324m for the Northern Territory railway, and that is a clear indication of its plans for the future. It is a clear statement of its intention to build the Northern Territory railway.

Mr Speaker, the mini-budget in respect of the Northern Territory railway indicates a willingness by the federal government to incur on behalf of all Australians contractual obligations which reflect expenditures which will have to be made over the ensuing years. We have heard 1988 spoken about and, if that target is to be met, it would mean expenditure in excess of $60m every year for the next 5 years. I ask the people on the other side whether they can point to any commitment of that size from their former federal colleagues. The answer, of course, is a clear shriek of silence.

The federal government has taken on its own head a commitment which will involve other Australians in contractual obligations towards Northern Territorians. This is no small decision to take. It is not the timorous decision that the former Treasurer who now rightly sits in opposition, Mr John Howard, has claimed it to be. If his government were still in power, he would be telling us that there is no way the government could see its way clear to fund the Northern Territory railway. So much for promises, Mr Speaker. This contractual obligation which has been entered into by the federal government is very important. It is particularly important in view of the limited means by which the government can fund long-term capital projects and can introduce them into its budgets.

Many times in this Assembly, we have talked about public expenditure committees. Indeed, there were a couple of motions introduced to establish one of our own. Let us look at the finding of the Committee on Public Expenditure of the House of Representatives with respect to the particular point of the means by which new long-term capital projects are introduced into federal budgets. In 1979, the House of Representatives' Committee on Public Expenditure reported to the federal parliament as follows: 'The Department of Finance told the committee that perhaps 98%-99% of the annual budget is currently accounted for by on-going expenditure. New program proposals are virtually constrained to compete only with one another for the thin margin of free resources left after the needs of the on-going programs are met'.

In view of that report to the federal parliament, let me stress that this is a mini-budget. I stress this for good reason. The expenditure reviews of all departments of the federal government are not yet complete. What we have in the mini-budget is the federal government making a commitment on the thin margin of free resources that its standing commitee reported and not taking into account any other demands which may be forthcoming from other areas. Mr Speaker, if you think that is a gutless proposal, then I think that members on the other side had better look to the means by which capital projects are funded. The expenditure reviews of other departments are not required to be completed until the end of this financial year. The data collected in that review will form the economic statement which will be brought down in the August budget.

Notwithstanding that the government did not have to make any commitment to the railway until August, this government, in advance of its expenditure review, has made a commitment of $324m to the Northern Territory. The Northern Territory's aspiration in respect of a railway has been accommodated without complete knowledge of other needs in the Australian community. Of course, there are alternative ways of funding such a large project and I imagine that there would have been some shrieks of hysteria if, in fact, the government had sought other ways. One way is to forget about the expenditure side of the budget and look at revenue. The easiest option for the federal government would have been to raise taxation. It was not an option that this federal government considered for the mini-budget. It has been unequivocal about that. The raising of taxation was never an option. I

think that the government is to be commended for that. Instead of attempting to restrain household consumption by raising taxes, it has opted for a moderate expansion of the economy by a huge injection into the housing program in particular and into a program to ameliorate unemployment as well.

Mr Speaker, my advice to the people concerned with the eventual construction of a Northern Territory railway is to accept the goodwill which has been extended by the Leader of the Opposition and the Premier of South Australia, John Bannon, to recognise that a 40% contribution is far too high for the Northern Territory to make and to continue to negotiate with the federal government to reduce that contribution. This is not a sell-out. We have heard some very strong words from the Minister for Primary Production. We have heard talk of treachery, duplicity and deceit and we have heard nothing about what this Northern Territory government is prepared to do in order to bring about the eventual construction of the railway. The attitude taken by the Chief Minister will not advance our cause. It is based on confrontation. The Chief Minister seems to have a completely different view now to the one he held during the economic summit. He now says that he will take the federal government to court on this matter if the money is not forthcoming.

We are invited to support a motion which says, quite clearly, that the federal government has a binding legislative obligation. As the honourable Leader of the Opposition has pointed out so adequately, there is no binding legislative obligation. The matter was resolved by the High Court in 1962, and the option as far as the railway is concerned is either to continue negotiations to reduce the Northern Territory's share of the cost or to say that the railway will not eventuate. Let us imagine what the federal government would do if the Chief Minister dashed down to Canberra with a writ in one hand and abuse in his mouth. What would happen is simply that the federal government would stand back and say: 'We withdraw our offer of $324m. We will wait for a decision of the court to compel us to pay'. As we know, this matter has been resolved once before when a similar action failed. To all of us who have an aspiration to see a Northern Territory railway, the sensible course of action would be to accept the commitment that has so far been made and to continue negotiations to reduce the Northern Territory's contribution. That is the only way in which the Territory will see a railway.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the motion. At the start, I would like to say that one of the things that has disappointed me most about this whole exercise is that the Alice Springs to Darwin railway has already had its first passenger and that was the NT member in the House of Representatives, John Reeves. I think that everyone would agree that he is in Canberra because of the very issue that we are debating here today: the construction of the Alice Springs to Darwin railway. I think that disappointment is shared not only by members on this side of the Assembly but by many other Territorians. It is also disappointing to see that the powers-that-be as far as the Australian Labor Party is concerned were aware that, if their policies were to be implemented, it would be necessary for there to be massive cuts and that some of the local projects, such as the Alice Springs to Darwin railway, the Darwin international airport, the south road, defence areas such as Tindal Base and the upgrading of RAAF facilities, the airport at Alice Springs etc would be placed at risk.

I understood, and I am sure my colleagues and all supporters of our political persuasion realised, that for the Labor Party to implement those policies, enormous amounts of money would have to be spent. It would require millions and millions of dollars to implement those policies and someone

would have to pay for them. It is unfortunate that it appears that the people who will have to pay, at this stage, are Territorians. It is not, I believe, a matter of negotiation; it is a matter of trying to explain exactly what the issue is all about. The Alice Springs to Darwin railway is a national project. It is a project that would benefit all Australians. For a government to say that 1% of the Australian population is required to contribute 40% plus towards a national project is unacceptable. Incidentally, that 40% will be a lot higher because the 60% that is to be funded by the federal government would include some of our taxes anyway.

I am quite convinced that the federal government does not realise exactly how important this particular project is to all Australians. I refer particularly to the defence of this country. Despite the remarks made by the member for Sanderson that no commitment had been made prior to this government's commitment, I feel very strongly that the commitment made by the former government to proceed with the Alice Springs to Darwin railway was made because of that very issue of defence. Enormous amounts of money have been spent in this area. Already we have a naval patrol base costing $25m. Commitments were made with regard to upgrading Tindal and also the RAAF base here in Darwin and hopefully those commitments will proceed under the present government.

Another thing needs to be pointed out. When we talk about defence spending, $540m is not really a lot of money. An aircraft carrier costs $1000m and a destroyer costs in the vicinity of $200m. If you start getting into aircraft, tanks etc, you will find that $1m does not go very far.

The other point that needs to be raised is that, irrespective of whether we in the Territory or the people of Australia or the Australian government like it or not - whichever government is in power at the time - Darwin is a strategically placed city. Darwin is important for the defence of Australia and we must pursue this particular issue. It is important with the massive expenditure in this area - the $25m patrol base, the upgrading of the RAAF facilities, the bringing of fighter squadrons here - that we have all modes of transport available to service those particular facilities, and that includes a railway.

Mr Speaker, on the benefit side, I believe that tremendous opportunities are available here for job creation. Instead of providing jobs for a limited period of 6 months, I believe that such a labour-intensive project as this would create employment for a much longer period and those jobs would be much more secure. We have heard today about its importance to the steel industry; the Chief Minister touched on that. I would say that the steel industry is another industry which is vital to Australia and it is experiencing a very difficult period at this time. It is important that this industry be given the chance to continue in a viable manner. Projects such as this, which will require huge amounts of steel, will give jobs to those people who would otherwise be out on the streets.

Many other people have commented that the jobs that would be created would not suit the unemployed. It upsets me somewhat to see that, when some people refer to the unemployed, they believe that these people are not qualified. Many unemployed people have a great deal of expertise; some of them are professional people. A job-creation project such as this would give tremendous potential to provide jobs for a wide variety of people. Once the railway is completed, there is no doubt that there will be enormous spin-offs, not only to Darwin people but to people right throughout Australia. One thing I will be very interested in is the possibility of a national travel scheme for aged people. At present, in all the states, aged pensioners

receive a government rail subsidy. This would give us the opportunity to provide to our senior citizens, people who are proud to live in this country, an opportunity to see Australia at a price that they can afford.

Mr Speaker, on the local scene, there are projects that will not realise their full potential unless the Alice Springs to Darwin railway is constructed. I think that we are all aware of these projects. One that comes to mind is the wharf. Some $27m has been committed to upgrade the facilities to handle container shipping. The railway would open the way for the southern states to establish contact with South-east Asia. In relation to agriculture, the railway will play a vital part. It is an industry that has had a very difficult start in the Northern Territory. It has been fraught with disasters and is going through a difficult period. These industries involve grain storage and the transport of grain from the growing areas to the ships. These are areas that will benefit most definitely from construction of the Alice Springs to Darwin railway.

Mr Speaker, a number of comments have been made, not only today but throughout this whole exercise, about the enormous amount of money that Territory people receive from the federal government. I think the Treasurer covered that particular area amply. I would like to say to people in other parts of Australia that they are also funded to a great extent by the federal government. The impression that I have on occasions is that we are the only ones who receive benefit from this source. Whilst it could be said that, overall, on a per capita basis, we receive more, as the Chief Minister mentioned this morning, the Grants Commission recommends that we should be receiving more. If we are going to use that as an argument, we could say to other states of Australia that perhaps, in certain areas, they should be pulling their weight a little bit more. I refer here to export earnings. We see that the value of exports per head of population for the Northern Territory has been more than double the figure for the rest of Australia. Our exports have been growing more quickly than in the rest of Australia.

The other area to touch on is mining. From 1972 to 1982, the mining turnover per head of population in the Northern Territory was 5.5 times that of New South Wales, 5 times that of Victoria and nearly 4 times greater than for Australia as a whole. Currently, value added in the mining industry per head of population in the Territory is 5 times the figure for Australia as a whole and is growing more quickly. This shows that there are 2 sides to the story. We are receiving a greater amount per capita from the federal government but we are also making our effort in returning revenue.

There has been a great deal of comment that we need to pull our weight. I am concerned about how much the fourth Labor government will cost the people of the Northern Territory. If the Australian government is serious about its approach to unemployment, inflation and overcoming the deficit which we hear so much about these days, then I believe that it must look at its uranium mining policy.

I must say to the member for Sanderson that I was disappointed with some of the aspects of the economic summit. It appeared that everyone intended to go down there with an open mind and, God willing, give and take a little. The unions were there with that view and so were employers and governments from all parts of Australia. One matter that disappointed me was the failure of the ALP even to consider looking at its policy in relation to uranium mining. This is an area that could create massive employment. It needed to be looked at. If the employers, unions and state governments were prepared to look at the issue of unemployment generally, the policies of the

ALP should also have been looked at.

This morning, the Chief Minister gave some details about the employment that would be created if the construction and development of Koongarra and Jabiluka were to proceed. Over 2000 jobs would be created in the initial development stage and then the multiplier effects would occur. If all 4 mines were operating, a workforce of over 1600 would be required. The 1982 production of Ranger and Nabarlek totalled $345m. If the 2 other projects, Jabiluka and Koongarra, had proceeded, over $800m would have been generated over that period of time. It is particularly significant that, if the uranium industry were allowed to develop unhindered - and I am not referring to the requirements of law placed on those particular companies - the value of production and construction expenditure to the year 2000 would be $15 000m. That is a lot of money and I believe the ALP must give consideration to changing its policies on uranium mining. It is not up to us to make decisions about the availability of markets. That is up to the companies concerned and it is important that this area be looked at. If the present federal government policies are followed it could mean a loss to the people of the Territory in the order of some $11 000m. That is a lot of money, Mr Speaker.

I would like to comment on a remark made by the member for Millner in relation to the Treasurer's comment that the principle of self-government was under threat. He said that it was because of the railway. I can assure you, Mr Speaker, that I am also concerned that the principle of self-government is under threat. The opposition was not in favour of self-government when it first came into this Assembly. We need only to look at the philosophies of the ALP as far as centralisation of power in Canberra is concerned. We have fought very hard to get away from that. We have our self-determination and we are proud of it. We need to look only at what is happening in Tasmania and the Northern Territory to see that there is a very real threat to our self-determination status. I make that comment to the member for Millner. It is not only in relation to the railway. There are a number of things happening which place self-government under threat.

In closing, I say that the defence aspect should be emphasised in stating a case for a railway. It is a national project. It is something that all Australians need. If we are to get a railway, that is the line that we should be taking. I accept the arguments that have gone on here this morning but I believe that the way to approach this whole exercise is to convince the people of Australia and the ALP that it is important to have a railway in the Territory. Of course, we will benefit but the rest of Australia will also benefit.

The Leader of the Opposition said that the game is getting rough. I say that, before long, we will find that the game will become a lot rougher.

DISTINGUISHED VISITOR
Hon R.T. Hope MLC

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of the Hon R.T. Hope, member for Meander in the Tasmanian Legislative Council. On your behalf, I wish the honourable gentleman and Mrs Hope a pleasant stay in the Northern Territory.

Members: Hear, hear!

Mr DOOLAN (Victoria River): Mr Speaker, perusal of previous Hansards will reveal that I have been advocating the upgrading and rebuilding of the Territory's railway each year since I was first elected in 1977. At

one time in 1978, I issued a press release which elicited a reply from the general manager of Commonwealth railways. It was not very hopeful. I do not think that any Territorian in his right mind could deny that the proposed railway would be of inestimable value to the Territory. It is undeniable that the Territory cannot raise enough revenue to contribute 40% of the cost of this railway.

As the Chief Minister told us this morning, 72 years ago, the Commonwealth government promised to build us a railway. It is an historical fact now. During the last sittings, I said that I felt sure that the present Labor government would honour the previous Liberal government's promise to complete the railway by 1988. Unfortunately, it would now appear that I was wrong and I would like to say that I am just as disappointed as the Chief Minister or any other honourable member of this Assembly. Nevertheless, I think that the Chief Minister is being quite unfair in his vitriolic attacks on the Hawke government. After all, what Prime Minister Fraser gave was merely a promise which was unfulfilled. The Chief Minister seems to have conveniently forgotten that his masters in Canberra did not disclose the correct extent of the enormous deficit of some $9500m when the Hawke government made this promise.

Mr Speaker, the Chief Minister also appears to have forgotten that the enormous sum of $300m is to be injected into the economy to provide extra jobs. He prefers simply to dismiss this as painting fences in Sydney or by some other ridiculous remark. Because of the duplicity of the Fraser government, it is obvious that someone will have to suffer. It appears that the Territory, together with the rest of the country, will not get all that it would like. That is the real reason why we may not get our railway in 1988. In fact, it was the dishonesty of the previous government which has caused this and not any policy of the present Labor government.

Mr Speaker, why doesn't the Chief Minister, when he speaks to the Prime Minister - and he said that he is going to - make a suggestion that the 40% contribution to the cost of the railway be debited against the appropriation allocated to the defence department? The honourable member for Port Darwin mentioned defence and I could not agree with him more. It is vital. Even the old railway that we had kept the Territory going during the war. It could be said that you can blow up a railway fairly fast but you can also repair one fairly fast. Surely this railway would be a most necessary asset to the whole Commonwealth as a vital part of the defence of the country. It would probably be of more value, for instance, than an aircraft carrier. I have no doubt it would be less costly to the taxpayer in the long term.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I do not think that the Attorney-General will need necessarily to rise to his feet to reply to me. I would have thought that he would have been grateful that he now does not have to defend the curious court case that the Chief Minister has landed him in. I am beginning to think that the Attorney-General might somehow regret the reshuffle of portfolios that occurred last December because he is now in the position of having to defend, and perhaps pursue, the Chief Minister's off-the-cuff statement in relation to a legal case against the Commonwealth. That would be quite inconsistent with the stand the Attorney-General has taken only recently in relation to an appeal which claims that courts cannot require public expenditure.

Nevertheless, the Chief Minister is saying that he will take the federal government to court so that the court can require federal government expenditure. The inconsistency quite amazes me. The terrible disadvantage

of this legal challenge, if it does go ahead, is that it will drag out the whole issue for some considerable time. There is no doubt that, when things get into court, usually the only people who benefit in the long run are the lawyers. Court cases take a long time and cost a lot of money. Such action will create a further incredible delay in achieving this railway which we all desire.

It is not just the Attorney-General who has some problems. I begin to think that the Minister for Health, who is sleeping over there on the back seat, might have some problems too. He must be worried about the schizophrenic behaviour of his Chief Minister, bearing in mind the inadequate psychiatric facilities we have in the Northern Territory. On the one hand, earlier this month, the Chief Minister said: 'The vital issue now is whether parties can settle differences in a spirit of cooperation and consensus or whether there will be a return to the sniping, self-interested attitudes that have done Australia so much damage to date'. Mr Speaker, if ever we encountered a sniping, self-interested attitude, it was that displayed by the Chief Minister in his address to this Assembly. On 5 May, he went on to say: 'Clearly, restraint is the key which must influence our actions in the times ahead'. Apparently, the Chief Minister is very much a man of 'do what I say, not what I do', because he showed no evidence in today's debate of following those precepts which he was prepared to endorse. In fact, he contributed to writing the document which came out of the economic summit. Today, he says that he will not accept $1 of responsibility. How is that for restraint? How is that for being self-interested?

We had further evidence of that with the Chief Minister's total rejection of the legitimate claims of the 700 000 Australian unemployed for their share of federal government revenue. If there was anything that I never wanted to hear the Chief Minister of the Northern Territory say, that was it. The Hawke government was elected because of the state of the economy and because of the plight of those hundreds of thousands of Australians. Through its economic statement, it has done what it was elected to do. But, in effect, the Chief Minister says: 'I do not give a damn about them; I am only interested in myself'.

The statement by the federal Treasurer, Mr Keating, contained a number of things which the Hawke government was elected by the Australian people to do. There were the unemployment and housing programs to which my colleague the member for Millner has referred. These will be of great economic benefit to Australia. Further, there was the commitment of $320m to the Northern Territory's railway. Within 3 months of the election of the Hawke government, $320m has been allocated towards that railway.

Mr Tuxworth: It isn't allocated.

Mrs O'NEIL: Committed to that railway. I withdraw the word 'allocated', Mr Speaker. How does that compare with his predecessor, Mr Fraser? He offered us $10m and spent only $5m of that. In this federal government's statement, we are offered 60% of $540m - $320m. Nevertheless, the Chief Minister is not happy. I say to the Chief Minister, that I do not think it is enough; I would like more. I do not think that we can contribute the required 40%. But, the federal government has offered $320m towards that railway and the Chief Minister now says that he does not want it. It is all or nothing for him.

We had an explanation from the Minister for Community Development as to why that is so - a peculiar explanation. He said that we will not pay a jot because the states all have railways and we want what they have. We

want a harbour bridge, an opera house and God knows what else paid for by the Australian people. The facts are quite contrary to those the Minister for Community Development claimed in his address this morning. Railways in most Australian states have been paid for wholly or partly by the people in those areas, and there are historic reasons for that. Many of them have been there since before federation. It is certainly not the case that the federal government built all the railways in the rest of Australia therefore it has to build ours as well. That is nonsense and the Minister for Community Development knows that it is nonsense.

There are recent precedents for both cases. There is the case of the Tarcoola to Alice Springs railway and we know the great contribution the former Labor government made in that area. I agree with the Chief Minister that it was initiated by the McMahon Liberal government, but that government did not spend 1¢ on it either. The first funds for it were committed by the Whitlam government. Recently, there have been as many examples of railways in Australia that have been funded by joint arrangements of one sort or another. The Leader of the Opposition and other members referred to the Kalgoorlie to Perth standardisation arrangements. There was the electrification of the Sydney to Melbourne line. Once again, that was one of those Fraser promises that was broken. That was proposed as a joint state Commonwealth funding arrangement. Of course, there was the famous case in the 1960s in South Australia which will be the rock the Attorney-General perishes on if he takes his claim to court.

We have this offer of $320m towards the Northern Territory railway compared with the expenditure by the Fraser government of a miniscule $5m. What would have been the chances of getting that $320m if the Fraser government had been re-elected?

Mr B. Collins: According to Howard, none.

Mrs O'NEIL: Precisely! The former Treasurer, Mr Howard, has made it perfectly clear that he does not think the Hawke government has saved enough money. The mini-budget is a timid document and it should be cutting back even further. You have to view that also, Mr Speaker, in the context of the innumerable broken promises of the Fraser government: medibank, tax indexation, this one, that one and the other one. If all those matters had ended up in court, Australia would have done nothing else in the last 8 years but fight cases in court.

I am reminded by a point made by the honourable member for Port Darwin that there was another broken promise. I can remember Mr Fraser coming up here in 1975 and saying he would give us statehood in 5 years. I am not ashamed to say that I opposed that as absurd. I was proven right because, clearly, we have not been able to achieve statehood in 5 years for all sorts of reasons. That was an election promise by Mr Fraser: statehood for the Territory in 5 years. Where is our statehood? That is where our railway would have been if the Fraser government had been re-elected. We have from Mr Keating an offer of $320m.

Obviously, the Minister for Community Development did not bother to listen to what the federal Treasurer said because he made a statement in this morning's debate regarding road funding which was quite erroneous. For his benefit, and for the benefit of anybody else who was foolish enough to believe anything the Minister for Community Development might have said, I will quote from the economic statement delivered on 19 May by the federal Treasurer: 'Part of the Commonwealth contribution would be funded by transferring about $60m currently allocated to upgrading the Stuart Highway

in the Northern Territory'. He did not say the south road. 'Should the Northern Territory not accept this approach, the Commonwealth would be prepared to provide, in place of the railway, a high standard road link from Alice Springs to Darwin by 1987 and additional rail facilities for Alice Springs to provide an efficient transport alternative'. The Minister for Community Development was quite wrong because what the federal Treasurer is talking about is providing a high quality road from Alice Springs to Darwin or a railway from Alice Springs to Darwin, but not funding both. It is important that members realise that that is what the federal Treasurer said and not what the honourable Minister for Community Development would have us believe.

A number of other claims were made in this morning's debate which bear looking at. In relation to one of them, and I think it was repeated twice, there seems to have been an element of paranoia on the part of the government members since the election of the Hawke government. They ought to have been paranoid earlier but they did not learn until too late. They quoted from a statement by the Leader of the Opposition. They referred to a radio speech which he had given. 'I am told there are dark clouds on the Territory horizon and I am not talking about the weather' was the opening sentence of one of the Leader of the Opposition's weekly radio talks. The Chief Minister and the Treasurer would have us believe that, somehow, the Leader of the Opposition was talking about the economic circumstances in Australia and their implications for the Territory.

Mr B. Collins: That was quite a misrepresentation.

Mrs O'NEIL: I presumed that they had listened to his radio talk if they managed to extract that quote. If they had listened to the rest of it, they would have found that the Leader of the Opposition was referring to racial tension in the Territory, specifically that relating to the Katherine Gorge land claim. So much for the Leader of the Opposition announcing in dramatic words, some months ago, that the Territory was in for bad economic times. It is a great shame that those 2 government members cannot get their facts straight and that they stoop to misrepresenting the truth and the words of the Leader of the Opposition in this matter.

Let us return to the attitude that we have heard expressed principally by the Chief Minister, an attitude which causes great disappointment to Territorians. We have heard him whingeing, whining and refusing to concede that unemployed people in Australia need assistance and refusing to contribute $1 towards this railway which will be of such benefit to the Territory. That is not an attitude which Territorians endorse and it is not the sort of approach that Territorians want to see pursued by the Chief Minister. They are prepared to strive to ensure that we get not only this $320m but such additional funds as we will require to have that railway completed. What Territorians expect from their Chief Minister is some leadership on this issue. They do not want him sitting there and saying, 'It is not fair; I will not pay a cent'. Other Territorians are prepared to pay a cent. The Mayor of Katherine has demonstrated that she is prepared to work out how we can make contributions and so are all other Territorians. The Chief Minister can do nothing but complain and that is an attitude greatly to be regretted in the Northern Territory. It is not the attitude of this opposition. From the outset, we have adopted a bipartisan approach to the railway but the situation has been complicated by the Chief Minister's confrontationist attitude. All he wants to do is score party-political points and adopt an all-or-nothing approach. The end result may be that Territorians will end up with nothing because he will not take what is offered and then try harder for some more.

We are determined that the railway will be built even if the Northern Territory has to contribute. We are not happy - and we have made that clear - with the deal that has been offered. The Leader of the Opposition is on record as saying that the Territory cannot pay 40% of the cost and that has been pointed out to the Prime Minister in a telex. We cannot pay that 40% even if we eliminate the innumerable extravagances of the Chief Minister with his charter flights, lobbyists, extra MLAs and flags and stickers and goodness knows what else.

Mr Everingham: The Leader of the Opposition has charter flights.

Mrs O'NEIL: Around Australia? No, that is a speciality of the Chief Minister.

The Territory cannot pay 40% of the cost and maintain our services in education, child care, health and so on. In an attempt to obtain a deal with Canberra that we can afford, the Leader of the Opposition has been negotiating with the federal government. He has already had some successes. We have obtained an agreement that the construction be over a longer period and that it should be built by 1992 instead of 1988. Once again, that was a question of fact that the Minister for Community Development got wrong in his speech. We differ on that matter. We want the railway. We will wait another 4 years for it but we will get it. The advantage of that is that it would spin out repayments and reduce annual costs. Even on the present funding formula, it would reduce the average annual cost to the Territory to $23.8m which is closer to what we can afford. There would be economic advantages for the Territory in spinning out construction. Local contractors, who are mostly small on a national scale, would have enhanced participation in the project and the longer construction period would provide security of employment for Territory workers.

There are other matters about which the opposition is negotiating with the federal government. The Leader of the Opposition has arranged a joint approach with the South Australian Premier to the federal government and that has already been referred to today. A change will be sought to the funding formula to reduce the Territory's 40% contribution because the South Australians have a vested interest in this. They will benefit by the provision of 200 000 t of steel rail manufactured in Whyalla. The lack of a railway at present costs the South Australian economy an estimated $70m. Thus, from South Australia, we can expect wholeheartedly bipartisan support. Secondly, the Leader of the Opposition has begun negotiating with the federal government to get the Territory access to Loans Council funding above our present allocation. If successful, these negotiations could reduce the average annual cost to the Territory, even under the 60:40 funding formula, to about $15m.

Mr Speaker, a deal can be worked out if the Chief Minister and the government, along with the opposition, do what Territorians want: keep fighting for that extra money. Within 3 months of the election, the Hawke government has proposed $320m. We all agree that we need more. It is up to the Chief Minister to do his duty as a Territory leader and work with the Leader of the Opposition and whoever else is prepared to help to ensure that we obtain the rest of that money so that the railway can be built. For that purpose, I propose to move an amendment to the motion.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr B. COLLINS: Mr Speaker, I move an extension of time for the honourable member so that she can move her amendment.

Motion agreed to.

Mrs O'NEIL: Mr Speaker, I move that all words after 'that' be omitted and the following words be inserted: 'the Chief Minister and the Leader of the Opposition to enter into meaningful negotiations with the Commonwealth government to ensure the successful completion of the Alice Springs to Darwin rail link'.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I am rising in reply. I will be speaking to the amendment and closing debate on the motion.

Mr Speaker, it will be difficult for me to speak to the federal government whether by myself or with the Leader of the Opposition because the Prime Minister has refused to give me an appointment. The Prime Minister sent me a telex this morning saying that he was too busy. I received it just before lunch and he has referred me to the Treasurer. Mr Speaker, any discussions that I may have with the Treasurer will not be meaningful and will not be decisive because the only person whom one can speak to in any government on a subject such as this, with any meaning to the negotiations, is the Prime Minister. I invite the Leader of the Opposition to open his own negotiations with the Prime Minister.

Mr B. Collins: That is not the way to do it.

Mr EVERINGHAM: I will have no part of it. I will be no part of any deal with the Commonwealth that relates to Territorians paying money towards this railway line.

Mr B. Collins: Well that is likely to sink me then.

Mr EVERINGHAM: Mr Speaker, I have made this claim right from the outset. The Leader of the Opposition can go down and do what ever deals that he purports to do, not on behalf of Territorians but on behalf of the opposition. He can arrange to negotiate a sum to be paid - if he ever obtains government in this Territory - by Territorians. He can come back and tell Territorians how much they are going to be taxed to pay for this railway when they should not be taxed 1¢ more than any other Australian for the construction of the Alice Springs to Darwin rail link.

We heard a lot of hogwash today. We heard the Leader of the Opposition pull statements right out of the air. He has said that he has taken them out of yesterday's debate on the ABC, that he has taken them from here and that he has taken them from there. He dreams them up. He twists them. He distorts them. I suggest the Leader of the Opposition sit down and listen for a change, just as I listen to him.

Mr B. Collins: You have to be joking.

Mr EVERINGHAM: Mr Speaker, everyone on the opposite side of the Assembly agrees that to contribute 40% to this railway line is too much. What they cannot agree on is what is right. But I can tell you, Mr Speaker: not $1 more than any other Australian pays is right.

The Leader of the Opposition has tried to fudge the issue. He has talked about this, he has talked about that and he has said there are contributory statements in acts in other states. I would like to refer you, Mr Speaker, to what I said this morning in the statement. For the benefit of the Leader of the Opposition - who does not listen to what I say and goes back to the statements prepared for him by his staff, who twist and distort

anything they can find - I said about the railway this morning, and I have said it all along:

> *The first is to call the railway a Territory project to justify the argument that Territorians should pay for it. Federal governments, and federal Labor governments,in particular, have always held the view that the railways were a federal responsibility. The previous federal Labor governments spent millions to take over the South Australian and Tasmanian railway systems. Federal governments have built and rebuilt the transcontinental railway to Western Australia.*

I was not talking about internal South Australian railways back in 1949 or 1962. I do not even have a copy of the 1962 act in front of me. I was not talking about the railways in Perth.

Mr B. Collins: It is not 1962. There is no such thing ...

Mr EVERINGHAM: That is what the honourable Leader of the Opposition referred to this morning. I invite the Hansard tape to be replayed at this moment because the Leader of the Opposition just said that he did not say the 1962 act. The simple fact of the matter is that the Railway Standardisation Agreement Act of 1949 says that the Commonwealth will undertake the construction of this railway from Port Augusta to Darwin. It was passed by Ben Chifley's government. I read section 22: 'The Commonwealth shall bear the cost of carrying out the work specified in the last preceding clause'.

We have had all sorts of prognostications on what legal action the Territory might take. The Leader of the Opposition and all his cohorts, his clones, have said ...

Mr B. Collins: I do not know about that.

Mr EVERINGHAM: ... that the Territory government will rush into legal action. I said the Territory government will take legal action as a last resort. I defy any of them to find any other statement I made about legal action. If we take legal action, we will not be taking legal action of the type that we are appealing against at the moment where a judge has directed the executive to spend money to build something. We will be taking legal action to seek a declaration from the High Court that the law says that the Commonwealth must pay the cost of building this railroad. We will seek a declaratory judgment, Mr Speaker, if we seek one at all.

Mr B. Collins: It went to court in 1962.

Mr EVERINGHAM: Mr Speaker, am I going to be heard in silence? I think I have the right to ask that.

Mr SPEAKER: The honourable Chief Minister will be heard in silence.

Mr EVERINGHAM: I did not say a word during the Leader of the Opposition's speech. I suffered his personal insults, which is what his whole speech amounted to. It was just a tirade against me. There was nothing of substance.

We will be seeking a declaratory judgment, if we go to court at all, that the Commonwealth must pay the bill for this railroad. If we get that declaratory judgment, then we will have preserved the integrity of the Memorandum of Understanding between the Northern Territory and the federal government which relates to our financial arrangements on self-government and to which, in the interests of all Territorians, we cannot suffer any

prejudice whatsoever. Those people over there are prepared to rush in and prejudice the interests of future generations of Territorians.

The honourable member for Fannie Bay said: 'Mr Fraser said he would give you statehood in 1980. He said it in 1975 and he said you will get statehood in 5 years. Mr Fraser promised it. It is a promise he did not live up to'. The reason that Mr Fraser did not carry out that promise is because Mr Fraser listened to Territorians and listened to the Territory government. That government was at least susceptible to the approaches of and the interests of Territorians. I could get an appointment at the drop of a hat with that Prime Minister or any of his ministers. I sent an urgent telex on Sunday night to the Prime Minister. I am told that he is too busy with legislative and other commitments. But he can see the Tasmanian Prime Minister about the dam which is a single-issue thing which he is engaged upon. He has time to see Mr Gray but he does not have time to see the Chief Minister of the Northern Territory when he has just breached a very solemn commitment that he made to the Northern Territory. In fact, the Tasmanians knew he was making war on them. They at least knew it. We have been caught by an ambush.

We have heard more talk about the deficit today. It has been said that it is the deficit that is stopping this. The Labor government had been in office 1 month and 4 days when, on 8 April 1983, the Leader of the Opposition issued a press release. The deficit, we are told by the Leader of the Opposition, was discovered the Sunday night after the election and immediately threw everything into reverse gear. But 1 month and 4 days after the election, the Leader of the Opposition said on his own letterhead:

> *Federal Transport Minister, Mr Peter Morris, has assured Territory Labor leader, Bob Collins, that preparations for the construction of the Darwin-Alice Springs rail line are proceeding on schedule. At a meeting in Canberra yesterday, Mr Morris told Mr Collins necessary legislation was being drafted and a budget submission was being prepared for Cabinet.*

Mr Speaker, the deficit has changed it all. Is that the deficit that we knew about the Sunday night after the election? It has all been changed. Indeed, if we talk about raising and maintaining expectations, about deceit and about fraud, and if we are to believe his arguments today, this is what the Leader of the Opposition said as late as 27 April: 'Territory Labor leader, Bob Collins, and South Australian steel union officials have urged the federal government to make an early announcement on the starting date for the construction of the Darwin to Alice Springs rail line'. Now, 27 April was well after the summit. The other statement may have been made during the summit but the Leader of the Opposition made that statement weeks after the summit.

Mr B. Collins: You are just trying to ...

Mr SPEAKER: Order, order! The honourable Leader of the Opposition is conducting a running commentary.

Mr B. Collins: Mr Speaker, in my own defence, I must say that, if the Chief Minister continues to be personally abusive and provocative, he is inviting interjection.

Mr SPEAKER: It is not interjection; it is running commentary.

Mr EVERINGHAM: Mr Speaker, he raised the expectations of Territorians

only to have them dashed on the rocks last Thursday night. We are told that we are selfish in looking for that money that will create 6-month jobs in Sydney and Melbourne. On the contrary, Mr Speaker, the whole thrust of the summit was that real jobs be created. Restraint was certainly talked about in the summit communique and I have never denied that. But, it was restraint of a personal nature, by everyone, by every company director, by every shareholder, by every employee in this country and by every government. And this government has restrained itself. It has not put up charges, except electricity, Mr Speaker, and that has not come about as yet. But what we have here is a clear breach of the summit communique, where we are having massive amounts of money spent to create make-work when money should be spent to create real jobs.

The reason that this federal government will not take that hard decision is that it is not prepared to tell the truth to the people down south who are unemployed. The truth, Mr Speaker, is this: there will never be full employment again, even if there is full economic recovery. The fact is that, unless this government engages in major restructuring of the whole face of this country, there will never be full employment again. It has fudged it in this mini-budget. It has made more schemes of the same type that Goff Whitlam made under the RED Scheme back in 1974. It has not taken the hard decisions that will shift thepopulation away from where the work is not to where the work is because it is too concerned about votes and about running for election next year before the expiration of its 3-year term, Mr Speaker. It does not want to rock the boat. So we are being given 70 000 6-month jobs and you can watch the federal government continue to blossom. The real jobs, that are to be created largely in the north of this country, will continue to be sacrificed while its political ambitions conquer everything else.

Mr Speaker, I am not prepared to go to Canberra to talk to the federal government with the Leader of the Opposition whilst I believe that he is prepared to sacrifice the interests of Territorians in respect to the Memorandum of Understanding. There can be no concessions. We need every dollar that we are presently funded. Until I receive an unequivocal assurance from the Leader of the Opposition that we will fight to obtain for Territorians the rights that they should enjoy as Australians in terms of this railroad and not concede that Territorians should pay more than any other Australians, then I am not prepared to go to Canberra with him. How can I negotiate with him torpedoing me all the time?

Mr Speaker, we have talked about litigation. We have talked about all manner of things. I hope that this debate has shown you that the Leader of the Opposition and the people on the opposite side of the Assembly have little realisation of the true realities in Australia today, let alone any true realisation of the nature of the litigation that the Territory government might be forced to embark upon as a last resort.

Mr Speaker, I commend to honourable members the motion that I put this morning and I invite defeat of the amendment.

Amendment negatived.

Motion agreed to.

NORTHERN TERRITORY DEVELOPMENT CORPORATION (VESTING OF LAND) BILL
(Serial 282)

Continued from 24 November 1982.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition indicates that it is not opposed in principle to the establishment of such a body but it is rather curious about the circumstances in which this bill comes before the Assembly. I would invite some comment on this matter from the sponsor of the bill.

The bill seeks to do by legislation what the government purported to do by lease in respect of land involved in the Warramunga Land Claim. I stress again that obviously such a body simply is not designed to accommodate one particular situation. We have no objection to the establishment of such a body but, obviously, the topical case is the Warramunga Land Claim. The action of the government in leasing the land has been challenged in the High Court. Mr Justice Mason has granted an order nisi restraining the Northern Territory Minister for Lands in respect of the leases. The full hearing of this matter is set down for June this year. In other words, it will be expedited. Mr Barker QC, in appearing for the Northern Territory government, indicated to the High Court that the passing of this piece of legislation would depend on the outcome of the June proceedings of the High Court.

I believe that the minister should give this Assembly some explanation as to why, when the government's own counsel appearing before the High Court of Australia said that the passing of this legislation would depend on the outcome of the proceedings of that court, which are due to take place next month, we now have the bill before the Legislative Assembly. I would like an explanation from the minister.

I believe it is a matter of some concern. The interpretation that I place on the remarks made by the Northern Territory government's counsel to the High Court would seem to indicate - and I hope this is not the case - that, when this bill passes through the Assembly, the High Court will be in the position of having been misled by the Northern Territory government. Given that the matter is currently before the court, and that it will be expedited next month, I find it very difficult to understand why the government is proceeding with the bill at this time. Why is it proceeding before the hearing is completed?

The government would find it difficult to explain what it would lose by waiting until what would be in effect the next sittings of the Legislative Assembly. By then, the hearing before the High Court would be well and truly concluded. Why isn't the Northern Territory government prepared to abide by the statement made to the High Court that the bill would not proceed until the court handed down its decision on the leases? I would like to challenge the minister to explain why the government is taking this action in apparent contradiction to the advice it gave to the High Court. If that explanation is not satisfactory, it should simply defer consideration of this bill until after those matters have been settled by the High Court in June.

Mr ROBERTSON (Attorney-General): Mr Speaker, in speaking to this bill, I was expecting to have to provide a fairly detailed reply to the Leader of the Opposition. I note that he has indicated that the opposition does not object to the establishment of the authority for the purposes of holding such land. Indeed, it would seem to me that it has not indicated any dissatisfaction with the actions of the government.

Mr Speaker, as you would be aware, this legislation has been sitting before this Assembly for quite some time. It is quite true that there is a matter currently before the High Court relating to much the same question. Obviously, the government and, I would suspect, the public would be somewhat curious as to what the attitude of the opposition might be to the legislation.

It is for that reason that I brought it forward so that it might be at least aired by the opposition. Whether or not the government would wish to proceed with it at this sittings is a completely separate matter. I certainly have no instructions from Cabinet to ask this Assembly to proceed with it at this sittings.

Certainly, at this stage I find it somewhat curious that the Leader of the Opposition raises objections to passing legislation when a matter is before the High Court. That would seem to be utterly and completely inconsistent with what his masters are doing in Canberra in relation to the matters currently before the High Court pertaining to the Franklin dam issue. Of course, in their own words, they have indicated that the whole purpose of their legislation relating to the Franklin dam is to strengthen their argument before the High Court.

Mr Speaker, there is no intention to do that. Clearly, there have been observations. I must be careful not to make comment on a matter which is currently before the High Court which may be embarrassing to myself. Anyone who reads the previous judgments of the High Court would be aware that there seems to be a divergence of opinion. Some judges of the High Court maintain the view that the High Court can review certain matters which are taken by executive action but cannot review matters which are taken by legislative action. That is our advice. It is open to question that a government's actions in an executive matter can be challenged. It certainly does not seem to be open to question that the motives etc of a parliament can be challenged.

The government believes it is of vital concern to the Northern Territory that areas of land which are set aside for public purposes remain accessible to the public; that is, for all time and for all of the public. That is the reason that the original leases were issued. Prior to the High Court determining a date to hear the matter of validity of those leases or otherwise, this government quite rightly decided to put the matter beyond question by legislating in this place for the alienation of that land and thereby the protection of those public areas for the public for all time. That was the motivation behind it. The history has been canvassed here before. It was part of the 10-point package that claims in respect to public lands and lands for public purposes would not be sought by way of claim. We all know that the Central Land Council, notwithstanding that agreement, proceeded blithely with a prosecution of the hearing before the Land Commissioner. That is the history. That is why the matter is before us.

I was anxious to find out the attitudes of the opposition. We are content to hear what the opposition has said. I agree with him on the first part. The question as to whether or not it will proceed at this particular stage is something that I do not have directions from Cabinet on. I anticipate that it will not be dealt with at this time. Indeed, we will be waiting for the outcome of the High Court's decision.

Debate adjourned.

ADJOURNMENT

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the Assembly do now adjourn.

Motion agreed to; the Assembly adjourned.

Mr Deputy Speaker Harris took the Chair at 10 am.

MINISTERIAL STATEMENT
Superannuation Arrangements For Government Employees

Mr EVERINGHAM (Chief Minister) (by leave): Mr Deputy Speaker, honourable members will recall that I made a statement on superannuation arrangements for government employees in this Assembly on 22 March this year. In that statement, I foreshadowed a range of amendments that I proposed introducing in the committee stage of the Superannuation Bill provided that the Commonwealth government put enabling legislation through the House of Representatives during the autumn session and that a proper financial arrangement with the Commonwealth was in place to enable the Northern Territory to meet the obligations it would acquire on assuming responsibility for the superannuation function. I also advised the Assembly of certain representations from the ACOA regarding the proposed scheme and indicated that, of the 5 points raised by that body, 3 could be readily accommodated and another, the scale of lump sum commutation factors, was open to limited negotiation with the Public Service Commissioner. Only one - the request for voluntary membership of the proposed scheme - was unacceptable to the government.

I must now advise honourable members that, despite the most strenuous efforts on the part of the Territory government and its officers, none of the foregoing conditions for passage of the Superannuation Bill has yet been satisfied. The Commonwealth government has shown no sign of introducing, much less of passing, the enabling legislation which would permit the orderly transfer of Northern Territory contributors to the new scheme in a manner which would protect the interests of those contributors. Despite 7 meetings of the joint task group of Commonwealth and Territory officers, and repeated representations at ministerial level, no intergovernmental agreement has yet emerged to guarantee the proper division of financial responsibility between the 2 governments and the 2 funds. No formal response has been received from union representatives indicating their acceptance of the scheme despite the substantial improvements and modifications to the bill made at their behest.

In these circumstances, the government cannot seek to proceed with the passage of the Superannuation Bill 1982 at this stage. The Northern Territory government and its officers have driven themselves to a standstill in an effort to get the scheme established by 1 July 1983. Every aspect of administration is in place, every channel of communication has been tapped and every effort at consultation has been made. The result has been a deafening silence from Canberra and the employee representatives involved. Until that silence is broken and constructive steps are taken by those other parties, my government will take no further action on the Northern Territory superannuation scheme with 2 exceptions.

The first arises from the long-standing commitment to certain employee groups within NTEC that they will have a lump sum scheme more in accordance with their needs. That commitment stands and I have directed that a means be devised for providing a scheme along the lines agreed with their union representatives. The fundamental problem to be solved in respect of those employees is the safeguarding of their accumulated contributions already in the Commonwealth scheme and the benefits already payable from that scheme. I am confident that a solution will be found before the first NTEC employee eligible for vesting benefits under the agreed scheme takes those benefits around 1986. The second commitment is to the Police Force. While the exact details and cost of the scheme required to overcome the superannuation disadvantage suffered by a policeman on compulsory retirement at age 60 are not yet resolved, I have directed that efforts continue uninterrupted to devise a suitable scheme.

In conclusion, Mr Deputy Speaker, I can only repeat my regret that the intense effort that has been put into the scheme by the Territory has not been matched by equal diligence elsewhere. Ultimately, the Territory will have a superannuation scheme which will meet the needs of its employees. When that will be now depends upon the good will and efforts of others.

MINISTERIAL STATEMENT
Permanent Part-time Employment

Mr EVERINGHAM (Chief Minister) (by leave): Mr Deputy Speaker, the Public Service Commissioner has been considering the introduction of permanent part-time employment into the Northern Territory Public Service since about 1978 or 1979. Implementation of this form of employment has been delayed mainly, I understand, at the insistence of employee representatives pending the implementation of a superannuation cover for permanent part-time employees. The enactment of the Northern Territory Superannuation Bill, of course, would have accomplished that. But, as I have already mentioned, the Northern Territory Superannuation Bill's passage relied on complementary legislation being passed in the federal arena. Because of a decision taken last week by the Commonwealth in respect of superannuation, it now appears unlikely that this will happen in the foreseeable future.

In October 1982, the Public Service Commissioner conducted a survey of employees which revealed that there is strong support for permanent part-time employment. The survey was completed by executive, professional, technical and administrative employees who see permanent part-time employment as a means of spending more time with their young families. Maybe we should introduce it for politicians. Increased leisure time, interest in undertaking further study and winding-down prior to retirement were also given as reasons for finding part-time work attractive. The outcome of this survey was released to the media at the time.

In view of the foregoing, I have now requested the Public Service Commissioner to introduce permanent part-time employment on and from 1 July 1983. General orders have been prepared which contain the conditions of employment applicable to part-time employees. Basically, all conditions of service currently enjoyed by full-time employees will be extended to part-time employees on a pro rata basis. The hours of duty for permanent part-time employees are between 15 and 32 hours per week.

Mr Deputy Speaker, by way of further explanation, I might say that we attempted also to procure Commonwealth superannuation cover for permanent part-time employees some years ago, but the attempt proved abortive. I would like to say also that the statement by Mr Ellis, the Secretary of the Administrative and Clerical Officers Association, that permanent part-time employment was being introduced without consultation with the employee organisations, is manifestly untrue. As far back as June 1980, a subcommittee of the Public Service Consultative Council was specifically formed to deal with the matter, and the Assistant Secretary of the ACOA was a member of that subcommittee.

In August 1980, the then Leader of the Opposition, Mr Jon Isaacs, asked in this Assembly for information on the program of the Public Service Commissioner's Office for investigating the possible introduction of permanent part-time employment, whether a decision had been made to introduce permanent part-time employment and the date of its introduction. He was advised then that the government's objective was to introduce a scheme by 1 January 1981 but that difficulties were being encountered in effecting an early resolution to the question of superannuation coverage. Despite considerable correspondence between the Public Service Commissioner's Office, and later my own office, with the

Commonwealth Minister for Finance, the question of superannuation coverage had not been resolved because of the intransigence of the Minister for Finance and the Australian Government Retirement Benefits Office.

The consultative council's subcommittee on permanent part-time employment presented its report to the Public Service Consultative Council in October 1980. That report noted the total opposition of the Trades and Labour Council to the concept but the Public Service Commissioner undertook to consult with relevant staff associations on any contentious matters. The subcommittee noted that superannuation was an essential part of the scheme and urged me to negotiate directly with the federal Minister for Finance. Those negotiations, which I had already commenced, have been continuing ever since but it seems to me that they are never likely to be successful.

In October 1981, the Secretary of the Trades and Labour Council requested the Public Service Commissioner for information on the progress of consultation. and was given a report at that time. The withdrawal of the Trades and Labour Council from the consultative council later in 1981 has not assisted in the ongoing negotiations. Nevertheless, as late as 9 and 10 December 1982, the Manager of the Superannuation Fund held discussions with the employee organisations at which he provided detailed explanations of the proposed superannuation bill and the provisions relating to permanent part-time employment.

Presently, the situation is that permanent part-time employment will be introduced, without superannuation, and the necessary general orders have been drafted. Correspondence has been sent to the employee organisations today inviting them to confer on the introduction of the scheme on Tuesday of next week.

I move that the statement be noted.

Debate adjourned.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE

Government Incompetence in Relation to Roll-on Roll-off Facility

Mr DEPUTY SPEAKER: Honourable members, I have received a request from the honourable member for Millner proposing that a definite matter of public importance be submitted to the Assembly for discussion, namely, the incompetence of the government in the purchase and delivery of the roll-on roll-off facility at the Darwin wharf.

Is the honourable member supported? The honourable member is supported.

Mr SMITH (Millner): This government has, over the last couple of days, put itself forward as being a government with financial competence equal to none while, at the same time, demanding that the federal government spend more and more with little or no regard to the economic consequences of its actions. When you look at the evidence, a different story emerges. A report on the ABC television news on Monday night about the construction of the new Fort Hill Wharf and the grave problems associated with it cast considerable doubt as to whether the confidence that this government has in its own ability can be justified. The Territory taxpayer is entitled to a full and frank statement from the Minister for Transport and Works in this sittings as to all the circumstances concerning the construction of that wharf. Hopefully, the honourable Minister for Transport and Works has been saving himself for that occasion because he certainly did not speak in the debate yesterday which I would have thought dealt with one of the most important areas of his portfolio.

Despite the obvious importance of that particular aspect of the development of the Fort Hill Wharf, that is not the issue that we have put up as a matter of public importance today.

Mr Steele: That will be tomorrow.

Mr SMITH: It could well be tomorrow the way the honourable minister has performed with his portfolio.

The key aspect of the development of the new wharf has been the placing of a roll-on roll-off ramp at Fort Hill to improve the efficiency of the port through increased accessibility of those types of vessels to the Territory. Mr Deputy Speaker, you will be very well aware that there is an increasing number of these vessels operating in the South-east Asia area and, if we are to make an impact into getting them into the Darwin port, we have to provide the sorts of facilities that they can use. I might also add that the need for such a facility had been promoted by the honourable member for Sanderson for many years before the government finally took her advice and ordered one.

It would appear that the incompetence of both the present Minister for Transport and Works and the previous minister in overseeing the construction and placement of this new wharf has cost the Territory taxpayer an extra $900 000. You may recall, Mr Deputy Speaker, that the contract for the construction of the Ro-Ro wharf was let to a company called Marine Developments Glascow Pty Ltd in January 1982. In a press release issued at that time, the then minister, the honourable member for Casuarina, proudly stated that the value of the contract was $4m.

I understand that the contract consisted of 2 major components. The first part of the contract covered the actual construction of the pontoon. Marine Developments sublet the construction work to a Singapore-based company called Land and Sea Construction Services. I understand the value of this work was set at $2.7m. The second component of this contract covered associated on-site civil works and was to the value of $1.3m. This work was let to the Darwin company, Steelcon Constructions. I understand that the financing of the project was by the leverage leasing system. For the information of honourable members, under a leveraged lease, most of the funds to buy an asset are provided by third party lenders who lend non-recourse to a lessor. The asset is then leased to the operator. In this case, it was the NT Port Authority. The lessee simply operates the equipment, reaping the associated benefits, and pays a rental to a trustee who is established by the lessors, who thereupon dispersesthe rental to the lessors and the lenders.

Mr Deputy Speaker, the lessee was the Northern Territory Port Authority. The lessor was the then Bank of New South Wales, now Westpac, together with Barclays International Bank. The lenders were the Development Bank of Singapore and the National Roads and Motorists Association, more commonly known as NRMA.

The main advantages of the leverage system relate to tax. But there are also disadvantages in this scheme. The lessee is obliged to maintain, repair and insure the equipment, even though it does not own it. It would appear also that the lessee is responsible for any cost overruns that occur during the construction of the facility.

The Northern Territory government was also extremely keen that the Development Bank of Singapore be the major lender in this project because that bank was offering interest rates in the order of 11.5%. At the time of the signing of the financial agreement in April 1982, the long-term bond rate was in

the order of 15%. So you can see that there was some incentive to seek cheaper money than through the long-term bond rate.

However, there was a hitch in the Northern Territory government getting access to these funds. The hitch was the fact that the Development Bank of Singapore only lends money to purchasers of ships built in Singapore shipyards. Further, if money was to be obtained from this source, a Singapore-based company had to appear to be the prime contractor and not the subcontractor. Mr Deputy Speaker, you will remember that the Northern Territory government issued the prime contract to Marine Developments, a Glascow-based company. I understand that this problem was overcome by simply drawing up a contract that showed the Singapore-based company as the prime contractor and registering the pontoon as a ship. There were then a series of other contracts drawn up between the real prime contractor, Marine Developments, the lessors and the Northern Territory Port Authority to negate that particular contract. I am informed that the technique of drawing up a dummy contract was successful and the loan granted by the Development Bank of Singapore. The funds were then placed in an account in Singapore, the name of the account being the Land and Sea Construction Services Account No 2.

As is normally the case, in order the draw funds from such an account, there is a need for 2 sets of signatures, one from the Northern Territory Port Authority and a second from the supposed prime contractor, Land and Sea Construction Services. While this technique of requiring 2 sets of signatures for access to the funds is not in any way unusual and could be said to be quite normal, it certainly is unusual when one of those signatures is not the prime contractor but only the subcontractor.

This situation obviously provided considerable scope for problems in the funding arrangements and that is exactly what happened. I understand that once the subcontractor found itself a signatory to the fund, it was able to and did apply considerable pressure to have accommodated considerable cost overruns. I would remind you, Mr Deputy Speaker, that it is my understanding that these contracts were originally of a fixed-price nature. These cost overruns are now in the order of $900 000 and it will probably surprise and amaze you to realise that the Ro-Ro facility has not yet officially been handed over to the government.

Given this information, it is very interesting indeed to consider some of the statements made in this Assembly by the then Minister for Transport and Works about problems associated with the Ro-Ro facility. A press release that he issued on 22 October last year stated:

> *Transport and Works Minister, Nick Dondas, flies to Singapore today to officiate at the launching of Darwin's $4m Ro-Ro. The Ro-Ro, a roll-on roll-off link-span bridge, is the second stage of the NT Port Authority's Darwin development program. It will be launched tomorrow and towed to the Territory. It is expected to arrive in about a month and be operating by the end of this year.*

The end of 'this year' is the end of 1982.

It is true that the Ro-Ro facility was in fact launched on 23 October. Due to the miracles of modern communications, we were all able to see it. Who could forget those graphic TV pictures of it sliding down the slipway and settling on the mud. I am certainly not accusing the minister or the government for that. But a month later, instead of being in Darwin, as was put out in the minister's press release, it was still in Singpaore. It had not moved. It had moved off the mud but it had not moved out of the shipyard. We were informed by the

minister in the Assembly on 25 November that the deeds of agreement had not even been signed to allow this ship to move out of the shipyard.

I am also aware that, in that month period, because of those legal negotiations and discussions, essential work that should have been done on that ship to make it seaworthy to come to the Northern Territory was not done. The most graphic example is that the inside of the Ro-Ro facility was not painted. It came over here, I understand, with a ballast of sea water and without the insides having been painted. Now that must pose some fairly serious questions about what effect corrosion has had on that facility while it was being towed across to Darwin.

Mr Deputy Speaker, to go back to Hansard of 25 November, the then Minister for Transport and Works, in answer to a question asked by me, said that there were legal problems preventing the wharf from leaving Singapore. He went on to say:

> *Mr Deputy Speaker, I will read into Hansard a telex received at 11.55 am today. It is to Max Hardy; 'We have all parties and their lawyers assembled here for a meeting to finalise the deed. I will ring John Johnson as soon as the terms of the deed have been agreed so that he can clear any changes of importance with you. Regards, David Baker Allens, Singapore'.*
>
> *Mr Deputy Speaker, at this very moment, I have received another note indicating that Mr Hardy, who is the Chairman of the Port Authority, is on a three-way telephone link in discussion with Sydney and Singapore trying to find out at this stage whether the deeds of agreement have been accepted.*

The minister then told the Assembly that he was very concerned that the Northern Territory government had entered into a contract to construct the facility overseas. He said that the stumbling block was that the Singapore subcontractor was locked in a legal battle with the prime contractor, Marine Developments. The then Minister for Transport and Works said that the reason why the Northern Territory Port Authority was involved was that it was trying to finalise these negotiations.

In the light of what we know now, that is a damning statement. First of all, the minister practically admitted a mistake was made in entering into a contract to construct the facility overseas. Secondly, he admitted Land and Sea Construction Services was arguing with the main contractor. What he did not say is that the government, through it naivety, had given Land and Sea Construction Services the whip hand in those arguments because it had given it control over the cheque book.

Mr Deputy Speaker, it is interesting to say the least that exactly a week after those comments by the minister, the Chairman of the Port Authority, Mr Hardy, resigned supposedly for personal reasons. It now appears that he was in fact the government sacrificial lamb on this particular matter. I quote again from Hansard of 25 November:

> *As I said earlier, the problem is that, unless the Ro-Ro leaves before November, the insurance company in London will not cover the voyage because of the cyclone season. It is imperative that the arrangements are finalised within the next 24 hours.*

Mr Deputy Speaker, you and all other members in this Assembly will be aware that the statement does not make sense. The minister on 25 November said that, unless the Ro-Ro left before November, it would not be any good. The inefficiency of the minister is revealed because he cannot effectively and efficiently read his own speeches in Hansard because what he meant to say was: unless the Ro-Ro leaves before the end of November. Then it would make sense.

The passage is significant because it illustrates the pressure the government was under to get the Ro-Ro on the move. It was prepared practically to agree to anything. I submit that it agreed to an additional payment to Land and Sea Construction Services of $500 000 so that the deeds of agreement could be signed. Proof of this increase is contained in a study of the minister's press statements. Press statements released by the Minister for Transport and Works and the former Minister for Transport and Works in 1982 consistently used the figure of $4m in relation to the cost of the Ro-Ro facility. However, releases on this subject in 1983 now talk about a $4.5m Ro-Ro facility. As I mentioned earlier, work on the Ro-Ro is not yet finalised in the sense that it has not yet been officially handed over.

Mr Deputy Speaker, doubts about the ability of the governemnt to effectively manage the affairs of the Territory increase every day. We have a Ro-Ro wharf that has not yet been completed. There has been no certificate of compliance issued. It cost an extra $1m. It is certainly a matter of public importance that the issues that I have raised this morning are addressed by this government and addressed in detail. It will be most interesting to hear the responses that the former Minister for Transport and Works and the present Minister for Transport and Works come up with.

Mr STEELE (Transport and Works): Mr Deputy Speaker, we were very interested to hear what the honourable member for Millner had to say. In fact, it reminds me of a question that he asked at the last sittings as to whether sea water was used as ballast for the movement of the pontoon from Singapore to Darwin. That question was raised in this Assembly at the inspiration of a lawyer who would obviously get some money during the settlement of that particular question. At the time, I indicated that there was no knowledge of any use of sea water. Since that time, I have been assured that sea water was not used as ballast. The matter of the painting has still to be undertaken. With common sense, he might have worked it out for himself.

In April 1981, Cabinet approved the purchase and construction of a roll-on roll-off facility for Darwin. This followed almost a year of investigation into the feasibility of such a facility which would enable Darwin to be connected with the east coast of Australia, in particular, because it is serviced only by vessels which use roll-on roll-off facilities. Without it, we would have been stuck with a Darwin Trader-type service for many years. With hindsight, we may have been better off varying the arrangements because the Darwin Trader has been transferred to overseas trade.

As part of the investigation, the then Minister for Transport and Works inspected a range of such facilities in tidal situations similar to those at Darwin. It should be understood that there are very few floating Ro-Ro facilities in the world, and only 3 companies have specialised in their manufacture. These 3 companies are located in Scotland, France and Sweden. All 3 showed an interest in the Darwin facility, were pre-qualified and eventually tendered. The contract was awarded to the Scottish company, Marine Development Glasgow Ltd which, incidentally, has built the greatest number of Ro-Ros in the world - approaching 50%. It has the greatest experience with high tidal range ports. The Darwin facility is unique in that it is the largest in the world. It is designed to

cover all known Ro-Ro vessels in the world and, moreover, to cope with cyclonic conditions.

The tenders called for a design and construct contract to meet the very specific requirements of Darwin, its climate and the wide range of vessels that the facility would attract. Tender documents prepared by the Department of Transport and Works, the Port Authority and an Australian consultant with previous experience reflected not only the complexity of the process but the degree of thoroughness which went into the operation. Mr Deputy Speaker, these are the tender documents. If the honourable member for Millner wants to wade through them, he can start tomorrow as may any other member who wants to peruse them.

It should be pointed out that, not only did Marine Development have the greatest experience in this field but it was also able to design and supply the facility prior to the 1983 cyclone season to enable ANL to introduce its fortnightly Ro-Ro service in lieu of the Darwin Trader. Even with the subsequent increase in costs, the final price is still lower than that of the second tenderer and gives Darwin a better design.

Marine Development contracted with a Singapore shipyard to build the marine component - that is, the pontoon and link span - whilst the shore component was contracted to a local company, Steelcon. The subcontract with the Singapore shipyard enabled the Northern Territory government to obtain lower interest finance for the facility through the Development Bank of Singapore. This was facilitated in Australia by Barclays International and Westpac, both very reputable financial organisations.

If the allegations of the honourable member are of incompetence on the part of the government, he would also appear to be alleging incompetence on the part of those financial organisations. In respect of that, if he wants to wade through the leverage document, he is welcome to do that as well.

Mr Deputy Speaker, the use of this finance had the effect of increasing some costs of the facility, particularly the need for the pontoon to be upgraded to the requirements of Lloyds of London. Obviously, this was not something that the government could have been aware of when the contract was originally signed. At that time, the additional costs were considered to be acceptable by officers. As I have previously stated, the final cost of the complete facility is still less than that quoted by the second tenderer. Incidentally, that firm would also have built the facility in Singapore.

The contract proceeded smoothly until October 1982 when, immediately after the launching of the pontoon, the Singapore subcontractor entered into a dispute with the main contractor. Because of the powers afforded him under the financial contract, he was able to prohibit access to the facility by the main contractor, and therefore prevent transfer of the pontoon to Darwin. Due to the approach of the cyclone season, during which it would not have been possible to tow the pontoon from Singpaore to Darwin, the Northern Territory, acting on the highest legal advice, entered a deed in Singapore and lodged moneys there to have the pontoon released. Arrangements were made for an independent assessor in Singapore to have the dispute between the contractor and subcontractor resolved.

Mr Deputy Speaker, all that money has now been returned. The sum was approximately $300 000 and was released when final negotiations were completed in April this year. During the period it was held, it earned interest for the Northern Territory government. Also, it made a small profit due to currency devaluations. The pontoon arrived in Darwin on 13 December and was installed

before Christmas. As you will be aware, Mr Deputy Speaker, due to the need to tow the pontoon prior to the cyclone season, certain works on it were not complete on its arrival in Darwin. Most of these works have now been completed and finalfinishing touches are commencing.

I would like to assure members that the mone associated with these works has not been paid to the contractors. In fact, t ıe department is still holding $283 000 pending the successful completion of the total works. All rectification work is being carried out within the terms and price of the original contract and, because of the dispute, this work is now being carried out in Australia at a higher cost to the contractor.

The Ro-Ro went into service on 23 March and has now been used successfully on 6 occasions. The operation to date has been successful and the minor rectification work required has not affected the operation unduly. The design of the facility has proved to be most successful. It has been well received by shippers, shipping companies and stevedores, and has effectively commenced to reduce turnaround time in Darwin. Members can therefore readily see that the complex contractural situation involving the government with the contractor from Scotland, a subcontractor in Singapore and several financial companies resulted in officers being placed in a situation where they had to undertake the most complex negotiations and retrieve the project from situations which placed the eventual delivery in jeopardy. In these circumstances, I believe that the department addressed the problems competently and expeditiously. Had it not acted as promptly as it did, we could well have not had the facility operating now and we would be in the situation of having to negotiate with the liquidator of the Singapore company, as that company has now passed into liquidation, and the east coast shipping service would not be operating. I would also like to assure honourable members at this time that all negotiations and transactions were monitored and assisted by the Treasury, the Department of Law and, where necessary, external consultants.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, the Hansard once again will make interesting reading tomorrow. What the government is absolutely depending on in that appalling contribution to the debate by the Minister for Transport and Works is that the whole affair of the manner in which the contracts were let and the money was raised is so complicated that the press will not bother wading its way through it. That is what it is depending on. I hope it is wrong because it is an interesting little story. Not surprisingly, we did not get an answer to a single question that was asked. All it is depending on is that the Darwin media will not be bothered to wade through what is quite a complicated financial situation.

I will just go through it all again. The cold hard facts are that the government decided to adopt a particular form of financing that would save the Northern Territory taxpayers' money: it was after money from Singapore at around 11% or 12% interest instead of from here at 15%. As the record will show, and it was just admitted to, by that little complicated finagling of financial deals with Singapore - dummy contracts being set up and other contracts being entered into - the government hanged itself and the taxpayers of the Northern Territory are up for another million dollars.

I will go over those arguments again, arguments which the minister did not even bother addressing.

Mr Robertson interjecting.

Mr B. COLLINS: Mr Deputy Speaker, in reference to that interjection, we know that the whole deal is not yet washed up. We know that the deal is not

even completed yet. Members will recall that we heard these same assurances about the demise of Buntine and how the Northern Territory government would not have to pay a cent to cover its undertakings. That is okay for today but what about in a couple of weeks. 'We will not have to front up on our guarantees', said the ministers opposite. What happened?

This situation is precisely the same. The thing has not been handed over, the work has not been completed and contractors have not been paid, according to the Minister for Transport and Works. He said: 'We are holding the money. We have not paid the contractors yet'. It is going to be an interesting little legal battle. As we all know, the Northern Territory government is quite happy to leap into court on the slightest provocation. It has an amazing record of favouring the High Court. Sooner or later we will find out how much that has cost us. There will be another nice little complicated legal battle over this. The minister has already predicted it. There will be a tasty little legal battle over this. It will cost us a fortune for lawyers.

Let us go over the detail again. It went off to Singapore to get some cheap money. It found out, of course, that the Development Bank of Singapore would not lend money unless it was to a Singapore company. It thought it could get around that. It set up a few dummies. It set up a Singapore dummy. The real prime contractor was Marine Development, but the government set up a dummy company in Singapore so that it could get its expensive-cheap money from the Singapore bank. The real prime contractor was Marine Development. But whose signature ended up on the cheque book? The dummy contractor's. That is all the contractor was: a dummy for the sake of getting the money. It was a fixed-price contract.

Therefore, it put this dummy company in a charming position. The normal procedure would be for the 2 signatories on the account to be the Port Authority and the main contractor, Marine Development. Two signatures were needed and, obviously, it did not require a third party which was there only as a dummy to obtain the cheap money. His name went on the cheque book. The government could not get any money without his signature. So it is not surprising that the dummy contractor in Singapore found himself in a very interesting position indeed. He could hold the Northern Territory government to ransom - and he did - because it could not get the money out of the account unless he signed the cheque. He stood over it and got another half a million dollars. It cost the Northern Territory half a million dollars to get his signature on the cheque. That is the position the Northern Territory government, through its idiotic handling of this matter, put the Territory taxpayers in.

We now have another cost overrun, which we have not tracked down yet, of $400 000. On top of that monumental blunder, we have a Ro-Ro facility down there, which to this day has not been handed over and which needs further work done on it. It has not been handed over to the Northern Territory government and it has cost us in excess of a million dollars more than it should have all because of the monumental stupidity of this government.

It went off to Singapore to get some cheap money. It put the dummy contractor's name on the cheque and, when it could not get any money out of the account, it cost half a million dollars in blackmail to get it. The fixed price increased from $4m to $4.5m. The prime contractor's name was not on the account, only the name of the dummy contractor. By a little bit of paper shuffling, that dummy contractor is laughing all the way to the bank. To get his signature to pay any money out cost us half a million dollars.

If the government does not think that is a monumental blunder and if it

considers it worth while to deal with a few interest rates and have cost overruns in the vicinity of a million dollars, then its economic management is lousy. We believe it is. We did not get an answer to that from the minister. Have a look at Hansard tomorrow. He just quietly went past that. He did not address himself to it.

What are the answers we want? We want to know why the dummy contractor's name appeared on the cheque book. We want to know why the dummy contractor was then able to stand over the Northern Territory government and, on a fixed-price contract, demand an extra $0.5m which he received. We want to know why no explanation was given to the Northern Territory people - just a nice little shift in the press release. It was like the Chief Minister's little shifts on the railway over the last 48 hours.

We had a press release which said that it would cost a fixed price of $4m and then, lo and behold, without any further information, a little '.5' was added in the next press release. Mysteriously, it would cost $4.5m. The government hoped that no one would notice that little difference. It was only a decimal point 5 after all. Of course, the reason was that that little decimal point was the price demanded by the dummy contractor for signing a cheque, and he got it. We had no explanation as to how the Northern Territory was put in that position.

We have a Ro-Ro wharf that has not been completed. There has been no certificate of compliance issued. The cost to the Territory is an extra $1m that we should not have had to pay. The minister does not even address himself to any of those questions. In fact, he flags that there will probably be further legal action. The government is holding money and has not paid the contractor yet. On top of $500 000 to get the name on the bottom of a piece of paper, there is another $400 000 in further cost blowouts. We are quite likely to get ourselves on top of that into some very expensive litigation. So far we have had no answer on the matter.

I do not want the Chief Minister leaping to his feet to give an explanation. I am used to that and I am sick of it. Over the years, the Chief Minister has come in to bail out his ministers. They are the responsible ministers; they are paid to be responsible ministers. We do not want the Chief Minister. Perhaps the former Minister for Transport and Works, who was involved when all this was going on, can give us an explanation as to how he mucked it up.

We have had a set statement delivered this morning from the current minister that answers none of the questions raised, and stunned silence from the former minister who was in charge when all of this was going on. I ask him to give us an explanation and answer the questions now.

Mr DONDAS (Health): Mr Deputy Speaker, in answer to the honourable Leader of the Opposition's questions, I have a detailed diary of events concerning the Ro-Ro facility. Before getting into that, I would just like to pick up some of the comments made by the honourable member for Millner.

I was very happy to hear that he agrees that the facility should be constructed because, after all, a facility of that nature will certainly be a very important part of the development of the Port of Darwin and the future of the Northern Territory, especially when we finally win our Darwin to Alice Springs rail link.

The important thing is that, in April 1981, Cabinet in its wisdom decided that the Northern Territory government, through the Port Authority and the

Department of Transport and Works, would enter into the Ro-Ro project. In May 1981, pre-qualifications for contracts were called and 3 contractors qualified: Marine Development of Glasgow, MacGregors from France and Navire from Sweden. In August 1981, we considered it further and approved commercial-type funding for the roll-on roll-off wharf. Between August and October 1981, we had received the 3 tenders and pre-qualified each of those contractors. In the same period, tenders were evaluated.

Mr Deputy Speaker, the reason why I am going back to 1981 is because members opposite seem to have a very difficult task in comprehending and understanding the fine details of contractual systems. I am going to take my time.

In November 1981, a letter of intent was issued to Marine Development of Glasgow and contracts were prepared for detailed design. In February 1982, a contract was signed. Civil and shore works were to be funded by the Northern Territory government as part of its capital works program. Marine works, a pontoon and link span were to be funded by the Northern Territory Port Authority by way of a commercial loan. The construction of the pontoon and link span was commenced in Singapore by Land and Sea which was a minor contractor to Marine Development.

In December 1981, we achieved it by what the honourable Leader of the Opposition has called ...

Mr B. Collins: Devious means.

Mr DONDAS: ... a sly or devious method. In December, we took the decision to construct it. It was to be a floating barge. It is not fixed; it floats when the tide comes in. The decision was taken so that we might save the taxpayer some money. A sum of $500 000 was saved from import duties by declaring it to be a floating pontoon and not a fixed pontoon.

In April 1982, the financial contract was signed. It was financed by a leverage lease using funds from the Development Bank of Singapore, Barclays of Singapore and Australia, and Westpac. In October 1982, the pontoon link span was launched in Singapore. The subcontractor, Land and Sea, refused to release the pontoon to Marine Development. Following legal advice, the NT Port Authority entered into a deed in Singapore and lodged money there to have the pontoon released prior to the cyclone season and subcontractor claims and counter-claims were resolved.

On 5 November, I received a communique from the then Chairman of the Port Authority, Mr Hardy:

> *Over the last few days, there have been some developments with this contract which have not been resolved between Marine Development and their subcontractors, Land and Sea, and which could result in some difficulties and delays in terms of the roll-on roll-off facility being towed from Singapore. In essence, it appears as though Land and Sea are not prepared to allow the tow to commence until certain steps are taken by Marine Development: (a) a completion certificate being issued; (b) final account agreed upon between Marine Development and Land and Sea; and (c) an acceptable guarantee that, should the tow be allowed to leave Singapore, Land and Sea get the balance of the moneys as stipulated in the contract between Land and Sea and Marine Development.*
>
> *As you are aware, the relationship to the Port Authority is direct*

from Marine Development, and not with their subcontractor, Land and Sea. In terms of the marine component of the contract, an amount of $2 369 400 has been paid to them out of an agreed contract amount of $2 770 957 including spare parts.

I do not know why the Leader of the Opposition keeps on mentioning this dummy company.

Mr B. Collins: It has just gone into liquidation.

Mr DONDAS: Mr Deputy Speaker, I went to the launching of the Ro-Ro. I walked over the facilities. The barge got stuck in the mud and he talks about a dummy company.

Mr B. Collins: The biggest dummy is you, Nick.

Mr DONDAS: Mr Deputy Speaker, the minute goes on:

There are no further claims in hand to be processed through the superintendent of the contract, being Transport and Works at this point in time, and therefore no further funds owing to Marine Development until additional claims are received in terms of the contract.

Attached for your information are a number of memorandums and telexes to assist you in gaining appreciation of the current situation.

There were memorandums to the board dated 26 September 1982, 30 September 1982, 20 October 1982 and 3 November 1982. There were telexes to Marine Development dated 2 November 1982, 3 November 1982, and 2 telexes dated 4 November 1982.

The minute continues:

You will note the stand the Port Authority has taken at this stage by a telex to John Rose of the 2nd and 4th November; that is, it is up to Marine Development and their subcontractor to sort out their differences without delay. The latest telex received is a copy of one forwarded to John Rose of the 4th November from Land and Sea, including a brief reply from Mr Rose stating that he would respond in detail to Land and Sea today, being 5 November 1982.

I believe that the Port Authority has met all its commitments under the contract in a professional manner and I can only recommend that we await the response from John Rose of Marine Development in terms of settling the outstanding differences with the subcontractor, Land and Sea. I will keep you informed of developments.

Mr Rose came to Darwin about that time. I had a meeting with him and asked him what was going on. He said that Land and Sea were out to take him to the cleaners. He said that the claims it was making on him for work done were unreasonable and that he was looking at trying to set up some kind of independent arbitrator but he was having trouble in convincing Land and Sea to accept that proposal.

In the meantime, we were getting a bit worried in Darwin because we knew that, unless the Ro-Ro sailed before the end of November, we would probably not

be able to obtain insurance and there would be delays in setting up the facility here. The Darwin Trader was to be withdrawn and replaced by another ship. Thus, there were many complicating factors.

Mr B. Collins: The dummy company knew all that too.

Mr DONDAS: There was no dummy company. There is a dummy over there!

Mr DEPUTY SPEAKER: Order! The honourable minister will be heard in silence.

Mr DONDAS: The problem was that we had let a contract to Marine Development which had subcontracted work and the subcontractor was holding the prime contractor to ransom. We were the meat in the sandwich.

John Rose said that he wanted to set up a deal with one of the banks whereby moneys would be lodged to fulfil the outstanding part of the contract and this would allow the Ro-Ro to be released and towed to Darwin. At that time, Land and Sea was still not interested in letting the Ro-Ro go. It came up with a figure of about $1m, if my memory serves me right, to be placed in a trust account to allow time for the experts to arbitrate on the particular questions that were being raised by Rose on its outrageous claims. Of course, Mr Rose did not have $1m because we had paid him $2.5m of this contract and he had given most of that to Land and Sea. There was no dispute on the moneys paid at the various stages of the contract. So, the Northern Territory Port Authority, through its solicitors at the time, guaranteed that the funds would be available in the event of Rose's claim against it not being successful.

That is where we were at 5 November, after he had been to Darwin. I received another memo from the Chairman of the Port Authority on 9 November:

Further to my memorandum to you of 5 November 1982, there have been a number of developments, none of which to date have resolved the problem. John Rose arrived in Singapore on Saturday 7 November and has advised me that, in his opinion, Land and Sea's claims are totally unrealistic and that also, in his opinion, his company has grounds for counter claims.

It would appear from a telephone conversation that Land and Sea are endeavouring to claim a further approximately $1.2m Singapore over and above the original contract between the 2 companies. As of today, after receiving some legal advice in Singapore, it would appear that Mr Rose intends to approach a court in an endeavour to have the Ro-Ro released for a tow on the basis that he lodges with the court some form of guarantee amounting to between $400 000 to $500 000 Singapore which obviously is well below the amount under claim. Transport and Works, through their superintendent representative, under contract issued a further certificate amounting to $174 352, which now can be paid direct to Marine Development. In addition, we have further advised Mr Rose that we would be prepared to certify a further $A40 000 approximately for some spare parts provided he obtains approval for the Ro-Ro to commence its tow. These initial sums may or may not assist him in his endeavours in Singapore.

One aspect which concerns me, obviously apart from the claim by Land and Sea, is the fact that the balance of the loan funds from the Development Bank in Singapore, amounting to approximately $US515 000 may not be able to be released to the Port Authority while the parties,

being Marine Development and Land and Sea, are in dispute. John Rose phoned me again today advising that, whether he is successful or not in Singapore, he intends leaving for Darwin on Thursday 11 November, at which time he should be in a better position to inform us personally of the exact position and situation so that we, and you, may be better informed regarding the alternatives to resolving this unpleasant matter.

And it certainly was an unpleasant matter.

I might stop there just for a moment, Mr Deputy Speaker. The original intention of the Port Authority was to arrange funds through a leverage leasing operation. Discussions had taken place with the Bank of New South Wales and, of course, other lending institutions in Australia. But members might remember that the former Treasurer, Mr Howard, came out with a particular surprise statement one day and said that governments and companies would not be able to enter into any particular leasing arrangements. There would be no tax deductions and there were other ramifications. Howard came out one day at 11 o'clock and made that statement: no more leasing. The Western Australian government was caught. It had something like 40 or 50 buses on the water. The Queensland government was caught because it had entered into some particular leasing arrangements for equipment. The Northern Territory was caught up in that particular mish-mash at the same time.

However, we had already entered into an agreement to build the Ro-Ro and we thought that we would be on reasonably safe ground in pursuing it. We wrote letters to the Treasurer saying: 'Look, we have these particular arrangements. They are in force but the only thing that we did not do was have the contract signed'. The contract had not been signed at the particular time because of an implication on the engineering side. That is what caused us to change our tack in relation to the funding side of that particular operation: a decision by the federal government to amend its leverage leasing policy.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I move for an extension of time for the honourable member.

Motion agreed to.

Mr DONDAS: Mr Deputy Speaker, that was one of the problems. In consequence, the pressure was really put on the Port Authority and the government. It became necessary to find alternative methods of finance. Of course, we all know that eventually an arrangement was made with Westpac.

The most important thing is this: the honourable Leader of the Opposition spoke about a dummy company. The Northern Territory government was not aware of any dummy company being set up to facilitate the financing of this facility. A contract was entered into with Marine Development for the construction of a Ro-Ro facility. That Ro-Ro facility is considered to be one of the largest in the world. It is certainly the biggest in Australia. Earlier, my colleague, the Minister for Transport and Works, mentioned that, when I was overseas, I went and looked at other link spans. There is another link span at Le Touquet in France because a high tidal range is experienced there very similar to ours. I inspected that particular Ro-Ro at the time. The Ro-Ro we have is very large. Certainly, it will do the job we require and not one member opposite has said that it will not.

In fact, I think this is a case of sour grapes on the part of the honourable member for Millner - he was not invited. When he is not invited to something, Mr Deputy Speaker, there is always sour grapes. He was not invited when Cabinet and the press inspected the Ro-Ro facility on the day the Townsville Trader discharged some of its cargo. Anyway, we will not worry about that. That is not important, but it might be interesting.

The government entered into a contract with Marine Development which had the expertise, at the time, for the construction of this facility. There was no expertise available in Australia. As a prime contractor, the Northern Territory government could not turn around and say to it: 'We do not like your subcontractor'. The subcontractor at the time, Land and Sea, had the facility, had an operation and was building barges and other types of ships in Singapore. It had an operation we could trust. There was a dispute with Land and Sea which subsequently, as the Leader of the Opposition said, has gone broke - and I do not think it went broke on this particular contract. Maybe it was for other reasons. Nevertheless, it has gone broke.

The important thing is that the government entered into a contract with a prime contractor with the expertise for this construction. The government entered into financial arrangements and negotiations through Westpac - and I hope the Leader of the Opposition will not say too much about Westpac. At the same time, Westpac was involved in legal discussions with the government, the Port Authority and Marine Development. At the time, the Port Authority employed a very good solicitor: Mr John Townsend of Allen, Allen and Hemsley. The Northern Territory was trying to protect its interests by obtaining good legal advice because we were dealing with an international company and with international funds.

The Leader of the Opposition is saying that a dummy company was set up. There was no dummy company because the Port Authority, through Westpac and through its solicitors, entered into a financial arrangement that saved the Northern Territory taxpayers' money.

The Ro-Ro was delivered and installed by the middle of December. The honourable member for Millner said it was not here. It arrived in Darwin in the middle of December. In fact, it has been operational for some months now.

Mr Deputy Speaker, the matter for discussion presented to the Assembly this morning is totally unfounded as far as I am concerned. I was the responsible minister and I accept full responsibility. The point is that, even after proper consideration of the financial resources of the Northern Territory Port Authority, consultation with solicitors and backing up from the Northern Territory Treasury, we finished up a little behind the eight-ball. It was not the Port Authority's fault. We have learnt from that particular experience.

At this stage, $3.5m has been paid out. When we entered into this particular agreement, it was not a fixed contract. In 1981, there were particular provisions that extras were to be included. The Ro-Ro is sitting down there and has not been officially accepted by the Northern Territory Port Authority because there is still work to be done on it. In fact, the inside has to be painted. Paint has arrived from Singapore and I believe experts from Glasgow will be coming shortly to finish the painting. There is still a bit of work to be done. While we are still waiting for it to be finalised, the funds that we are holding in trust will not be paid.

PRISONS (ARBITRAL TRIBUNAL) AMENDMENT BILL
(Serial 288)

Continued from 16 March 1983.

Mr LEO (Nhulunbuy): Mr Deputy Sepaker, in his second-reading speech, the Chief Minister pointed out that the Chairman of the Prison Officers Arbitral Tribunal is at present a member of the judiciary. The opposition fully agrees with him that, given the involved industrial processes, the chairman should be a commissioner from the arbitration commission.

The Chief Minister indicated that there had to be flexibility in it and that is why the wording is 'a person'. The opposition accepts that point of view. I would ask the Chief Minister to indicate when he expects a resident commissioner from the Conciliation and Arbitration Commission to be in the Northern Territory. I think it would be an asset to the Territory. If the Chief Minister has any knowledge of that, I would ask him to indicate to the opposition when it might happen.

Mr Deputy Speaker, the opposition supports the amendment.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister) (by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I did ask the Chief Minister if he could indicate when there may be a commissioner in the Northern Territory.

Mr EVERINGHAM (Chief Minister): I beg the honourable member's pardon for not noting his query. As I understand the position in the Northern Territory, there are 2 commissioners who principally serve the Northern Territory. Commissioner Connell serves the Territory in a general sense. One other commissioner, whose name I forget, serves the Territory's uranium mining industry. Commissioner Connell seems to be in Darwin every second week. He seems to be here pretty regularly. He has been on plenty of planes that I have flown in. I have not had any complaints in the past 2 years about Commissioner Connell's availability. I would imagine that Commissioner Connell would be the commissioner appointed to this.

Motion agreed to; bill read a third time.

CONSUMER PROTECTION AMENDMENT BILL
(Serial 284)

Continued from 17 March 1983.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the minister outlined the purpose of the bill. Certainly, it allows for more flexibility. It allows for a position of deputy commissioner within the terms of the Consumer Protection Act. There have been times when, because the commissioner was not there, investigators have not been able to obtain authority to obtain information or to make information available to the Consumer Affairs Council.

The amendment would allow for the deputy commissioner to have that power to extract - it is a bit like extracting teeth at times - information from suppliers. However, by taking away the words 'a person acting in that capacity' and substituting 'the Deputy Commissioner', the act will be limited to 2 persons.

My reading of it would suggest that that restricts it further. Perhaps the minister could reassure me that the act would be more flexible under the amendment he has proposed. Certainly, there does seem to be a need for an amendment of the type that the minister has proposed. The opposition supports the bill.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, in rising to support this particular amendment to the Consumer Protection Act, I would like to take the opportunity to advise consumers that their first line of defence is in terms of 'buyer beware'. I believe that the Consumer Affairs Council would have less work to do if people would learn to shop around and seek advice, particularly when expensive items are involved. If someone has been diddled on a small item, he often does not worry; he simply does not shop at that store again. The market forces have their effect upon the person who is doing the wrong thing.

Nobody denies that there are people in our community who do not play the game properly and, therefore, no one denies the need for a second line of defence, the Consumer Affairs Council. The amendment will not affect the spirit of the act. This is an administrative matter. At the moment, we can have a temporary deputy commissioner for predictable absences of the Commissioner of Consumer Affairs. However, it is a time-consuming process appointing such a person and we do not have any cover for times of unavoidable absence. There is a need for a permanent deputy commissioner who can stand in when the commissioner is unavailable.

Section 18 of the act is very important, for example, because an officer investigating a complaint against a retailer may need to be able to demand information. This power is not granted lightly. The act determines that the commissioner may, by instrument in writing, give the power for the officer to obtain this information. It has been pointed out that the delays in obtaining that instrument may prejudice a successful investigation. A permanent deputy commissioner will cover unavoidable and unpredictable absences of the commissioner. I have corresponded with the minister on this matter and he has given me examples where deputies have been appointed in other areas. It works very well. I would thank him for those examples.

However, I am concerned about centres outside Darwin because both the commissioner and the deputy commissioner will be here. I have been assured that, in general, instruments can be made available to most other centres within 24 hours. It has been pointed out, quite correctly, that any delays in Darwin would only create further delays in other centres. A reduction in delays in Darwin will help all round. I support the bill.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, I rise to indicate support for the bill and to take the opportunity to tell the minister and the Assembly how much I appreciate the efforts of the Consumer Affairs Council. I do not know whether I receive an undue number of complaints but I would average 3 a week in my electorate office from people who feel they have a justified complaint against a vendor of articles in the Northern Territory. It has been my practice to refer them to the relevant agency and, in most cases, they receive satisfaction. They also receive the psychological satisfaction of knowing that they can go to a government-sponsored agency, express their disquiet over a transaction and receive a sympathetic hearing.

It is interesting also that people who have come to the Territory from interstate expect such a council to be established because they are used to it in the states from whence they came. I am pleased that, after so many years of effort by previous members of the Legislative Council and the Assembly, the Consumer Affairs Council has been set up and is functioning. One of its most

important functions is the publication of its report which can serve as a salutary lesson to traders who would seek to take an unfair advantage of the public.

The honourable member for Alice Springs said that the first line of defence was for the buyer to beware. He seems to forget that there are people who receive training in the techniques of selling objects, training which is not normally available to the person in the street who has neither the time nor the inclination. Unfair psychological methods can be used. In many cases, legislatures take steps to stop such practices as far as is possible. One cannot legislate against all the infamy in the world and I think that the Consumer Affairs Council is doing a most worthwhile job in the Territory. It is appreciated by the public and certainly by myself as an elected member.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, like the member for Nightcliff, I too receive a large number of consumer complaints each week in my electorate office. By and large, these are not for items of low value but for high value consumer durables such as motor vehicles.

Whilst the view put by the honourable member for Alice Springs - that a consumer's first line of defence is to beware - might be very valid in larger areas, that particular line of defence does not always give the consumer satisfaction in the Territory. That is because there are a number of retailers and suppliers of services in the Territory who are, in fact, the sole accredited agents or suppliers of various manufactured goods in the Territory. Despite the number of complaints that may be lodged against them by consumers, these people continue to flourish because they are in a monopolistic position.

In 1981, the New South Wales Retailers Association voluntarily published a code of conduct for its members. They invited the then Consumer Affairs Minister, Mr Syd Einfield, who, as members of this Assembly will recognise, was an extremely effective Minister for Consumer Affairs to launch that particular code. I think that a similar thing could only happen in the Northern Territory if there were a large number of retailers willing to put themselves under voluntary codes of conduct. So far we have only a few retailers who are part of national chains who would be willing to place themselves under voluntary control. Because of the system that we have in Australia in general, where virtually anyone can set up in business, it is unlikely that consumers would have as a line of defence the ability of being aware of what they buy, particularly as the market situation is relatively smaller here than elsewhere.

Mr Deputy Speaker, another matter was raised by the honourable member for Nightcliff concerning training in the techniques of selling and the psychological effects that can be brought to bear on the consumer. Another part of this process is the fact that a large number of goods that are bought and sold in the market are highly technical and the consumer does not have any particular knowledge of them. He relies on the seller to impart the information that he seeks. Examples are motor vehicles and electronic equipment. Indeed, I heard a complaint recently that people who sell personal computers are rarely able to give all the merits of a particular model or to explain to the consumer which particular model would suit his needs best. Therefore, the sorts of things that people outlay large amounts of money for tend to be very complicated objects and one would reasonably expect that the accredited agent of a manufacturer should be able to provide the answer. In actual fact, this is not always the case.

Recently, a constituent of mine gave a large item of electronic equipment to an accredited supplier here for repair. When it was delivered back to the consumer after many weeks, the item still did not function. Upon further

investigation, it was found that it had been fitted with defective parts, parts which the consumer could not know about because it would have meant taking the whole thing apart and reassembling it. It was only discovered by the consumer taking it to another dealer. Defects in a large number of the items that we pay our hard-earned money for are not easily detectable by the consumer.

Mr Deputy Speaker, although this particular amendment does not make any change in the policy of the government with respect to the Consumer Affairs Commissioner, I think that the amendment will serve an extremely significant purpose, and that is to require information to be provided by a supplier or retailer consequent upon a complaint being lodged by a consumer. Members will be aware that a complaint is really only one type of action that a consumer may take. A large number of consumer inquiries to the Consumer Affairs Commissioner are in fact simply inquiries. They do not always result in a complaint. Where a matter is brought to the Consumer Affairs Commissioner, and can be resolved, it does not proceed to complaint. But we are not talking about the first line but about the second line of action that consumers may bring and that is to lodge a formal complaint with the commissioner.

In my view, there is not a lot of point in allowing this particular process to be afforded to consumers if we do not provide to the Consumer Affairs Commissioner the power then to resolve the complaint. Members have seen from successive reports by the Consumer Affairs Commissioner that large numbers of consumers feel that their complaints are not resolved to their satisfaction because it largely depends upon cooperation by the persons against whom the complaints are made.

Mr Deputy Speaker, it is in the nature of a punitive demand for information, but I feel that is necessary in order to give the consumer some meaningful rights of redress. Although this is a relatively simple amendment, I think it is a step in the right direction and is to be supported by all those people who believe that consumers should have the right to good quality in the goods and services for which they, in good faith, pay their money.

Mr TUXWORTH (Community Development): Mr Deputy Speaker, I thank honourable members for their support. As has been pointed out, this is a procedural arrangement for the administration of the office rather than a policy amendment to the legislation. However, I take on board the points made by the honourable member for Nightcliff who conveyed her gratitude to the members of the Consumer Affairs Council and their office. I believe they work unstintingly in the interests of the public to see that people do get a fair go. The praise and the credit is all the more due because they work in a no-win area. If someone comes in with a grievance and does not get satisfaction, he feels that he has been let down. If he does get satisfaction, the supplier of goods or services at the other end of the chain feels that he has been given a hard time. The people working in this area are always in a no-win situation. As far as I can see, they do it well and they do it graciously, despite all the aggro they come up against in the community.

Mr Deputy Speaker, the honourable member for Nhulunbuy suggested that the delegation could be expanded. I would just reiterate for his benefit that the amendment that we are about to pass has really been taken from the Motor Vehicle Dealers Act which was passed subsequently to this original act. That has proved to be a very smooth mechanism for dealing with day-to-day problems of delegation in the office. I would say to the honourable member that we will try this. If other problems come to light that we have not taken into consideration or there are ways to improve the legislation, then we would be prepared to look at it again. I thank honourable members for their contributions and support.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Community Development) (by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

PUBLIC HOLIDAYS AMENDMENT BILL
(Serial 295)

Continued from 17 March 1983.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I will be brief. The opposition will not oppose this bill. I must say that I do not say that too often. I usually say that the opposition supports this bill. We are not opposing it; we do not really think that it is an earth-shattering matter. The reason we are not opposing it rather than supporting it is that a number of representations have been made to us by community organisations in respect of this matter, organisations such as those which represent the parents of schoolchildren. There are a number of concerns about the proposals. We certainly have no objection in principle to what the government is trying to do. In fact, we think it is very desirable. The problem is that the Northern Territory - and that is not necessarily bad in itself - and New South Wales appear to be the only 2 places in Australia at the moment which will end up with this particular situation.

It has been put to us by a number of organisations - one of which I did not realise would be involved - that the matter should be discussed more widely. We have written to a number of organisations which would be affected by such a change and we are seeking representations from them. We will be asking for organisations such as COGSO for comments as to whether school councils see any problems in respect of having this day in the middle of the week or whenever it is.

My colleague, the honourable member for Millner, has interesting statistics on the effect that this will have in reality over the next 7 years. I cannot remember them now but we did in fact discuss it the other day. I think that in about 4 years out of the next 7, the holiday will still result in a long weekend. In fact, the difference it makes in a practical sense over the next decade may not be all that great. We think that some of the qualms or reservations that people have about this can be satisfied. However, before a firm decision is taken, we would like to canvass more widely in the community to obtain the views of Territorians who might be adversely affected in terms of business. They are quite valid concerns.

My own feeling at this stage is that the states already have public holidays which do not necessarily coincide with holidays in the Northern Territory. I do not see that as being a major objection, but we would like to canvass the issue more widely. We have no objections to the government proceeding with this bill at this stage and we will certainly not be opposing it. However, we will be making a statement in the Legislative Assembly because organisations such as the ones I have mentioned often do not meet for some months. They have half-yearly conferences and this would be a very appropriate item for the agenda on that kind of an occasion so that we can canvass the views of Territorians more widely. At some later stage, we will present the results of that survey in the Legislative Assembly.

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, I thank the Leader of the Opposition for his comments on this particular matter. It was the intention

of the government not to proceed with the bill at this sittings. I have noted what the Leader of the Opposition has said. We on this side of the Assembly, particularly the Chief Minister who has carriage of this particular piece of legislation, have done exactly what the Leader of the Opposition has done: sought reaction from Territory interests as to its effect.

Since the proposal was originally put forward by the federal government, we have had a change in that government. Since that time there have been significant changes in the composition of the state governments and we believe that it would be proper to seek the views of the new federal government as to this proposal and, probably more importantly, the views of new state governments. For that reason, we think it wise to delay passage of the bill until such time as at least the Premiers Conference has been held to see how we pan out from there.

Debate ajourned.

CRIMINAL CODE BILL
(Serial 294)

Continued from 24 March 1983.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, in rising to speak on what I think is the sixth draft of the Criminal Code over the last 2 years, from the outset, I must express my concern about the way in which this Criminal Code has been introduced. Mr Deputy Speaker, I advised the Attorney-General in advance that I may need an extension of time.

Mr Robertson: That is so.

Mr B. COLLINS: Mr Deputy Speaker, the normal procedure in second-reading debates is not to deal in detail with the legislation but, on this occasion, because of the nature of the bill, it is impossible to avoid that.

In taking the steps towards a codification of the whole criminal law of the Territory, I express some disquiet, as I have before, about the way in which the code has been put together. The government may well say, and I am sure it will, that this has been a prolonged and careful process which has been going on for some 2 years. But I do not believe that the practical effect of the work which has been done indicates that this is correct.

Mr Robertson: I forgot to mention to you that it will not be going through in this sittings.

Mr B. COLLINS: Mr Deputy Speaker, the information that I have just received from the Attorney-General changes things somewhat and I appreciate that advice.

The first draft that we saw bore no similarity whatever to the bill we now have before us and that is why I say it would be misleading to suggest that the government has been working on this code in a progressive way for 2 years. That is not so.

The first draft we had before us was prepared by officers of the Northern Territory Department of Law. In fact, I remember they received quite a glowing acknowledgement of their efforts in a copy of the Territory Digest about how they had been searching the world for parts of this code, and indeed they had. I am sure honourable members would remember that they had gone far and wide for their information and I commend them for their efforts. From memory, I think

that something like 22 criminal codes or other pieces of legislation dealing with criminal law from around the world had been used as sources. Again, honourable members would recall that a source document was actually prepared with the draft indicating from where the majority of the code had been drawn.

We had quite a lot of reservations about the first draft, not with the way that it had been put together by the law officers but by the policy directions that had been given to them by the government and within which they had to work. After that draft had gone through a number of revisions, the entire effort was simply disposed of by the government. Again, I am not saying that was necessarily a bad thing. What I am saying is that the government changed direction completely. The bill we now have before us is not a progressive result of work done over 2 years on all of those previous drafts. A totally new direction was taken.

The matter was taken out of the hands of the Northern Territory law officers and a specialist consultant, Des Sturgess, was brought in. He drafted a new code which was based largely on the Queensland Criminal Code. We indicated at the time, and we stick by what we said, that we do not think that is a bad thing. We think that basing the code on an established code which has already been working for some time in Australia is probably the better way to proceed. A considerable effort has been made over the 2 years and that can only be to the benefit of people like myself who have learned by the experience. It will result in a Criminal Code Act which will do the Territory good service.

I was pleased to see that this last draft bears major resemblances to the draft in serial 167. It suggests the government is developing a sense of direction in the matter.

Many sections have been transferred from the Queensland Criminal Code without much consideration of their value or application to the Territory. For example, one would ask what the provisions in section 35(2) mean. It is in the Queensland Code and it does not seem to have been used much. I will not go through the process of reading out the actual clauses because that would take too long. I will refer to the clauses and comment on them. The particular clause in the Queensland Criminal Code does not seem to have had much use over the years. From the inquiries we have made, no one seems to be sure where it will be used and what situations are covered by it. We look for further advice from the Attorney-General on that matter.

We are also concerned about sections such as 224. Why is it in the code? I am sure there is a reason but why does it relate only to electricity? It does seem to be a little anachronistic. Perhaps it is no longer needed. Is it needed in the Northern Territory?

I am more concerned with provisions that conflict directly with other legislation in the Territory and this does occur. Look at the brand new Poisons and Dangerous Drugs Act which we passed in the Assembly only a short time ago. It only came into effect on 23 April yet it conflicts with the proposals in this new Criminal Code in respect of the schedules on drugs. In relation to cannabis, particularly, you will notice some quite startling differences in the provisions in the Criminal Code and those in the Poisons and Dangerous Drugs Act.

Problems also arise in respect of those people held in custody after being acquitted on the grounds of insanity. There is no reference to such people in the Mental Health Act and no provision for periodic review of their mental condition. Surely these things indicate, Mr Deputy Speaker, that the government should look at the situation more thoroughly, and obviously it intends to do so.

I would like to see all of these outstanding matters resolved before we enact the code in the Northern Territory, and there is a strong reason for that. We all know that a considerable effort will have to be made to retrain the Northern Territory Police Force. We all acknowledge that it could be up to 12 months after the actual introduction of the act itself before it can be brought into effect because all Northern Territory police will have to be trained in the operation of the code. That also will apply to the litigants and the lawyers in the Northern Territory who will also have to train themselves on the application of the code. What I would not like to see is the code introduced, people being trained in its use and then considerable changes being made after the event. I would like to see any of these outstanding matters resolved before we proceed.

I am curious about the definition of 'unnecessary force' in section 1. The definition is divided into 2 tests, the first subjective and the second objective. The test should be resolved either one way or the other. Following established principles in criminal law, we would recommend that it be resolved in the subjective sense and the section be amended accordingly. Section 7 deals with intoxication. Although the section is a complete redraft of the provisions in the previous draft code, we note that it still does not follow the established and accepted principles in regard to intoxication as laid down by the High Court in O'Connor's case. Instead, it imposes the presumption not only that the intoxicated person is capable of foreseeing the consequences of his act but, further, that he intended those consequences. This is not an appropriate approach when dealing with serious crimes where intent is an essential element. It is not sufficient to say the accused is entitled to try to disprove those presumptions. If we are to adhere to the principle that a man is innocent until proven guilty, then this section must be removed. We would recommend that section 7 be amended to reflect the principles established in O'Connor's case and to allow a defence of intoxication for serious offences where intent is required. We have raised that objection in previous debate.

In respect of section 11, it will be appreciated that it is the policy of the Labor Party to abolish corporal punishment in schools. However, on balance, we would agree to the inclusion of this section since many parents have no objection to the use of corporal punishment in schools and because the last 5 words of the section clearly give parents the option to withhold consent to its use. Nevertheless, it is considered that the use of force should be qualified to be reasonable in the circumstances and we recommend that the section be amended to include that concept. I might add that a definition of 'reasonable force' is used in the code and we are suggesting that that section be amended to bring it into line with the other sections in the Criminal Code.

Section 13(2) provides that a wife may be an accessary after the fact to an offence committed by her husband. I am curious as to why specific reference would be made to 'wife' in this particular provision. We would recommend that this subsection be removed. Subsection (1) sufficiently enunciates the defence.

Section 20 goes against the principle that a person should not be tried twice for the same offence. We must bear in mind that there is an exception to this where someone is tried for assault and the victim then dies and that person can be tried for murder. We believe that, once a court has tried the issues, this should be a defence to a further charge. We would thus recommend that this section be removed.

Sections 27 and 28 codify the circumstances in which the use of force will be justified which, of course, makes that a very important part of this bill. Close examination of these sections will show that some of them conflict with

the others and so justify the use of force by both sides in an argument over property. Naturally, we are opposed to the authorisation of brawls and the code seems to allow that in defence of property. One section says that one party can have a go at the other and be excused, and a further section says that the other party can have a go back at him and be excused. We do not think the Criminal Code should allow for that.

Further, while it may be appropriate to authorise the use of force in circumstances such as self-defence, lawful arrest and the like, it is considered a dangerous step to do so in situations involving property. We recommend that the subsections relating to the seizure or protection of property be removed. Mr Deputy Speaker, I might add at this point that we have serious reservations about allowing security guards to shoot people where an offence involving only property is involved, rather than a person who is in danger of being injured or losing his life. Because of the same principle, we recommend that 'property' be removed.

We have 2 objections to section 29 as it is presently drafted. This introduces wide powers in respect of body searches and it is thought that, to protect the rights of individuals, there should be a right to have an independent witness present during the search. This will help ensure that there is no abuse of these powers. In addition, it is felt that the provisions in subparagraph 29(3)(a)(iii) should be redrafted to narrower terms to ensure protection from unnecessary injury. We would recommend that this section be amended accordingly.

Section 31 is important in determining the area of criminal responsibility. However, we are concerned that section 156 has been excluded from its ambit when other provisions relating to intention are included. Given that section 156 introduces a new class of intention, namely, callous intention, which will have to be defined by the courts, there seems to be no reason why the operation of section 156 would be hampered if it came within the ambit of section 31. We would recommend that the exclusion be amended so that it does not apply to section 156.

There appears to be a drafting error in section 34. The word 'impulse' should be inserted after the word 'sudden'. Section 39, relating to the defence of compulsion, introduces a more limited form of duress than that established at common law. It has long been recognised that a threat can be just as compelling, even if the person making the threat is not actually present. It can be just as effective, if not more so, if the threat is made in respect of someone else, such as the person's children or spouse. We would recommend that the section be amended to reflect common law principles.

The proscribing of organisations under section 50 in the terrorism provisions is in the hands of the executive. Mr Deputy Speaker, it is inappropriate that this should be a political decision. Such matters should be determined by the courts after a proper hearing of the issues, and there should also be a right of appeal. All of that is provided for by the federal Crimes Act where similar provisions on proscribed organisations can be found. We think that the way in which this matter is resolved by the federal Crimes Act is far more proper than placing it in the hands of the executive: it gives both parties in the dispute the right of appeal. We recommend that section 50 be amended to bring this about.

We are concerned that the penalties imposed under sections 65 and 66 are very harsh. Given the level of penalties in other areas of the code, and given that the definition of 'unlawful assembly' may be interpreted to have a wide ambit, it is appropriate that the penalties be reduced. We recommend that they

be halved in sections 65 and 66. Further to this, it seems anomalous that the penalty in section 68 for going armed in public so as to cause fear to a person of 'reasonable firmness and courage' - whatever that is - is only 2 years. We recommend that the penalty for this offence be increased.

The provisions in sections 78 and 79 prohibit a public officer from holding an interest in any contract or activity which conflicts with the work in which he is involved. While the intention here is laudable, there are situations where we feel such an absolute prohibition is not necessary. We think the sections are far too restrictive. We recommend that the sections be amended to permit full disclosure at the appropriate time. I think that there are many circumstances in which officers and public servants are entitled to run businesses or engage in commerce and so on. Provided that it is made clear in the law that they have an absolute obligation to declare such an interest, in dealing with those matters, we do not think that there is any justification for having a total proscription of those kinds of activities.

Section 123 involves a situation of dereliction of duty by a police officer. We consider that this section could be inserted more appropriately in the Police Administration Act.

Sections 124 and 125 create an obligation on the ordinary person to assist a police officer in suppressing a riot, arresting a person or preserving the peace. I strongly recommend to people that they have a look at this section. Failure to assist is a crime, carrying a penalty of imprisonment for one year. While cooperation with our Police Force is to be encouraged, it is highly undesirable to extend the realm of criminal responsibility in this way and place such a burden on the man in the street. We recommend that these sections be deleted. If a serious riot has ensued, it is quite unreasonable under those circumstances that a citizen in the street could be approached by a police officer and asked to help arrest some bloke with a submachine gun who is just about to cut loose at the front of a building and, if that person refuses to help, he is then a criminal and liable to be sent to jail for 12 months. I think that needs to be looked at again. Indeed, the honourable member for MacDonnell was involved in a nasty affair in Alice Springs.

It is disappointing to note that, in the division termed 'Offences Against Morality', carnal knowledge of a female over 16 years is permissible while homosexual acts between consenting males in private are only permissible if the males are over 18 years. In this day and age, such differentiation is discriminatory and we laud the removal of such discrimination in other parts of this Criminal Code. We would recommend that section 129 be amended to bring it in line with the same section for carnal knowledge of a female. Of course, this is clearly and simply to make the code consistent in respect of both sexes.

I am disappointed to note that the government has not adopted our suggestion that there should be a defence of consent. We have had some interesting debate on this matter before. The government has not adopted our suggestion that there should be a defence of consent to a charge of carnal knowledge of a female under 16 years if the male is about the same age. The reality is that more young people do engage in sexual activity and it is ludicrous to hold that a young man should be held criminally responsible in such cases.

We have had many interesting contributions, particularly from the honourable member for Alice Springs. I suggested that his definition of a consenting adult would be someone 45 years of age wearing overalls. I think that we should bring this into line with the same provisions that exist in

Victorian law. We are not even suggesting that we go as far as that. There is an age differentiation of 2 years allowed in Victoria. We think that is sensible. Being very conservative people on this side, as the Chief Minister is always accusing us of being, we are only advocating 12 months.

I have no hesitation in saying that I do not believe that a 16-year-old male who has sexual intercourse with the complete cooperation and consent of a 16-year-old female should be guilty of a criminal offence. It is not appropriate in this day and age. What this law is clearly designed to do, and properly in my view, is to prevent the sexual exploitation of young people by older people. It is certainly a matter of regret if that happens, particularly if the girl becomes pregnant. It is certainly a matter that would be of great concern to both families. We all know, and the Chief Minister has said it, that it would be a pretty rare case indeed if a male of that age were prosecuted.

We simply acknowledge that. If that is the reality of how the courts view these offences, why should not a 1983 Criminal Code reflect that. The criminal laws in Victoria have done so for some time. We think that 12 months is probably as far as we can persuade this government to go at this stage and we would recommend that the law be changed to bring that about.

I will now comment on section 155. This is a very contentious matter. An intoxicated person attracts a further penalty of 4 years'imprisonment if found guilty of a dangerous act or omission. This is a totally novel provision, found in the Northern Territory's criminal law and nowhere else. I cannot see that such a provision can be rationally defended. We all recognise that alcohol abuse is a problem in our society but it seems to me to be a very curious way to attack it.

What this means is that a person who consciously causes danger to another suffers a lesser penalty than someone who is not fully capable of comprehending the danger. Surely such a result cannot be justified and we would recommend that subsections (4) and (5) be deleted.

It is a commonly held misconception about the law that, because you are intoxicated, that gives you a defence. It means that, because you can stand up in court and say 'I was drunk', that in some way means that you are going to get off with a lighter sentence than someone who was not drunk. I would stress, as I have in previous debates, that the question of intoxication only arises in consideration of intent and whether a person was capable of forming an intent.

We think this is an overreaction in that it may cover the problem, as the government sees it, of wiping out the question of intent. There are grey areas certainly. But it will create its own injustices in the process, which we believe far outweigh any advantages that may be seen in introducing this very novel approach to the law.

A person will now go before a court. I might stress that the word used in the bill is 'intoxication'. That is all it says. He will go to court. If he is intoxicated, he is treated by the court as if he were sober. If he is found guilty of the offence - and we all know that a great many charges for murder end up as convictions for manslaughter - and sentenced accordingly, the judge then has the discretion to impose a further 4-year penalty just because he was intoxicated when he committed the offence.

It is an interesting example to consider a person who commits an offence of being absolutely reprehensibly responsible for the misuse of a motor vehicle. It happens all the time and it is a criminal act. There is no doubt about it.

His attention has been distracted. He is not doing the right thing but he is not rotten drunk. He might be driving along the road and turn around to talk to someone in the back seat. Someone might run out on the road and he runs over him. That person is killed. I do not know what 'intoxication' means. There is another legal expression of intoxication which states that you are intoxicated if you have 0.08 blood alcohol reading. If that person has been to a social function and has had 3 beers an hour, he will not be horribly drunk, but he will be legally drunk. Under this code, that person will receive a severe penalty for causing loss of life. He would then be subjected to a further penalty of 4 years because he was intoxicated.

I would also like to know what degree of intoxication is required. We all know that it is precise in respect to failing the breath test. We have a definition in our traffic laws that says that a person is intoxicated when he has a blood alcohol reading in excess of 0.08. In the Criminal Code, it says simply that a person attracts an extra 4 years if he is intoxicated. What does that mean? The government needs to be a little more precise. Why should it be left up to the courts to decide. They have an onerous enough job handing out an extra 4-year penalty anyway.

Section 165, killing on provocation, moves from the established principle that the accused acted suddenly and in the heat of passion. Instead, this section introduces a concept of sudden provocation. We would recommend that the section be amended to conform with the established approach.

In section 167, a mandatory life sentence for murder is maintained. We oppose this provision and we have always opposed it. There is no reason why the sentencing discretion of the judge, which is applicable to other serious offences, should not apply to murder cases. In addition, the existence of a mandatory provision will only make juries more reluctant to convict for murder knowing that, in passing a murder verdict, they also sentence the accused at the same time. As I have pointed out before - and there are statistics on this - there is a widely-held public misconception about how long people spend in prison for life sentences. There is a widely-held belief that a person serves 18 months or 2 years for a life sentence and is then back out on the street. By and large, the length of time people spend in prison on life sentences is far longer than that. Murder cases, like any other cases involving serious offences, are highly individualistic. The circumstances vary dramatically between one murder and another. It only takes 10 seconds examination of half a dozen different cases to determine that some crimes of murder are absolutely horrendous in their execution. There are circumstances where the offence clearly is one of murder and where a discretion should still be left to the judge so that justice will be done. We are opposed to mandatory sentences for murder.

I was interested to note that this provision has removed the existing right of Aboriginal people to address the court on the matter of sentence after being convicted of murder. It would be my interpretation that mandatory life sentences currently do not apply to Aboriginals. We recommend that the sentencing provision for murder contained in section 167 be amended to bring it into line with the other provisions for sentencing in this code by imposing a maximum sentence of life imprisonment for the offence.

Under section 172, it is a crime to attempt to commit suicide. Given the advances in medical science and psychiatry in the last few decades at least, we believe that it is inappropriate to maintain this as an offence within the realm of criminal responsibility. Any person who attempts to terminate his life is desperately in need of help from areas other than the criminal law. We recommend that this offence be removed. It has been pointed out to me in earlier debates

that the reason that it is an offence is so that, when a person attempts suicide, the law can detain him and put him away somewhere forcibly. We think that the provisions of the Mental Health Act would be more humanely applied to this kind of act. It should not be a criminal offence if you want to shuffle off this mortal coil and assist yourself in doing so.

Section 192 deals with aggravated assaults. While we would agree that there are certain groups who should receive adequate protection through such a section, we do not feel that members of parliament should come within the provisions. It is not unknown for some members of this Assembly to bring about situations by their behaviour which would technically constitute an assault. To afford added protection in those circumstances would be ludicrous. We would recommend that this particular provision be deleted.

I will be more specific. I can understand a provision which says that members of parliament, like judges for example, because of their very positions, should be given some additional protection when they are doing their normal duties. We all know that there are some members who, in their private capacity as citizens, cause genuine offence to people and, in fact, provoke situations which may lead to their own persons being damaged. In fact, there was quite a famous occasion at the Noonamah Hotel which reached the pages - to quote the Chief Minister - of the popular press. A former, very exalted person in the Legislative Assembly got stuck into somebody outside the Noonamah Hotel and dressed him up nicely. The provision simply says: 'a member of parliament'. He was certainly a member of parliament. He was punched in the nose and he richly deserved it because he asked for it. In fact, the other bloke came off worse than he did. We do not think that, under those circumstances, members of parliament are entitled to receive additional protection to that afforded to the ordinary citizen.

Section 199 imposes a penalty of 3 years for confining someone against his will. In the last few years a number of serious cases have been recorded where young adults have been found to have been confined by their parents forcibly over very long periods. We feel that the penalty should be increased in keeping with the seriousness of the situations which might come within this provision and we recommend a maximum penalty of 7 years rather than 3. It is a very serious offence indeed to forcibly deprive a person of his liberty and we think the penalty should reflect that.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, I move that the Leader of the Opposition be granted an extension of time.

Motion agreed to.

Mr B. COLLINS: I thank the Assembly. Section 367 does away with the present right of an accused to make an unsworn statement from the dock. It is considered that this is an important avenue of defence for the accused and we recommend that it be reinstated in the code.

Again, we consider that the requirement to make admissions under section 387 may unnecessarily limit the means open to the accused to defend himself and we would recommend that it be deleted. Since it is a recognised practice for counsel to maintain options on the course of the defence open to the accused until the last moment to take account of the evidence which arises, early admissions may effectively block a possible line of defence which arises later. Defence counsel should be given every opportunity to provide an adequate defence and we would thus recommend the deletion of this section.

Section 390 introduces penalty provisions in respect of a person who has been acquitted of a charge on the grounds of intoxication. It is not appropriate that a person be subjected to a penalty after having been acquitted. I find that quite an extraordinary provision. As was indicated previously, there are more appropriate ways of tackling the problems of alcohol abuse than through the criminal law, and we would recommend that this provision be deleted.

We find the section providing for the incarceration of persons deemed to be habitual criminals to be unacceptable in this day and age. Persistent offenders can be dealt with appropriately through the sentencing discretions allowed to the courts. Any further deprivation of liberty where no offence has been committed is undesirable.

Similar comments could be made in respect of the provisions relating to the detention of a person deemed to be incapable of controlling his sexual instincts. It is quite often a borderline case with many people. Surely such cases are better dealt with under the mental health legislation. I know that this legislation operates in South Australia and, to the best of my knowledge, nowhere else in this country. I would be interested to hear some evidence from the government as to how often this provision has been used in South Australia, to show that it falls within the scope of the criminal law. It is a very contentious section indeed. We would recommend that all sections covering the detention of this group and habitual criminals be removed from the code and, if necessary, dealt with under more appropriate legislation.

Section 429 says that an appellant in custody is not entitled to be present at proceedings relating to his appeal except by leave of the court. Unless the hearing is purely on matters of law, we believe that an appellant should be entitled to be present and hear anything which affects his rights or liberty and we recommend that this clause be amended.

We must object to the inclusion of section 439 which permits the detention of a successful appellant while the Crown lodges a further appeal. It is not fair that a person who is entitled to have his conviction quashed should be kept in custody in this way. We recommend the deletion of this provision.

Sections 447 and 448 relate to an accused person's rights to obtain copies of or gain access to depositions. We believe these should be available to the accused as a right without his having to request as provided for in section 447. Further, they should be made available to the accused as soon as possible rather than at the time of trial, as under section 448, because this could lead to unnecessary inconveniences and delay to the defence. We recommend that these clauses be so amended.

Finally, in respect of the order of speeches laid down in schedule 4, we recommend that these be amended to give the defence the last say. To be tried for a criminal offence is a serious matter and an accused should be given every opportunity to defend himself. It is in keeping with the principle that a person is innocent until proven guilty that the accused have the last word at his trial and we recommend accordingly.

Having made those comments about the specific sections in the bill, I thank the Attorney-General for his advice that the matter will not proceed through the committee stage at this sittings. I recommend the amendments that we have proposed for his consideration.

Debate adjourned.

TRAFFIC AMENDMENT BILL
(Serial 275)

Continued from 17 March 1983.

Mr SMITH (Millner): Mr Deputy Speaker, this bill attempts to do 2 things. First, it attempts to simplify requirements for gathering evidence from speed-detecting devices. It proposes that defendants will be required to prove that police were not operating equipment in accordance with the manufacturer's instructions or that the equipment has not been properly tested. We believe that this is a reasonable amendment and we support it.

The second amendment is to remove special driving licence provisions. At this stage, we do not support that amendment. To fully explain our position on this particular amendment, we need to have a very close look at what the current situation is and, at the risk of boring the people opposite and, indeed, my own colleagues, I want to spend a little time explaining what the current special driving licence provisions are.

A disqualified driver may apply for a special driving licence after the first 2 months of disqualification on the following grounds: that the applicant earns his living by driving a motor vehicle and that an applicant granted a special driving licence will be likely to drive without danger to the public. In awarding a special licence, the court can determine the class of vehicle, the purpose for which it is driven, the days and the hours during which it can be driven, and can also order that no alcohol be drunk during specified periods of any particular day. A person is ineligible for a special driving licence for an offence committed during the course of his employment. If he is caught exceeding 0.08 whilst at work and loses his licence, there is no appeal and there is no prospect of a special driving licence.

The following are the current penalties for drink-driving offences which are important to my argument: conviction of between 0.08 and up to 0.15 carries an automatic 3 months loss of licence for a first offence; conviction of 0.15-plus carries an automatic 6 months loss of licence for a first offence; and, a conviction of 0.08 to 0.15 carries an automatic loss of licence for 6 months for a second offence. There are other categories involving multiple offences but they are not particularly relevant to the point I want to establish at the moment.

If you take the information that I have given you, Mr Deputy Speaker, we can see that the present legislation is of benefit mainly to those people who have been convicted of drink driving offences involving more than 0.15% of blood alcohol content. The reason I say that is that a first offence of 0.08 to 0.15 attracts a 3 months suspension of licence. Under the current special driving licence provisions, a person must wait 2 months before he is eligible to apply and then the normal channels must be followed. I am not sure how long that takes but it is 1 or 2 weeks at least. For first offenders at 0.08 to 0.15, because of the present provisions, it is hardly worth while for them to seek to gain a special driving licence. I make the point again. The legislation, as it stands at present, is mainly of assistance to people with 0.15% or more blood alcohol content or for second offenders.

The minister, in his second-reading speech, in putting forward reasons why the government wanted to abolish special driving licences, said: 'The section as it stood was being exploited considerably and, in fact, it is continuing to be abused'. Those were his exact words. I would agree that the act is being exploited in the sense that it is being used at present. To say that it is being abused, to my mind casts some reflection on the magistrates who

administer these provisions. I am sure that was not the intention of the honourable minister but I do not think he has provided evidence that it has been abused. Certainly, he has provided evidence that the act has been used and exploited.

The minister gave 2 pieces of evidence to substantiate his claim that it is being abused. He provided details of examination of 294 applications for special driving licences and he said that all but 8 of those involved drivers who had had more than 0.15% alcohol content in the blood. I gather that he put that forward as an example of abuse of the present system. I submit, Mr Deputy Speaker, that that is not evidence of abuse; it is evidence that people are using the provisions currently open to them. It could also be evidence that the system is aimed badly. The only relief, as I have said, is for the heaviest offenders. What we should be looking at is not abolishing the system but aiming it better.

The second piece of evidence he provided to show that the present act was being abused was: 'Hardly had magistrates cancelled the licence for 3 cases for driving under the influence than they were back pleading hardship'. Frankly, I cannot understand that because the provisions as they apply at present say that a person must wait for 2 months. If those 3 people had not waited 2 months and had gone back to the magistrate, they should not have been allowed past first base. I am not sure what the honourable minister is attempting to do there. It does not make much sense to me.

I would submit that the evidence presented by the minister in his second-reading speech is not that the system is being abused but that people are using the provisions that exist and that everybody may have some concern that the system is badly focussed and is not providing assistance to people who could be provided with assistance. To address that question, we need to look at the basic underlying principles behind special driving licences. I would submit that there are 2 underlying principles that tend to counterbalance each other. One is that we are trying to provide effective deterrents for drink driving so that people will not do it. Indubitably, the most effective deterrent that there is is the loss of a licence. We are saying to people: if you drink and you drive, you will lose your licence.

The other principle that has to be considered is that we need to balance that general principle against the effect that such punishment has on individuals. In my view, most drink-driving offences are what we can call recreational offences; that is, they do not occur in a work situation; they occur outside working hours; they are connected with leisure pursuits. For most people, a drink-driving conviction and a loss of licence primarily means a restriction of leisure pursuits. It makes it harder for people to get around. It makes it harder for them to exercise those leisure and recreational activities that they have. The way it impinges on most people's work situation is that it makes it harder for them to get to and from work. For many people, it could mean the loss of their job, which is a much more serious situation. What we have is a penalty which is a minor inconvenience for some but a loss of livelihood for others.

We would argue that the present balance between those 2 principles needs adjusting. We accept that the special driving licence provisions as they stand at present are not really fitting the bill and that they should be amended. We suggest the way to do it is to allow special driving licences for first offenders between 0.08 and 0.15 blood alcohol content. Most of us know how easy it is to slide over 0.08. Most of us have done so. Most people now support loss of licence for such offences but do people support loss of jobs for a first offence?

Mr Deputy Speaker, we propose to move amendments along those lines. I have had a discussion with the sponsor of the bill and he has agreed to allow the committee stages to be taken at a later date because of problems we have had in having our amendments drafted.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, I have problems with the prima facie evidentiary provisions if these traffic speed analysers are used. I am not sure whether the sponsor of the bill is aware that there has been a tremendous amount of controversy over the effectiveness and reliability of what are known as radar guns. Evidence has been presented in courts in other places as to their unreliability, even recently with improved technology. I believe that, to accept prima facie the reading of the gun, should not be admitted at this stage until they have reached a greater degree of continuing accuracy.

Whilst on the subject of radar guns, might I draw to the attention of the Assembly the complaints that I have had from motorists who have been terrified by over-zealous policemen leaping into the path of a car and directing a gun at them. The automatic reaction of a driver if someone appears in his line of vision is to brake and swerve, which can be dangerous.

Mr Perron: Swerve towards him or away from him?

Ms LAWRIE: Towards oncoming traffic, which is indeed a problem.

Mr Perron: Why not towards the guy with the gun in his hand?

Ms LAWRIE: Mr Deputy Speaker, the honourable Treasurer is suggesting that motorists confronted with what they see as an emergency should aim their car at the policeman. That was not the tenor of the complaints which have been made to me. It was the sudden apparition of a person in the manner described. The motorists do the automatic thing and swerve, which can lead to serious consequences.

On the second part of the bill, which deals with the abolition of special licences, I found some conflict in the minister's second-reading speech as well. He spoke of the concern of magistrates that the present system was being abused. As they are the very people administering the present system, I cannot understand why they should be concerned at any proposed abuse because they have the remedy in their own hands. The granting of a special licence is not automatic. The court considers the evidence given to it and makes a judgment accordingly. We have a Chief Magistrate who is also in a position to counsel magistrates as to court procedures. I am sure that, if concern had been expressed through the Chief Magistrate, the magistrates would have taken even greater care in examining the applications for special licences. So I find it a strange proposal that we are asked to accept this change in the legislation on the premise that magistrates themselves are voicing concern at suspected abuses when they are the people making the decisions.

Unlike other members of the opposition, I do not find favour with much of this bill at all. Firstly, I believe that we are too hasty in accepting the reading of radar guns which have been proven to be faulty and give false readings if aircraft are flying overhead or if there are other interferences. Secondly, I cannot believe that the concern of magistrates is such that we should do away with special licences.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, the first part of this bill relates to the removal of the special licence provisions. The situation has been explained by the member for Millner. However, there is a point which I think

is well worth considering. It is the real crux of the matter. In the public's view, it is generally considered pretty easy to get a special licence. Whether it is the truth or otherwise, it is the view which I pick up from the community. I believe that the deterrent effect of the breathalyser is greatly reduced because of special licences.

People feel that, if they are caught, there is an escape. They know they have a chance of picking up a special licence and, because of that, they take risks which they were not taking when the breathalyser was first introduced. I believe that is the basic concern. The breathalyser is certainly not designed to catch everybody who drives with a blood alcohol level over 0.08 but it concerns them enough to think twice about driving when they know that they are above the limit.

There are those who say that it is a terrible thing to deprive somebody of the right to earn his living. That is a concern. I say that it is far more terrible when people are killed or maimed because of drunk drivers. If you look at the 2 evils, the latter one is more important.

The government feels very strongly about this. We have the responsibility to protect the community as much as possible. We are not reducing the freedom of those people who drink. They still have the right to choose various options. One is to select where they drink - whether they stay home to drink or whether they go away from home. If they attend social functions away from home, they can make suitable arrangements beforehand. At parties I go to, often one member of a family or a friend is drinking very little and will drive the family home. There are taxis in most places or in some situations arrangements can be made to stay overnight. As for people who earn their living by driving, these people are on the roads more often than most of us and should be the ones with the greatest degree of responsibility. They should weigh up this matter very carefully.

It reminds me of an experience at a school. We had student counsellors at a particular school and, at one stage, the teachers were advised that they were not to stop students going down to see the student counsellor when they wanted to. It seemed that some students rather caught on to using that ploy when there was a test on. It was a way of escape. They did not have to do the extra homework and face up to the rigours of the test. I believe that, by removing the special licence, people will be in no doubtwhatsoever as to where they stand. I believe the breathalyser will be far more effective. As I said, it is not a matter of catching everybody over 0.08; it is there to deter people and to make them think twice. I believe that it has had a pretty good effect. By the removal of special licences, its effectiveness will be enhanced and that means loss of lives, injury and damage to property will be reduced.

There is a related matter which I would like to bring to members' attention. It is a particular trick which has been brought to my attention. I considered not mentioning it in case it gave people ideas but I believe that those people who have lost their licences most probably know this method. Members of the Assembly should be aware that, according to police, it is often applied. This arose from concern on the part of some people that photo licences would be a good thing and worth investigating. There are groups around the Territory which support the idea of photographs on licences embedded in plastic so that people cannot cheat. One reason given by the police why they would support it is that, if someone loses a licence, the trick is to go and borrow a licence from a friend. If you get apprehended you show that licence and, if the friend happens to be picked up, he says he is sorry but he does not have his licence with him. He has 24 hours to get it back off the person. Apparently, this practice is fairly prevalent, perhaps more so down south where it is a little more difficult

for police to know all the people in the community. It is more difficult, of course, in small communities. It is a problem. I think that, in time, photo licences may be introduced. I have looked at it and cannot see much against it. I see many arguments for it and I believe it would be very useful to the police.

The second part of the bill relates to prima facie evidence, that of speed-detecting instruments. I think there are sufficient provisions here if these instruments are checked and tested at fairly regular intervals. I would like to think also that if, for example, an aircraft flies overhead - which obviously will not happen too often, but is not impossible - the policeman will use a little discretion. If he feels that there was some circumstance which threw the instrument out of line, then he should give the benefit of the doubt to the person in the vehicle. I think police in the traffic division form a pretty reasonable idea of the speed of a vehicle. They get used to assessing it through sheer practice. I do not think there will be many cases where this problem would arise. As we know, some people have challenged the radar and other things in court and there has been expensive litigation, virtually obstructing the law in most of those cases. I think that the provisions to check those instruments periodically and have them certified are sufficient protection for the average motorist. Provided that, if the policeman thinks that there is something haywire with the reading against his own judgment of the speed of a vehicle, he can use his discretion, then I am quite happy to support the second part also.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, in rising to support this legislation this afternoon, I freely admit that I drink alcohol. When I have been drinking, I am very careful not to drive and, when I am driving, I am very careful not to drink. If I can take care with my drinking, so can other people in the community.

This legislation might appear to heavy drinkers to be draconian, especially to those who drive after drinking and who drive for a living, whether they be taxi drivers, bus drivers, haulage contractors or whatever. However, I do not think it is draconian because of the carnage alcohol causes through road accidents. If these drivers think only of themselves and their particular cases, they are very selfish. I think it might serve the community's purpose better if these people thought about others in the community and what their drunken driving contributes to the road accident toll. I quite agree with what the minister said in his second-reading speech. If a person has the time to drink sufficient to achieve a 0.08% blood alcohol reading or, as occurs more often, 0.15%, the time in which that person consumes that alcohol is adequate for him to consider the consequences of that action.

I have heard it said, Mr Deputy Speaker, that we in the Assembly who make decisions that people in the community should not drive after drinking a certain amount have a pretty easy time regarding our own drinking. We drink and then have people to drive for us afterwards if we have had a few too many. I do not think that is the case, knowing the drinking habits of a few of the members, and it is certainly not the position in my case. As I said at the beginning, I drink alcohol and I like it but, if I am driving, I make very certain that my guesstimate of my blood alcohol content is under 0.08%. By my personal guesstimate, if it is over that, I do not drive. I make certain that those people with whom I come in contact, especially members of my family, are well aware of my views. So far they have followed my line of thinking. We live within a wider community. Although the road toll is going down now, it has been a heavy one and was due in no small part to drunken driving. It behoves all of us to pay attention to our drinking if we are driving.

I think a very specious argument was advanced by the member for Millner in saying that most of the driving offences associated with drinking occur due to leisure-time drinking and not to work-time drinking. If one causes a road accident in which people are killed, I do not think it matters whether one has been drinking in one's leisure time or during one's work time. A person killed in a road accident stays killed whether the person who caused the death was drinking in leisure time or work time. I do not think that is a valid argument at all.

Some people believe that if they advance what has been a valid argument in the past, that they earn their living from driving, a special licence will be issued. It has lessened the effect of the penalties on the community. If this legislation is introduced and followed through by the courts, as we hope it will be, I think there will be a better situation regarding the road toll which, in no small part in the Northern Territory, is due to drunken driving.

In my electorate, there have been several unfortunate deaths caused by drunken driving on both the Stuart and Arnhem Highways and on other roads in the rural area. These accidents have been directly related to drunken driving, and there have been unnecessary fatalities. In one particular case, the deaths of a couple of young girls were caused by a person who was driving with well over the allowable limit of alcohol in his blood. If this legislation prevents fatal accidents like that, it has my full support.

The second part of the legislation relates to radar speed guns etc. Presently, in reading the newspapers, I found a ridiculous situation. It was necessary to import a specialist from Western Australia when we already had legislation - albeit with loopholes in it - to deal with the situation that arose in a particular court case. This expert, I understand, was imported from Western Australia to clarify the finer points of the situation. If the legislation before us today closes loopholes that existed in previous legislation and makes everything reasonably foolproof, so much the better. I fully support both parts of the legislation covered by this bill.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, just speaking briefly in support of the bill, could I say that drinking drivers in the Northern Territory are perhaps in a more favourable situation than drinking drivers in other parts of our country. In most Australian states now, the legal limit on the breathalyser, for instance, is 0.05% rather than 0.08%. Indeed, in many states, one loses one's licence on a point system when one aggregates a certain number of points from relatively minor offences, including things almost down to the level of parking infringements. The driver in the Northern Territory is not persecuted at all. Indeed, it has become quite plain that the deterrent to the drinking driver and the carnage that the drinking driver causes on the road, namely the suspension of his licence, is simply not acting in practice as a deterrent at all. So many of them are able to come back before the courts almost immediately and seek reinstatement of their licences, at least during working hours, on the basis of hardship.

I heard some remarks made in relation to magistrates being the best source of their own salvation if they consider that these people are getting their licences back too easily. I think honourable members will remember that, some 2 or 3 years ago, the government introduced legislation to amend the Traffic Act which we thought would make it harder for people to regain their licences. I am sure that everyone thought it was operating that way. About a year ago, I attended the last annual Magistrates' Conference in my capacity as Attorney-General. A magistrate raised with me the fact that the amendments simply were not acting as they were intended to act because a Supreme Court interpretation, on appeal from a magistrate's refusal of a special permit, had resulted in the

floodgate being opened. The magistrates had virtually no discretion in pursuance of the Supreme Court decision but to grant permits. This is what I was told by the magistrate. They unanimously sought government action because of their concern at the situation. Their concern was expressed to the point that they believed that the permit system should be revoked entirely now.

I do not seek to rely on the magistrates. The government has taken this decision. However, I heard some ill-informed comments from the honourable member for Nightcliff who had not bothered to check her comments before she made them even though she has had a couple of months to do so. I did not want to use this argument, Mr Deputy Speaker. I am not seeking to hide behind the magistrates. The government decided this. It is government policy and we are pursuing it because we believe that it is right. I am trying to say, in order to set the record straight, that the honourable member for Nightcliff is quite wrong in saying that the magistrates can solve the problem for themselves if they want to. They are bound by Supreme Court decisions. They are bound to act in accordance with them and I have accepted their argument in good faith. Our researches, carried on independently as a consequence of my bringing the matter before Cabinet, and researches detailed by the Minister for Transport and Works, show quite clearly that, in the interests of road safety and in the interests of everyone who goes on the roads, this bill should be passed. I support it.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I will be brief. I rise in support of the opposition's proposed amendment to this bill. There is not another member of this Legislative Assembly who has harder views on drinking drivers than I have. I know from my discussions with people that those who need licences for their work are very conscious, in the main, of the fact that it is an absolutely essential tool in the earning of their livelihood. Bus drivers I have spoken with about this accept that. However, we think that these penalties need to be made progressively harder. We do not think that it is essential, at this stage - I am not going to go to war on it - to go as far as the government is going on this particular occasion. We think there is an in-between step of applying some degree of justice to the situation that the government could take before it goes the whole hog. The Chief Minister said that people are going back to the courts almost immediately. I imagine that he means that after 2 months is 'almost immediately' because no application can be made within 2 months, under the current legislation.

The amendment the opposition has proposed will allow one chance. We do not think that that is an unreasonable approach to take. If the reading is 0.08 for a first offence, the licence is not cancelled. That is not an automatic penalty for a first offence and that is all we are talking about: 0.08. The amendment the opposition is proposing is that for offences between 0.08 and 0.15, the first time round, there should be an opportunity for a person to apply for a special licence after that period of 2 months. We are not saying that he should keep his licence. That is a matter for the courts to decide. We are saying simply that, for that one occasion, he should have the opportunity to have it brought home to him that that is the last chance that he will get.

We are not objecting to the pursuit of greater road safety in the Northern Territory. Indeed, I would point out to the Chief Minister something that I feel strongly about that could be introduced that would tackle this problem in a far more effective way. Jail sentences are often imposed, not for people causing injury but for people who commit multiple offences of drunken driving. Often it has happened that a person who has committed the offence for a fourth or fifth time has incurred a prison sentence and has had his licence suspended for x years.

We all know that the problem is serious drinking. It has been proven again and again and I do not think anyone seriously argues the opposite. Jail sentences do not really do anything to tackle that problem. I think that the periods of time for which licences are suspended are far too short. Have a look at what happens in the courts. A person is up for offence after offence. He is sentenced after the third or fourth time to prison and his licence is then suspended for 2 or 3 years. These people are committing a very serious offence indeed. They are going on the road and everyone else is supposed to take pot luck and hope that one of these people does not run into them.

It would be far more appropriate not to impose prison sentences on these people but to remove their licences for a very long time indeed. That is the cause of the offence; licences are not a right. Some people consider that they are. They are a privilege that is extended to a citizen to enable him to go on the road. They have to be a privilege because other people use the road. It is a right provided his behaviour and the way he drives his car is consistent with the laws and does not put other people in danger.

The government should examine that aspect of road safety and the length of time that some of these multiple offenders have had their licences suspended for, along with attached prison sentences, and consider whether it would not be a far more effective means of protecting the community if in fact their licences were suspended for a longer period without prison sentences being imposed. A prison sentence, by and large, has absolutely no effect whatever. If a person does not have the legal right to get on the road, that in the main solves the problem; that is, unless a person is foolish enough to go back on the road without his licence, which puts him in very big trouble with the law indeed.

I might add that I agree with the Chief Minister that very spurious grounds are often put for a person to get a special licence. In other words, cases are put forward to the courts that do not really stand up to too much examination. But it is not just the fault of the magistrates. I would not like to bring it home any more closely than that. I have seen correspondence presented in court on behalf of applicants for special licences, with signatures attached that belong to very exalted persons indeed - persons in public office in the Northern Territory - putting forward cases which I know to be spurious. It is not just the fault of the older magistrates. I have seen cases where people in the Northern Territory - I am being quite specific - have had their licences removed. The only reason they needed a car was to get to the office in the morning. That is the only use the car was to them. I have seen letters presented in court attesting to the fact that they would lose their jobs if they did not have their licence, which was absolute tripe. Affixed to those letters, which the courts accepted in good faith, were the names of some very prominent persons indeed. So that is also a problem.

It is very easy to have members rise and wax sanctimonious in the Legislative Assembly about this horrible offence. I think I will leave it there. I was fairly hostile to see, in one particular case, a highly exalted signature affixed to a letter when I knew that the case that was being put before the court was absolute nonsense. There is wide responsibility on this community to do the right thing. Perhaps if I am provoked at some later stage, I might sheet it home a bit tighter.

Mr Deputy Speaker, what I am saying to the honourable Chief Minister is that, for a person who genuinely needs his licence - a bus driver, a government driver or a person in some other occupation - for the first offence only, the courts should at least have the option not necessarily to give him his licence back but to consider whether that is right under the circumstances. To relieve

the magistrates of any problem, and to put the person on the spot, the legislation should then say that, after the first offence, that is the end of the courts' options. I recommend that the government support the opposition's amendment.

Debate adjourned.

ADJOURNMENT

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, a few deaths have occurred since the last sittings of the Assembly and I think I should place a couple of them on the record. The first that I would like to refer to is the death of Adair McAlistair Blain, a former representative of the Northern Territory in the federal government. He died at Wentworth Falls, New South Wales, on 28 April 1983. He was born on 21 November 1894 at his father's property in Queensland and was educated in Queensland and Western Australia, completing his high school education at the Perth Modern School.

As a qualified surveyor, he came to the Northern Territory as senior staff surveyor in 1929 and, for the next 4 years, was involved in a number of major surveys including a plan subdivision in the Oenpelli region for the Aboriginal people there. He surveyed the Granites, many pastoral property boundaries in central Australia and was responsible for running a survey line from Alice Springs to Tennant Creek along the overland telegraph line. Prior to that time, the peanut farms at Katherine had never been surveyed properly. This was also done by Mr Blain. On 22 September 1934, having stood as an independent, he defeated Harold Nelson for the Northern Territory seat in the House of Representatives. He held this seat until 10 December 1949 when he was defeated by Jock Nelson, son of Harold.

Mr Blain was a staunch advocate of development in the north and in 1937 persuaded the then Minister for the Interior, Mr T. Patterson, to set up a board of inquiry into land use and industry. The result of this inquiry became the well known Payne-Fletcher report.

Mr Blain served in both world wars. During action in France, he was wounded twice in the First World War and, during the Second World War, was captured after the fall of Singapore and spent 3½ years in captivity in Changi and other horror prisons. These experiences had a marked effect on his later career.

After his return to Australia and his defeat by Jock Nelson, Mr Blain worked for the New South Wales Western Lands Commission and later the New South Wales Metropolitan Water, Sewerage and Drainage Board. He is survived by a widow who lives in England.

Mr Deputy Speaker, more recently of course has been the passing of Silas Roberts, a very distinguished Aboriginal person. It is with sadness that I record his passing. The late Mr Roberts was born at Ngukurr in 1925 and his surviving brothers and sisters are prominent members of the Aboriginal community, as he was.

Over the years, Mr Roberts served on many boards and committees such as the Aboriginal Arts Board. He was the first Chairman of the Interim Northern Land Council before it was officially formed in 1976 and later became an

honorary member of that organisation. In the early 1960s, he settled at Maningrida working first with Fisheries and then Welfare. He was a special magistrate there from 1974 to 1981, when he returned to his traditional home at Ngukurr where, on 31 March 1982, he opened the new Roper River Police Station at the request of the Northern Territory government.

He stayed in the saddle to the last and, at the time of his death, was still working for the Department of Aboriginal Affairs. Silas Roberts is survived by his wife Rosy and 7 children to whom I am sure we all offer our deepest sympathy.

Finally, I have been asked by constituents in my electorate of Jingili about the garbage service. It is a problem that is common to all of Darwin really, depending of course on when your garbage pick-up occurs. It is a matter on which I think the residents of Darwin have, by and large, been fairly long suffering and tolerant. They have put up with this noise pollutant for a long time. It has been brought home pretty forcibly to me. When you live in the suburbs, and you are trying to get a last half hour or so of sleep before you get up at 6 o'clock or 7 o'clock, the roar of the garbage truck makes itself heard 2 mornings every week.

Mr B. Collins: What about the F111?

Mr EVERINGHAM: The roar of the garbage truck is much more constant and persistent and comes with greater regularity than any F111 aircraft that comes to Darwin. My house in Gaden Circuit, Jingili, is right under the flight path of the Darwin Airport, not the main runway but the cross runway which is used by almost every twin-engine and light aircraft that takes off from or lands in Darwin. We have a constant stream of all types of aircraft flying above the roof of our house. After a few months of living there, one does not notice the sound of the aircraft anymore. In fact, I think we would feel that something was wrong if the sound was not there. But for some reason, these garbage trucks which come around in the early hours of the morning are most disconcerting with their roaring and revving as they go from street to street. They stop, they rev and they make a lot of noise.

I think something could be done about it. I would not be complaining about it if I did not think that something could be done about it. I really do feel that the contractors or the council could look at making some provision for the fitting of mufflers or some sort of noise baffle to these vehicles. I cannot speak for all of them but, on some of them, I have seen an exhaust which appears to go up near the back of the cabin. I am not terribly mechanically minded but I have seen diesels without their exhaust going up behind the back of the cabin. In any event, I am suggesting that the problem be looked at by people in the council more technically competent in this area than I. I believe that the council will earn itself a debt of gratitude from many of the suburban dwellers whose soporific efforts are disturbed by the coming and going of garbage trucks at unholy hours at least 2 mornings every week.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, my heart really bleeds for the honourable Chief Minister. I could suggest that he buy a block and a house in the rural area where he really could have a peaceful night's sleep without garbage trucks revving up and down the roads. The people in the rural area do not want the advantages offered by the city council. If garbage trucks revving up and down the roads are part of those advantages, they want them even less.

Mr Deputy Speaker, I rise to speak this afternoon after hearing the replies to questions that I asked yesterday of the Chief Minister regarding the Police Force, especially the Fred's Pass Police Office. I am rather on the horns of a

dilemma in speaking about members of the Police Force. I would never dream of mentioning them by name because I do not do that, but I know quite a few. They are my friends and acquaintances. I do not know whether I have been singled out personally. I have been called an interfering busybody by a senior public servant, not in the Police Force. However, I regard it as my job to try to look after the interests of my constituents and others who present me with problems which they think I can solve.

To return to the horns of my dilemma, if I speak in detail about problems relating to members of the Police Force, it can be easily worked out whom I have spoken to. I would like to air this matter now. The people whom I speak to and who speak to me are not malcontents in the Police Force. They are not whingers but they have problems which they do not think they can settle. Their association cannot settle them nor can their senior officers. They have been told quite clearly that, if they speak to MLAs, they could be regarded in a rather adverse light by their superior officers.

Ms Lawrie: That is shameful.

Mrs PADGHAM-PURICH: I hope that does not happen and I hope I am the only MLA who has been singled out for this. I hope other MLAs have not had the same threats in relation to advice that they may give certain members of the Police Force.

I was very interested to hear the Chief Minister's reply to my question about the use of a police plane at the Nimrod Safari Camp. I applaud the Chief Minister's efforts in putting the Northern Territory on the map. I think most members of the community applaud the Chief Minister's efforts in making the Northern Territory well known to many people in other parts of Australia both as a place to live and visit and a place to invest money in. Nevertheless, his reply begged my question. In view of the interests of the Police Commissioner - hunting, shooting and fishing - is the Police Force going to have a special tourist arm developed, in the near future, to take account of the Police Commissioner's interests?

I was very pleased to hear the honourable Chief Minister say that the staff of the Fred's Pass Police Office would not be downgraded. I hope that, by his answer, he means that the numbers will not be downgraded as well as the ranks of the 3 staff members who are at the Fred's Pass Police Office. These people are definitely needed although perhaps not all full-time. Of the members who have been out there most of the time, some live in the area and some do not. They like working out there and they are all doing a good job in the community. They have been out there long enough for many people in the community to recognise and know them, and to accept them as responsible people - persons they can tell their troubles to. They are not complete strangers to the people in the area.

I know the view of senior officers in the Police Force is not to let anybody settle in one place for too long. I agree with this line of thinking when it relates to younger members of the Police Force, before their children grow up to a certain age and whilst they are more able to move about the Northern Territory. It gives them greater experience in different sections of the Police Force. But I do not agree in the case of certain members of the Police Force who perhaps are not in the first flush of youth. They might be in their 40s or 50s and, for different reasons, they do not want to rise any higher. They do not want to become officers or perhaps their qualifications are not high enough for them to become officers. Those people have done their service moving around the Territory and I think that, if they want to remain in service in the

Police Force in a rural station or office, such as Fred's Pass, they should be allowed to do that. I think it is to their benefit and also to the benefit of those people in the community who have to deal with them.

In dealing with the police as they operate from the Fred's Pass Police Office, I would like to comment on certain anomalies which still exist. In the Chief Minister's reply to my question, I was pleased to hear that a telephone transfer scheme will be introduced into the Fred's Pass Police Office. I had occasion to ring the station with a personal complaint that I thought they could help me about. There was nobody there by 9.30 in the morning and nobody there after 2.30 in the afternoon. This caused some inconvenience to me regarding this particular complaint.

I am not complaining about the services of the officers or their reasons for absenting themselves from the office. I understand that they had to make several home calls on that day. However, I can see such an incident through the eyes of people in the rural area. They have a police office there and they expect the police to be there during normal working hours. The Police Force can afford to fly the police plane to different parts of the Northern Territory so I think it can afford a couple of hundred dollars in the police budget to buy an ordinary telephone answering system which any ordinary office has. Honourable members have them in their own offices. If staff members are not in their offices, and somebody rings up, a message can be left. In this case, the people who normally work in the police station can tell the caller where else to telephone. I am pleased to see this telephone transfer system is to be installed. I hope that it is installed quickly.

Another anomaly that exists in relation to the Fred's Pass Police Office relates to officers going out to investigate certain complaints. One was personal and one was not. One was on behalf of somebody in my electorate. They were complaints regarding stock. One complaint concerned possible cruelty to a large number of animals. As it happened, it all worked out in the end. When I rang up the Fred's Pass Police Office on behalf of one of my constituents, I was told that it had directions to pass on questions relating to stock - I assume to the Stock Squad at headquarters. I know the qualifications of the 2 members of the Stock Squad and I finally contacted them and went with them to investigate this particular complaint. Nevertheless, in view of the holdings of stock in the rural area, I cannot understand why a direction has been passed to members of the force at the Fred's Pass Police Office that they not investigate complaints regarding stock. I do not expect that complaints regarding stock are very extensive.

Frequently, I have had cases of cruelty to animals brought to my attention which I have referred to the police as well as investigating them myself. People who live in a rural area tend to keep more animals and, unfortunately, the more people keep animals, the greater the incidence of cruelty is likely to be. It seems odd that the police who work in the rural area do not have the competence to deal with these incidents but must always refer them elsewhere.

I asked the honourable Chief Minister about the qualifications and number of members in the Stock Squad. He said that there were 2 members in the Stock Squad and that they were required to have some knowledge of stock and to have worked in a rural area. I know that is correct and I know the work that people in the Stock Squad do. But these 2 members of the Stock Squad do other work in the Criminal Investigation Branch.

If the police at Fred's Pass Police Office pass on complaints about stock,

and the only 2 members in the Stock Squad are on criminal investigation work, it leaves my constituents in the rural area at a disadvantage.

In 2 cases, and with the best will in the world, other members of the Criminal Investigation Branch intended to come out. However, I said quite frankly that it would be a waste of my time dealing with people who had no knowledge of animals. It would have meant that they would have to refer the details to other people who know more about stock or that I would have to go over the details again with the Stock Squad.

By airing this particular question regarding the police members at Fred's Pass Police Office, I hope that the situation will be remedied.

Earlier this morning I had a call from a most irate farmer who has a very strong grievance against certain members of the Department of Transport and Works. This particular farmer lives down the highway and the main pipeline from Darwin River to Darwin passes through his property. On this pipeline there are 3 sorts of valves: one cuts off the water to his property, another valve is a sluice valve on the reticulation line for repairing the pipe in the area and the third valve is a drain valve for the 3-foot pipeline going from Darwin River to Darwin.

I was rather surprised to hear the complaint from this farmer because it has been my experience that field personnel of government departments are usually polite and they are usually very reasonable in their requests of people who live on the land. Children from other properties have come onto his place, turned on the valves and left with them still on. They turn them on to have a swim or a shower and then leave them on.

One might say: 'Why worry?'. But this particular man has the only dairy in the Darwin area. It is an important farm. By turning on these valves and leaving them to flood his paddocks, his livelihood is being affected because he has special-content pastures for his dairy cows. If these pastures are damaged in any way, it means the cows' diet for that particular day will not be constant, and so his output from his dairy cows will be down for several days afterwards.

Last Sunday he noticed that one of these valves, the 6-inch gate valve, was turned on in one of his paddocks. He assumed that the children nearby had turned it on and promptly turned it off again. Also on the Sunday he saw one of the Department of Transport and Works vehicles driving past and he assumed it was out on inspection. The person in it waved and he waved back and thought no more of it. After half an hour he went down to this particular paddock for some reason and found it flooded to about 6 inches. It was a 2-acre paddock. In that paddock, he had a trial plot. You will be pleased to hear, Mr Deputy Speaker, that this plot was leucaena glauca. It is a trial plot to see if some good can be made of the coffee bush that you are always complaining about in the Darwin area.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I want to cover a number of matters this afternoon. The first matter I want to touch on is that I would like to join the honourable Chief Minister in expressing my deep regret at the death of Silas Roberts. Silas Roberts was a close personal friend of mine for something like 16 years. He was a man whom everyone who knew him acknowledges as one of the outstanding Aboriginal leaders in the Northern Territory. He has been ill for a very long time and it was with a great deal of sadness that I heard of his death. I deeply regret that I was unable to attend

his funeral today. I am pleased to note that the honourable Speaker of this Assembly is attending that funeral. I was in fact able to send a representative but I would very much like to have gone to his funeral. I am sure he will be sadly missed not just by his family but by the whole Aboriginal community in the Northern Territory.

Mr Deputy Speaker, I join the honourable member for Tiwi in expressing my complete dissatisfaction with the Chief Minister's reply to the questions put to him about the use of the police aircraft.

Mrs Padgham-Purich: No, I did not say that.

Mr B. COLLINS: The Chief Minister delivered what I predicted very accurately to be the response to that question: that the publicity was worth a fortune to the Northern Territory and so on. No one denies that. The Chief Minister reacts similarly to all of these matters. It was expressed again today with the problems with the Ro-Ro wharf. He believes that the end always justifies the means; that it does not matter what you do to get to that particular end because it is the end result that counts. In most cases, he is probably right.

But there are certainly many cases where the disadvantages of such an approach need to be considered, and the use of that police aircraft is one. The publicity was certainly welcome and it was certainly valuable but, Mr Deputy Speaker, I would like you to look at it a little more closely.

What the Chief Minister said by his answer, and I refer all honourable members to Hansard on this, is that he has invited all southern journalists to get themselves a free trip out to a safari camp in the Northern Territory with the Police Commissioner of the Northern Territory as their guide and the police aircraft placed at their disposal simply by writing insulting articles about the Northern Territory. That is extraordinary. He said that David McNicholl had written an insulting article about the Northern Territory.

Mr Everingham: I didn't say 'insulting'.

Mr B. COLLINS: Have a look at the Hansard. The words were 'an insulting article about the Northern Territory'. He should refer to his own words. He has given the invitation that, for anyone who writes an insulting article and flies himself to Darwin, the police aircraft and the commissioner will be placed at his disposal so that he can write an article to correct the insulting article he wrote.

It was a nonsense answer. It was the one we expected. I would just like to point out an opposite view. He said that it would cost approximately $1000 for the charter. We have talked over the last few days, and indeed this morning, about the unnecessary waste of money that the Northern Territory government sometimes indulges in. An additional $500 placed with a private charter company in Darwin would have been money very well spent because the effect of such publicity would have been felt in the Territory community. We want articles to be placed in magazines of national prominence like the Bulletin extolling the virtues of the Territory. However, that article would have been written just as effectively if an experienced hunter - and I can assure the Chief Minister that there are many - in the Chief Minister's own employ in the Northern Territory Conservation Commission had been placed at the disposal of Mr McNicholl and an aircraft chartered for the purpose. There are a number of charter companies in the Northern Territory and the Chief Minister knows that they all find it hard to make ends meet. They would have appreciated that business rather than see the police aircraft used for such a purpose.

The result is an announcement to the public that the Police Commissioner - I am sure quite incorrectly - has plenty of spare time at his disposal. The Chief Minister himself assured this Assembly that a $250 000 Navajo, an expensive aircraft to run and maintain, would be flat out doing essential police work. It indicates that, on the basis of an insulting or critical article written about the Northern Territory, both the Police Commissioner - the head of the Police Force, shortly to be head of the Fire Service and no doubt shortly to be the Tourist Commissioner as well - along with his aircraft, can be placed at the disposal of a journalist coming up here from down south.

I happen to be one of those people in Australia who abhorred the use of military aircraft to take photographs of the Franklin Dam. I am happy to say it. I thought it was a ridiculous thing to do, and I expressed those sentiments fairly forcibly. They should have used a chartered aircraft, based in Hobart, to take those photographs of the dam. In fact, if I could have found an aerial surveyor in Hobart who was Premier Gray's brother, I would have engaged him to take photographs of the dam. You have to divide those lines. The Chief Minister does not do it. Obviously, Senator Gareth Evans does not do it either. But it is a bit much to have the Chief Minister criticising Gareth Evans, as he did yesterday, for that kind of presumptive behaviour when he does it himself.

You have to divide the lines between the executive and the public service in the Northern Territory. We all know the Territory government is very fond of fudging that too. There is no demarcation as far as it is concerned. It has a very broad brush indeed. You cannot afford to give the public of the Northern Territory, indeed the public of Australia, the impression that our Police Commissioner and his aircraft can be placed at the disposal of someone for a tourist junket, which is what it was. The publicity was desirable. What we are saying to the Chief Minister is that an aircraft chartered from money out of the Territory's public relations pool - perhaps some of the money that is to be used for printing bumper stickers for self-government celebrations - would have maintained that essential demarcation line and would have been money well spent. I would consider it far more appropriate. What a ridiculous answer the Chief Minister gave: that the Police Commissioner was the only person he could think of in his employ in the Northern Territory who was an experienced hunter. There would have been people in the Northern Territory's Conservation Commission's wildlife section far more qualified to do it. The police aircraft and the Police Commissioner should be used for police business and for nothing else.

Mr Deputy Speaker, I think it was most unfortunate and embarrassing for the Police Commissioner to have it spread across Australia that he is available for tourist safaris, and that a person of that seniority in the public service is available to be put at the disposal of journalists who write tourist articles on the Northern Territory.

I might also say that Mr McNicholl's first observations were quite correct. It is about as exciting to shoot a buffalo at that range as it is to shoot a jersey cow standing in a paddock. I have shot many hundreds of buffalo. I shot something like 1500 pigs in the space of 3 weeks over at Wagait Reserve some years ago and I can assure the Chief Minister that chasing pigs on foot is a far more exciting and dangerous business than shooting a buffalo at a range of 150 m. Have a walk through some mangroves and some scrub on Wagait Reserve on foot, chasing pigs, and you are in for a thrill, I can tell you. Standing next to the Police Commissioner and his aircraft and shooting a buffalo from 150 m is not very exciting at all; it is a pretty tame way to get your sport.

I would like to conclude, Mr Deputy Speaker, by talking about what I see as a welcome shift in the Chief Minister's position about talking to the federal

Treasurer. Yesterday, the Chief Minister said it was a waste of time talking to the federal Treasurer. He said: 'Any discussions that I have with the Treasurer will not be meaningful and will not be decisive because the only person who one can speak to in government is the Prime Minister'. I trust the report that I see on the front page of the Northern Territory News that he is going to Canberra is correct. I welcome that. I believe that the Chief Minister has shown that he is prepared to ameliorate his approach a little. I hope it is conducive to his discussions on Monday.

That brings me to another point. The Chief Minister gave a fairly typical answer to a Dorothy Dixer this morning about arrangements I have been making with the Premier of South Australia, John Bannon, in respect of a visit to Canberra. Now that the Chief Minister is going off to do his bit, it might be better for me to renegotiate or change in some way. The Chief Minister, by his answer this morning, has now quite unnecessarily embarrassed the head of the government of an Australian state in a totally false way. I do not feel all that enthusiastic about pursuing it, I must admit, but I will talk to John Bannon about that.

This morning the Chief Minister said that there was no truth whatever in the story last Friday in the NT News. We all saw the Chief Minister waving the NT News around in the Assembly. He was upset because he did not get 6 out of 6 on the front page of the Northern Territory News. We all know how the Chief Minister and his trusty enforcer, Moustachio Pete, work. We all know how they work. When he does not score 6 out of 6, he says: 'Listen Pete, go round to the NT News, thump them in the head and rewrite the front page for them'. That is what upset him and caused the dramatic performance of waving the page around in the Legislative Assembly. It exposes the Chief Minister and his railway for what they are.

Mr Deputy Speaker, the Chief Minister does not want anyone else to play with his train. He is not interested in a motion such as we put yesterday which was in terms of our expressing our dissatisfaction with the deal that was offered. He is not interested in making it a parliamentary and bipartisan approach. I have given the Chief Minister public acknowledgement of the role he has played on this railway in the past. I remember saying to journalists from The Australian: 'I hope the railway comes'. Have a look at The Australian. It is on the files. I said it quite publicly: 'I hope the railway comes and I will be quite happy to see the Chief Minister driving the engine and I will shovel the coal'. That is what I said. If that is not an indication of the acknowledgement that I give to the Chief Minister's contribution in this, then I do not know what is. However, the Chief Minister is a one-man band. He does not want the railway for the Territory: he wants it for Paul Everingham and he is not going to have anyone else on board. If someone else wants to play with his train, he does not want to play. He does not want the railway set; he is prepared to throw it out if anyone else gets involved.

I had a telex from John Bannon this afternoon. If time allows, I will just go over the details:

> *Dear Bob, I confirm my government's intention to join with you in an approach to the federal government on the possible renegotiation of the Darwin-Alice Springs railway funding proposals. Once arrangements suitable to all parties are in place, we can confirm details of that approach.*

That is what I said in my press release: no time has been set. The reason

was that there were parliamentary sittings in South Australia. As I knew last Friday, the Premier is indeed on holiday this week. We are talking about getting together the Leader of the Opposition in the Northern Territory, possibly the Chief Minister, the Premier of South Australia and the Prime Minister. As everyone knows, it is a bit hard to get those 4 people together in one spot at one time and these arrangements had to be made. When the Chief Minister carried on with his nonsense yesterday, I rang the Premier's office. I said: 'I am very anxious to take up John Bannon's offer of last Friday to go to Canberra with him. However, it is becoming a little anxious now'. The Chief Minister is leaving a vacuum in Canberra. He said yesterday, and I sent a telex quoting him to the Premier, that he would not go. Have a look at Hansard. He said that he would not go to Canberra and talk to the Treasurer who, in fact, is the man concerned because he is the one with the money. He said yesterday that it is a waste of time. He would only go to see the Prime Minister. I said that I thought it necessary that I expedite that trip.

I did not intend to go, at least until after these parliamentary sittings were finished, because I do not believe in going off during sittings and doing other things. I would have liked to have been at Silas Roberts' funeral today but I did not attend because I think the Assembly takes precedence. I did not intend to go until after the Assembly sittings. The question put to Mr Bannon last Friday was to try to arrange a suitable date after the sittings when Mr Hawke, Mr Keating, Mr Bannon and I would be available. Everyone in this Assembly who acts as a politician knows that such meetings take time to set up. It was my suggestion that, in order to expedite such a meeting, perhaps another minister of his government might represent him while he was on leave this week. I said that I would go down this Friday and Mr Bannon agreed with that move.

No doubt Moustachio Pete picked up a bit of scuttlebutt from the press in Adelaide - total speculation based on those negotiations - and came out with a categorical statement that Mr Bannon was not prepared. In other words, the story was a furphy last Friday. It was not. An agreement was reached last Friday. It would have been honoured. I said in my own press release that it would have been honoured at a time suitable to all of us which would probably have been after our sittings and those of the South Australian parliament had finished so that we could all get together at the one time.

The fact is, as I said before, the Chief Minister ...

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr PERRON (Treasurer): All I can say is that the Leader of the Opposition must be awfully thick if he cannot understand why the Chief Minister does not want to take him to Canberra to present his views on the railway. He has to be very thick not to be able to understand why Territorians would not want him in Canberra representing, as he claims, their views about the railway and its funding. We have heard much over the last couple of days about the astounding attitude of the opposition that the Northern Territory is overfunded to the extent that we can afford to contribute substantially to the railway and that we should all rush off to Canberra arm in arm and tell the Commonwealth government that it is asking a little too much and surely we can sit down and talk it out.

He has acted indignantly this afternoon. He is hurt that he has not been welcomed with open arms and carted off to Canberra: 'Can I please tag along on the Chief Minister's coat-tails, so that I can be there'. We would not want him on badge day in Canberra and Territorians would not want him on badge day in

Canberra talking about the railway line. We have heard enough of his views and the views of his party to realise that he is nothing more than an apologist for the federal government in its despicable action in proposing that Territorians fund 40% of the railway when part of its 60% is to be stolen from funds already allocated to a national highways upgrading program. He really has to be a bit thick not to understand and to act so indignantly this afternoon. I can assure him that nobody wants him along. We cannot afford him.. Territorians cannot afford his attitude as an apologist for Canberra and his carrying embarrassment around on his shoulders about the Territory's funding position.

Mr BELL (MacDonnell): Mr Deputy Speaker, I have been away from this Assembly for some 5 or 6 months. I did not realise what a traumatic effect passing into opposition in the federal parliament had had on our opponents. That was a fairly good demonstration of it from the honourable Treasurer. I had intended to make some comments and deliver a report on the seminar on parliamentary practice and procedure that I was privileged to attend in the United Kingdom during March. However, it is my intention to postpone a more detailed report and merely say today that I want to give my thanks to all honourable members and to the Clerk and Secretary of our branch of the Commonwealth Parliamentary Association for the opportunity to attend that seminar which I found richly rewarding.

Today, however, there are 2 matters that I believe are of considerable importance and I wish to highlight them. The first relates to the question I asked of the Minister for Housing this morning about the social dangers of overcrowded accommodation. The term 'social danger' perhaps slips off the lips a little easily and may be regarded by some as being a little trite. I am quite sure that honourable members will be prepared to accept that there is a connection between families crowded into poor accommodation or overcrowded in good accommodation and the incidence of domestic violence, which has been in the news recently, and such things as children being placed at risk. 'Children at risk' is a phrase that we have heard fairly frequently in recent years. I suggest that there is a connection between those sorts of social dangers and overcrowded accommodation.

A particularly serious example, which I attempted to highlight through the press, came to my attention. I am sure that honourable members will be as disturbed as I was to hear that one ordinary 3-bedroom suburban house in the honourable member for Stuart's electorate is occupied by no less than 13 people. Those 13 people are using only one bathroom and one toilet. Behind that 3-bedroom house is parked a fairly normal bus that has been converted by the owner. In that bus are living a man, his wife and no less than 7 children. At the time I saw it, there were 6 children living in it. The 4 eldest children, aged 12, 11, 9 and 7, were sleeping in 4 bunks, opposite the kitchen. These 4 bunks are stacked one on top of the other. I measured it and there is exactly 30 cm between the top of the mattress and the bottom of the bunk above.

Most people accept that, if they are on holidays, they are prepared to put up with a little inconvenience but this is the only accommodation option that is available for these people. There is no private rental accommodation available in Alice Springs. People do not have the option of going along to an estate agent and renting a house because there are just not enough houses.

I was rather disappointed in a press release and I can only presume that the Minister for Housing did not write this particular release. I was quite careful to heap a not inconsiderable amount of praise on the concern that has been taken by the government. Its Home Loans Scheme, for example, may not be perfect but it certainly goes a considerable way towards providing accommodation for some people.

In certain areas, some people are clearly unable, either through the Housing Commission or through the private rental market, to obtain the accommodation they so sorely need. If they are putting up with poor accommodation for a short time, that may not be bad. I understand that this particular family that I came in contact with is not an isolated case. They have been knocked back for out-of-turn allocation of housing on 2 occasions so there must be others. From the response I have had to the attention I have given this matter through the press and over the radio, I know that this is not an isolated case and consideration must be given to this matter.

I thank the honourable minister for his statement this morning, in answer to my question, that he would be making a more detailed statement on the issue of housing in the Assembly in the near future. There is one particular question that I want him to address in that statement. I want to know how many people who live in the sort of overcrowded accommodation that I have described are applying for out-of-turn allocation of houses under these sort of necessitous circumstances and are not receiving it. I hope the minister will be able to address that question in his statement. I certainly look forward to it and I am sure many people who are living in those sorts of circumstances do also.

The second matter I want to speak about is the situation of the service station site at Yulara Tourist Village in my electorate. Unfortunately, Mr Deputy Speaker, in spite of suggestions that Malpa Trading Company might receive preferential treatment of some sort in gaining access to this particular development by way of owning, building and operating the service station at Yulara, it has been disappointed. I propose to take a certain amount of the Assembly's time this evening to describe the process by which it has been denied access to owning, building and operating this particular site.

When he was tackled with the preference for Mobil for the service station at Yulara, the Chief Minister said: 'Well, what can we do? Malpa Trading Company has offered a $1 price for the land. Mobil Oil Company has offered a much more realistic price for a site that is worth' - I think this is the phrase the Chief Minister used - 'several hundred thousand dollars'. That seems quite reasonable. However, if one reflects on the process of negotiation that has gone on over the service station site, one will realise that it is not quite as simple as the Chief Minister has made out. During those protracted negotiations that went on for some 5 or 6 months, the people talking for Malpa Trading Company operated on the assumption that there would be a nominal price of $1. If the Chief Minister looks back on the minutes of meetings held by the Yulara Development Company, he would find that the $1 price bid put up by Malpa was well and truly recorded for many months.

In his answer to my question yesterday, the honourable Chief Minister said that, on 16 February 1983, Malpa was advised to consider making an offer for the land with or without a premium and that any proposal would be compared with others received. What the Chief Minister is not telling us - and this is true with many of the Chief Minister's statements because what he does not say is at least as important as what he does say - is that that date of 16 February was less than one month before the deadline for putting up proposals to the Yulara Development Company. Therefore, the Malpa Trading Company was told that it might have to consider not putting in a $1 nominal price. It was not told definitely. It was left up in the air.

A further thing that the Chief Minister did not mention was that, at that meeting on 16 February, Malpa Trading Company was told that the Valuer-General would put a price on the service station block at Yulara. Malpa Trading Company was told at that meeting that it would be advised of the Valuer-General's assessment of the land. That never happened.

In his answer yesterday, the Chief Minister also said that, on 11 March, Malpa responded by offering $1 for the land and development rights which were worth several hundred thousand dollars. Again, what the Chief Minister did not mention was that this date of 11 March was not a date chosen at random by Malpa Trading Company. That was the date on which proposals to Yulara Development Company were due. The Chief Minister implied that this was done at Malpa's pleasure. Nothing could have been further from the truth.

The second matter that arouses my curiosity is this phrase 'several hundred thousand dollars'. The Chief Minister used it in his answer yesterday. He used it in the letter he quoted to the Chairman of Malpa Trading Company. He also used this figure of several hundred thousand dollars on the After Eight program in which he gave an answer to the question of why Mobil was preferred over Malpa.

In that same letter, the Chief Minister went on to talk about relinquishing the service station site and the store site at Ayers Rock as an effective price for the land at Yulara. There is some problem here. The Chief Minister is saying categorically that Malpa will not relinquish the site for the service station and the store at Yulara but we see in today's copy of the Centralian Advocate that the Conservation Commission says the store and service station at Ayers Rock will be phased out when Yulara is completed. Surely, if the store and the service station are to be phased out, there is some confusion either in the mind of the Chief Minister or in the mind of the Minister for Conservation.

I have put the best possible construction on these events. One could put a rather darker construction on them. But I suggest that the Chief Minister has found that it is a little embarrassing that Malpa does not have it. There is certain information that has not been passed across to it. He is thrashing around after the event to try and find some justification for it. As I said, I am putting the kindest interpretation on these facts. What I say to the Chief Minister is that he should be big enough to admit he has made a mistake. He should be big enough to admit that the negotiations are to be reopened. I hope that he is big enough.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I would like to make some comment on a letter that I wrote to the Chief Minister and the reply I received. I am pleased that the member for Tiwi asked the question that she did yesterday. I am pleased that she addressed the matter this afternoon in the adjournment debate. I am also pleased that other members appear to have received the same representation that I have received on this matter.

Some time ago, I received a number of representations from certain constituents of mine who are members of the Police Force about the commissioner taking a police aircraft and showing a journalist around the place. The journalist obviously enjoyed himself and I am quite sure that everybody appreciates that he disclosed his pleasure to the public. I am quite sure that the Chief Minister's valuation of the journalist's response was correct. I am quite sure that everybody is pleased that the journalist did go out there and that he did in fact convey his observations to the Australian public in an accurate light. Optimistically, that would draw a number of tourists here.

The Chief Minister's letter by and large answers my queries. It is fine. The Chief Minister's letter explains the reasons why he asked Mr McNicholl to go out there. The letter is fine right up to the last page. Then I am afraid I was subjected to a bit of vintage Everingham: 'I consider your letter to be the usual sort of miserable and carping criticism'.

Mr Perron: Right on target too.

Mr LEO: Well, I would suggest to the Chief Minister and to the Treasurer that my miserable carping criticism happens to represent the views of quite a few of my constituents and quite a few policemen. I think the questions I put to the Chief Minister represent the queries that were put to me quite fairly. The Chief Minister's response to me is a response to my constituents and is a response to a number of members of his Police Force. They are miserable and carping members of my constituency and they are miserable and carping members of his Police Force. If that is what the Chief Minister wants to say, then he can go ahead and say it. I sent him a set of questions that had been put to me, a set of questions that I related to the Chief Minister I think very fairly. The Chief Minister in vintage Everingham comes in boots and all: 'Here we are again son. What a load'.

Well, Mr Deputy Speaker, I do not want to dwell on the matters that were raised by the Chief Minister in his response. He obviously thinks that he can treat the Commissioner of Police as he sees fit. I suppose he is his Commissioner of Police. I must say that his actions to date do not, in the eyes of a number of members of the public and in the eyes of a number of members of the Police Force, cast any favourable reflection on the Police Force. They do not feel that they do. Members of the Police Force feel that the Chief Minister's actions to date have jeopardised their very hard work. They work very hard at public relations within the Northern Territory. They have to with some of the ridiculous laws that get through this Assembly. They work very hard at trying to maintain their very high profile and their good image within the Northern Territory. The Chief Minister may not feel that his actions were capricious but certainly members of the Police Force do and members of the public do. He can say what he feels to those people. I am quite sure that they will express their views to him when the time comes.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, the honourable member for Nhulunbuy has just said that he is sure that all members of the Assembly are pleased with the good reception that David McNicholl's article would have received around Australia. I beg to differ. I would say that some parts of that article have made us a laughing stock. I refer to the latter part of the article where he is apparently supporting a proposal which I presume has not yet reached the government in concrete form: the introduction of further exotic species, vertebrates, to a very fragile area of this country for the purposes of hunting. I have had telephone calls from concerned scientists and members of conservation groups from the states asking me if the Northern Territory government could seriously consider such an outlandish proposal. My response was that, to my understanding, no such concrete proposal had been assessed by government and I would think that, on the advice it would receive from its senior officers, it would not entertain such a proposal for a moment.

Mr Deputy Speaker, on the question of the level of expertise provided to David McNicholl and his chief, the Chief Minister stated that he knew of no other senior government person capable of exercising the oversight, the care and the marksmanship which was necessary. I do not believe him. I do not believe that he could be so ignorant of the expertise within the Northern Territory Public Service, in particular the wildlife section of the Conservation Commission, whose officers are expert handlers of firearms. They have to be. They shoot feral animals as part of their normal duties. Buffalo, of course, are feral animals. The only good part of this whole sorry episode is that I believe that the only good buffalo is a dead buffalo because of the havoc they wreak on the natural environment as an exotic species. But I agree with the honourable Leader of the Opposition that it is laughable to consider shooting a buffalo -

one of the world's great domestic species - as a test of hunting skill.

Perhaps enough has been said on that subject today, but I would ask honourable ministers opposite to consider the ramifications of the other part of the article, which was not addressed in previous debates, namely, this absurd notion of introducing further exotic vertebrates including, God help us, the rhinoceros.

Mr Deputy Speaker, on a nicer note and one of greater cooperation, this morning I asked the honourable Minister for Conservation a question without notice as to whether he was considering the introduction of legislation to amend the act to allow him, on the advice of his officers, to impose bag limits on waterfowl for the hunting season.

The honourable minister said that he would seek information from his officers and make a decision if necessary. Time is very short. I would ask the honourable minister to make those inquiries as a matter of the utmost urgency, preferably this evening or tomorrow morning. This is because, if the advice he receives is that a bag limit may be necessary this coming season or a closed season, I think he would have to introduce the legislation next week in order for the proper time to elapse prior to its passage through the Assembly. I have spoken many times of my dislike of matters going through as a matter of urgency. But, for the preservation of wildfowl, and indeed for hunting which is a very popular pastime amongst Northern Territory people, I would ask that he obtain the advice as quickly as possible so that, if limits are needed, they can be introduced.

Mr Deputy Speaker, I do not know whether the honourable minister is aware that, in southern states, a closed season has been declared for this year on the shooting of wildfowl because of the particularly poor conditions prevailing in other parts of Australia as a result of the drought. As a result of the poor conditions and the horrific season being experienced, there are many species of wildfowl and waterfowl now in the Territory which are not normally resident here at this time of year. They would normally be down south and are considered as refugee birds. They have stayed around the waterholes of the Top End and have not pursued their normal migratory pattern. At the very least it could be argued that it would be fairly immoral for us to allow the shooting of these species if they are protected down south for this season because of concern about the lowering of their numbers and their breeding habits.

As late as February, magpie geese were not nesting in the numbers which normally occur. Surveys have been undertaken by people who have professional expertise. Although there has been some evidence of late nesting, there is still a concern that, because of the lateness of the season, when the goslings are ready to learn to fly, it will be too late because the water will have dried up. One way or another, this is going to be a disastrous season.

Mr Deputy Speaker, it is intersting that the information that I have been given, and the concern which has been expressed to me, has come from a fairly large number of hunters as well as people more concerned with conservation for conservation's sake. They do not want to see a disastrous season this year during which those with little knowledge or concern will shoot the normal number of wildfowl and will seriously deplete the stocks this coming season. If the minister were to seek advice from members of - I think it is called - the Game Field and Hunting Association, he will find the remarks that I have made this afternoon borne out. In essence I am saying that he has at his disposal people expert in this field.

There is extreme concern, not only for our magpie geese, but at the perilous position of refugee waterfowl which are here from southern states. Certainly, I would applaud a move next week to introduce the necessary legislation. We ask only that the minister be given the option of imposing bag limits or a closed season, not that he necessarily should or must from year to year. We are also saying that the bag limits may vary from species to species but, if that is to apply, I could set the honourable minister's mind at rest by saying that the vast majority of people who enjoy game shooting can positively differentiate between the species and would not suffer any undue hardship.

Mr Deputy Speaker, may I also make my position clear regarding Aboriginal people. They are exempt from the provisions of the act and can take waterfowl but, in view of the season which has just occurred, it would be wise to suggest that, if they have to rely on waterfowl as a component of their normal diet, they take them only by traditional means. That does not mean blazing away with a shotgun. The preservation of stocks for the future, not only for the conservation of the species but also for the enjoyment of hunting in other years, must override any more personal considerations of people, either black or white, who like the taste of wildfowl. I do, Mr Deputy Speaker, but this season has been a disaster and I think that the minister may need to take steps as a matter of urgency.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, I too am a regular reader of the Bulletin and on occasion I also have read Mr McNicholl's column. It seems, by and large, to have consisted of fairly social items. Nevertheless, like many other members of this Assembly, when I saw that Mr McNicholl had visited the Territory, I naturally took more interest in this column than I had hitherto taken. I too was quite alarmed by the suggestion that the Northern Territory ought to import certain exotic species in order to make stock available for sport.

Mr Deputy Speaker, Australia has a reputation in the world community for its good conservation record. I think part of that is a result of Australia having a large number of species which are unique to this particular land mass. Nevertheless, the general impression of conservationists internationally is that Australia's record for protecting endangered species is a very good one. That is why I was a little amazed to see a suggestion being floated that the Northern Territory could import species very largely for the purpose of shooting them.

What has happened in other parts of the world is that large numbers of species have been almost annihilated, not solely because they have been shot out but also because the natural habitats have been largely destroyed because of the requirements of land for agriculture. Given the trend in the rest of the world - and indeed some countries are under extreme pressure to bring in more stringent animal conservation measures than they have hitherto ever been able to - it is a pity that a suggestion should be made that we now move in the opposite direction and build up stocks which are not necessarily native to this land mass for the sole purpose of then shooting them. As I say, this particular phenomenon was very largely responsible for a large number of species being almost removed from the face of the earth.

I would not consider myself an animal liberationist. I think there are some species that should be culled. I happen to know that there is a very strong bow hunting club that operates in Darwin and its members obtain a great deal of sport in shooting feral pigs. I was pleased to see that most members take a fairly reasonable and balanced approach to the question of animal conservation. We are not saying that no animals should be shot under any circumstances. But it is rather silly to start talking about the Northern Territory being a

repository for various exotic species. If they are exotic, and they can scarcely be conserved in their natural habitat, it is hardly likely that they are going to be conserved in an alien habitat.

Mr Deputy Speaker, the recent decision of the Darwin City Council to cease its wet dumping operations at the Leanyer site in my electorate has caused a great deal of interest in the electorate and indeed, I believe, in the electorate of Tiwi. The residents of Sanderson, as members know from my very many representations in this Assembly, have been agitating for the ultimate removal of the Leanyer Dump. The undertaking that wet dumping operations will cease in November has been heartily applauded by residents.

I am sympathetic to some of the fears that the honourable member for Tiwi has because it does appear that there is no site at which wet dumping will continue. Although I have heard that they will stop at Leanyer in November, I will not be throwing my hat in the air until I see that there is another site at which these operations could continue.

I think some early attention should be given to siting because I well appreciate the honourable member for Tiwi's fears. When the Leanyer Dump was set up, it was thought that residences were far away; that it would not be the nuisance that exists today. I accept her representations on behalf of her constituents as merely a prediction of what would happen if a site were not carefully chosen. I think though that the honourable member for Tiwi's call that the wet dumping operations be within the current boundary of the City of Darwin seems very unlikely to occur in practice because indeed suitable sites are very limited. I do hope though that the recent remarks of the Lord Mayor in response to the honourable member for Tiwi's call that a site not be established in the rural area is not indicative of any confrontation which will arise between the Darwin City Council and members who are looking after their electorates. Having made these sorts of calls very often in respect to my own electorate, I utterly agree with the honourable member for Tiwi's fears. We were told also that residences would not encroach within the area of influence of the dump. Of course, that has not been the experience in Sanderson.

I also want to raise a matter with the honourable Minister for Health. I heard in a recent late night radio news broadcast that the honourable Minister for Health had authorised the expenditure of money for a media campaign in relation to head lice. This is a fairly basic matter but is causing some of my constituents to wonder where the thrust of any head lice campaign should be directed. In my own electorate, there is a situation where our community health centre has been removed from its location in Yanyula Drive and placed in the new Casuarina Plaza on Vanderlin Drive.

In the old days, people living in the Sanderson area could go to the community health centre and pick up the preparation that is commonly in use for the removal of head lice. If they nowdo that, they have to actually pay for this preparation. I am told that it is really quite expensive, particularly for those families with a large number of children. As the honourable Minister for Health would know, once one particular person in the household is infected, then all members have to be treated in order to prevent reinfestation.

I was told by some families in my electorate at a school meeting I attended recently that it costs quite a bit of money to treat the number of children in some households. Coupled with the amount that it also costs to worm these children, it occurred to me that it can be quite an expensive business just to keep one's children vermin free.

Therefore, when I saw that the honourable Minister for Health had decided that a media campaign should be conducted in order to reduce the incidence of head lice, it did occur to me that perhaps that money could be applied to making the preparation free of charge to those who require it. The same effect could be achieved without incurring costs to the families which have a large number of children.

Mr Deputy Speaker, I have in the past shown some scepticism for short-term media campaigns. One in the past was the water campaign. My belief has always been that, if it is a short campaign, then the message is very easily lost after the campaign ceases. On the other hand, if the money that he is intending to use - and I believe that it is to be a radio and television campaign, which is quite expensive - could be applied to the provision of the chemical preparation which could be issued to families that needed it free of charge, I am sure the same effect would be achieved without spending any more money.

I commend that suggestion to the minister and, although it might seem like a strange subject to raise in the Assembly on behalf of one's constituents, it is of course a public health issue. The government has recognised it as such by allocating money for the particular purpose. I merely put forward the suggestion that the money ought to be applied in this alternative way.

Mr SMITH (Millner): Mr Deputy Speaker, yesterday morning the member for Stuart asked the Chief Minister a question relating to the takeover of Newcastle Waters and Victoria River Downs Stations by Consolidated Press Holdings Limited. The Chief Minister told the Assembly he had received an application for the transfer of ownership of Victoria River Downs and he had been informed that there would be an application for the transfer of ownership of Newcastle Waters Station in the near future. He informed the Assembly also that the total area of the 2 stations in question is in the order of 22 717 km^2.

The Chief Minister made reference to the provisions of the Crown Lands Act that restrict the area of pastoral leases that any one organisation can hold. Those provisions are in section 38A of the act. He said that he had not arrived at a final decision on the matter but that he was disposed to grant those consents unless someone in this Assembly or outside could show good reason within the next week or so as to why he should not.

I am concerned about this statement not because we want to express any opinion at this stage on Consolidated Press Holdings and its fitness to take up pastoral properties in the NT but because we are a little confused about his interpretation of the Crown Lands Act. Mr Deputy Speaker, as you are aware, the act was amended last year and these amendments came into force at the beginning of 1983. The section that the Chief Minister referred to yesterday, section 38A, was part of that amendment package. The new provisions allowed for the holding of an area by an individual or company of up to 12 950 km^2. However, they also allowed for a lessee to seek ministerial consent to increase his holdings to a maximum of 20 000 km^2. The act requires that such action must be in the interest of the Northern Territory.

Recently, along with the member for Tiwi, I had the pleasure of attending a conference organised by the Land Board to discuss the provisions of the Crown Lands Act. I have already made reference to that in this Assembly and expressed my thanks to the Minister for Lands for organising it and stated how useful I found it. It was held on 3 and 4 March. At that conference, one of the board members, Mr Alan Hagan, asked the Chief Minister, in his capacity as the Minister for Lands, his view of the provision that a person could acquire up to 20 000 km^2 with special consent. In response, the Chief Minister said Alan Hagan was in

fact referring to 'the top limit for the pastoral holdings'. He said that, if that aspect of the act was not working, it needed to be strengthened. The Chief Minister sought from the Land Board an opinion as to the merits or otherwise of the provision and whether it was the view of the board that there was a need to strengthen it. He said that, if the advice was that it was a good provision, we should make it work.

I do not have knowledge of whether the Land Board has taken up that offer or expressed any opinion on whether that upper limit of 20 000 km^2 is good or bad. However, it would appear that the Crown Lands Act, as it currently stands, does not provide for ministerial discretion with regard to individual holdings in excess of 20 000 km^2. It appears to me that the ministerial discretion is exercisable only between the area of 12 950 km^2 and 20 000 km^2. You will remember, Mr Deputy Speaker, that the total of the 2 stations in question is 22 717 km^2. I would appreciate an explanation from the Chief Minister. I would also be interested to gain the views of the Chief Minister with regard to the intention behind section 38A. Perhaps he can inform the Assembly as to what decision was taken by the Land Board on the question of maximum allowable holdings and what action he intends to take as a result of that advice.

I am not doubting the potential for Consolidated Press Holdings to make a contribution to the Territory pastoral industry, but I am expressing some doubts on the ability of the Chief Minister, under the act as it stands, to allow the sale of the stations to go ahead. To allow full consideration of this matter by the opposition, I invite the Chief Minister or any other honourable minister to provide an explanation as to the legal basis the Minister for Lands would use if, in fact, he were inclined to accept the offer from Consolidated Press Holdings.

This raises the general point that there is a need to address the question of maximum holdings of pastoral leases in the Northern Territory. This is well overdue. Perhaps this situation presents an appropriate time to do just that.

Mr Deputy Speaker, while I am on my feet, I would like to take up a couple of parochial issues. Again, one of them is the vexed question of toilets in the Rapid Creek Water Gardens. I am sorry to harp on what seems to be a relatively minor matter in this Assembly. I raised this matter in the last sittings. I was given misleading information by members of the government who said that the reason toilets had not been put in at the water gardens was that the residents were opposed to it. In my normal, thorough way I have checked that out and it is just nonsense. I have not been able to find any residents who expressed the opinion that toilets in the Rapid Creek Water Gardens would spoil their aesthetic appreciation of the area.

Mr Steele: I've got some news for you.

Mr SMITH: You have some news for me? Good, it is about time and, obviously, from the smile on your face, it is positive news. I will wrap this up very quickly. There have been 2 occasions recently where the lack of toilets has been embarrassing to people. One occasion was when Fun in the Parks was organised in that area and 160 kids turned up. Certainly, the fun for some of them was severely curtailed by the lack of toilets. The other occasion was when over 100 Greek people were celebrating Greek Easter. They, too, thought the water gardens an appropriate place to celebrate and also found their activities somewhat curtailed by the lack of toilet facilities. I was informed that there were not enough bushes there either!

Mr Deputy Speaker, whilst talking about the Rapid Creek Water Gardens, I have noticed, to my concern, that one of your dreaded pests - coffee bush - has

made an appearance along Rapid Creek. I hope that the Minister for Transport and Works can take that matter on board and perhaps come back with an answer in a day or two as to what action the department is able to take to rid Rapid Creek of that scourge before it takes a firm hold.

Mr STEELE (Transport and Works): Mr Deputy Speaker, the honourable member for Sanderson raised the question of the introduction of exotic animals for safari purposes. I want to be clear in my mind as to exactly what she said. I understood her to say that she would oppose ...

Ms D'Rozario: I am sceptical about it.

Mr STEELE: Oh, she is sceptical about it. Well that's okay. I have been very interested in the process of quarantine for quite a long time. To bring exotic animals to Australia is a very lengthy, protracted and complex business. To get animals into zoos is also part of that very difficult situation.

Personally, I do not object to animals being saved from the ravages of destablised countries and brought to this country with its politically stable environment so that they may be preserved and culled along lines of good conservation. In other parts of Australia and other parts of the world, sound conservation practices include safari hunters taking some animals for trophy purposes. I am not opposed to that.

Mr Deputy Speaker, I was asked a question this morning about those toilet facilities and I quickly asked my people what was going on. I am told that the Department of Transport and Works has concurred with the honourable member for Millner and identified a possible need for a toilet block. Work is proceeding at the moment on 2 demountable toilet and shower blocks which will cost $20 000 and should be completed by the end of July. These demountables will give time for a proper assessment to be made of the need to build a permanent toilet facility in the gardens. As I indicated to the honourable member this morning, the water gardens is a very pleasant place for people to congregate and enjoy the environment. I trust that that interim solution will be of some value to the honourable member.

The honourable member for Millner asked me a question yesterday on tenders for the Channel Island bridge project. I undertook to provide that information. The Department of Transport and Works, as the government's main construction authority, is often called on to provide design, tendering and construction supervision of contracts for capital works for other government departments or instrumentalities. For this particular project, the department is acting on behalf of the Northern Territory Electricity Commission. Pre-qualified tenders for the project closed on 3 February 1983 and 13 tenders were received. The 3 lowest bids were from Jennings Constructions Ltd - $3 270 502; L. Antonio and Co Nominees Pty Ltd - $3 980 456; and Steele Constructions Pty Ltd - $4 028 200. Jennings based its price on use of back-fill from a quarry close to the site but the material proved to be unsuitable. The contract was varied by $245 000 so that Jennings could obtain rock-fill from an alternative source. The Department of Transport and Works considered the price to be fair and reasonable and, as the project is outside the government's capital works program, NTEC exercised its commercial prerogative on our advice, and saved NTEC customers $464 954.

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, you would be quite aware of the very limited occasions on which I exercise a right of reply in adjournment debates. My reason for that generally is that I believe that, if I have anything to say in an adjournment debate, the time to do it is when I move the adjournment motion and not to use the opportunity afforded of rebutting

people as if I had presented a substantive motion before the Assembly. In fact, I have only done it once before and it was on an occasion similar to this.

Mr Deputy Speaker, I recall when the Leader of the Opposition - then no more and no less than the member for Arnhem - was new in this Assembly and delivered his maiden speech. As a member opposite him in the political sense, and opposite him in the geographic sense of this Chamber, I took the opportunity in the bar after we rose to congratulate the honourable Leader of the Opposition, as he now is, on the quality of that speech. It was the best maiden speech that I had heard in this Assembly. Since that time, we have heard many speeches from him, particularly in his capacity as Leader of the Opposition. Some of those speeches have been excellent, some have been good, some have been fair and very few have been bad. The effort of the Leader of the Opposition this afternoon in the adjournemnt debate can only be described by any reasonably-thinking, decent person as disgusting and revolting.

Mr Deputy Speaker, he commenced with a puerile attack on the Chief Minister. It was totally baseless and indecent. He filled out the middle with what can only be described as a gutless and cowardly attack upon a member of a minister's staff who is in no position to defend himself He used this place to assassinate the man in the most dreadful, despicable terms. It was a personal affront on a man who does no more than his job and does it well. He cannot defend himself here or elsewhere because it would be improper for the press secretary of the Chief Minister to do so. He concluded that memorable and disgusting performance - memorable because of its disgust - by defying your ruling, Sir, ignoring Standing Orders and thumbing his nose to the Chair when his time had expired in accordance with Standing Orders. He just continued his dreadful, screaming tirade.

Mrs O'Neil: Stop being pompous, Jim.

Mr ROBERTSON: I am not being pompous. I was disgusted. From the interjection from the other side, it would seem to me that, with the exception of the honourable member for Nightcliff and the honourable member for Victoria River, who have not commented, opposition members support the conduct and actions of the Leader of the Opposition in this Chamber this afternoon. Well, shame on them.

Mr Deputy Speaker, it is not a matter of this train being the Chief Minister's train. What the Chief Minister is doing is displaying something that the Leader of the Opposition would not even know the meaning of: leadership. He would not even know how to spell it. What the Chief Minister is doing is representing, as he sees fit, with all the energy and vigour available to him, together with his ministers, the interests of the Northern Territory. He is not in the process of selling us down the drain in the manner in which the Leader of the Opposition is determined to do. Most certainly, he is not in the business of denigrating this Chamber in the manner in which the Leader of the Opposition did today. Enough of that.

Mr Deputy Speaker, may I ask members who have been discussing the business of the police plane going to Channel Point to put that debate in context. Can anyone tell me the difference between taking someone like that to a nature reserve in the Northern Territory and putting him in a four-wheel-drive vehicle belonging to the Conservation Commission and showing him wildlife from that vehicle. That vehicle is an asset of the public. So are the pool vehicles across the road which are used by the Leader of the Opposition and by members on this side of the Assembly. They are a normal public asset. In my judgment, there is no difference between that vehicle and an aeroplane. They are both assets of the public and used to the best advantage of the public in the Northern

Territory. In this case, it was to take very senior journalists to a place that the Northern Territory has to offer. There is no difference between using a government four-wheel-drive vehicle to do the same exercise. There is no difference. That is the way I see it.

I listened to members opposite without interruption. I never interrupted at all during the entire course of the adjournment debate, except when the Leader of the Opposition was talking, but who could help doing that? What is the difference between using a senior and competent officer of the Conservation Commission and a senior and competent officer of the Police Force? What we are talking about is a person at senior level who not only has a remarkable skill as a Commissioner of Police but also a remarkable skill in public relations.

I am aware of a number of officers of the Conservation Commission who are not only fine marksmen but fine hunters who understand this country intimately. I am certainly more experienced at hunting than the Leader of the Opposition although it is not my great forte these days. I have never accompanied anyone as good as the Police Commissioner in that role. He is certainly the best I have ever been with, particularly in terms of his marksmanship, his understanding and sympathy with nature and his understanding of the role of hunting. It is merely 2 officers of the same public employ that you have to choose from. The opposition says we should have used a person from the Conservation Commission paid by the public. We used someone from the Police Force paid by the same public. What, for heaven's sake, are we talking about? They tell us it is legitimate to use the public purse for the purpose of getting these gentlemen out to this particular safari camp. What is the difference between using a vehicle belonging to the Department of Transport and Works or an aeroplane belonging to the Police Force as long as the assets of the public are used sensibly and taxpayers' money is ultimately protected and delivers ultimate value.

If I might take issue with the member for Nightcliff and the Leader of the Opposition, I can assure honourable members that a wounded buffalo is an extremely dangerous animal. I have absolutely no doubt whatsoever which I would rather face out of a wounded buffalo or a wild pig. Give me the pig any day. I could guarantee you that. The chances of being charged by a wounded buffalo, according to experts, is about 25%. For Cape buffalo, the chance is about 90% and, for Banteng, it is about 75%. When you have people such as old David, who is not exactly what one could call fleet of foot these days, it is necessary to have someone as backup. I suppose that it can be reasonably argued that Rob Mann from Wimray could have done the backup. However, it is part of the public relations exercise and that is what we are on about. The Police Commissioner has a particular capacity to carry out that duty on behalf of taxpayers and Territorians as he has in carrying out his duties as Police Commissioner. It is not a matter of misuse of public money at all; it is a matter of using it wisely.

Motion agreed to; the Assembly adjourned.

Mr MacFarlane took the Chair at 10 a.m.

PETITION
Alice Springs Recreation Lake

Mr ROBERTSON (Gillen): Mr Speaker, I present a petition from 1166 residents of Alice Springs relating to the construction of a recreation lake. As provided by Standing Order 84, I would advise that a previous petition lodged by me contained 4200 signatures on the same matter. This brings the total to 5366 or roughly 75% of the urban voting population of Alice Springs. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain residents of Alice Springs in the Northern Territory respectfully showeth: (a) that the construction of a recreation lake in the vicinity of the Old Telegraph Station in Alice Springs is a project having wide local support; and (2) that the construction of the lake as aforesaid is necessary both as prevention against the possible effect of 100 years' frequency flooding and as a recreational facility. Your petitioners therefore humbly pray that the construction of a recreational lake at Alice Springs should proceed with the greatest possible speed, and your petitioners, as in duty bound, will ever pray.

DISTINGUISHED VISITOR
Hon Roger Groom MHA

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of a distinguished visitor, the honourable Roger Groom, Minister for Police, Emergency Services and Transport in the Tasmanian parliament. On your behalf, I wish him and Mrs Groom a pleasant stay in the Northern Territory.

Members: Hear, hear!

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Sale and Transfer of Pastoral Leases

Mr SPEAKER: Honourable members, pursuant to Standing Order 81, I have received a request from the honourable Leader of the Opposition that a matter of definite public importance be discussed this morning. Is the honourable member supported? The honourable member is supported.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the matter of public importance is that the Northern Territory government, and in particular 2 of its ministers, improperly prevented the sale and transfer of the pastoral properties Eva Downs, Cresswell Downs and Walhallow by CSR to Tancred Meats.

Mr Speaker, the chief figure in this morning's discussion is the honourable Minister for Primary Production, even though he was acting in his former capacity as the Minister for Mines and Energy. The basis on which this

matter has been raised is that only one reason has been advanced for this intervention. The Chief Minister himself has acknowledged that it took place. He advanced the only reason that has been given for it. Again, as with many of the Chief Minister's arguments, that sole reason does not stand up to 10 seconds' examination.

Mr Speaker, this government has always purported to be the champion of the free enterprise system. It says that market forces must be allowed to decide the distribution of wealth. We have heard in this Assembly many times that it is vital that the Territory encourage South-east Asian businessmen to bring their money into the Territory. We have seen Sabah and Brunei buy cattle stations and then use them to rear cattle and export them live back to their respective countries. We have seen this government offer considerable concessions to foreign interests in the form of land and direct financial assistance so that the Territory can be seen to be moving ahead. This go-ahead private enterprise philosophy was badly contradicted last year by many disclosures about the government's main vehicle for promoting development, the Northern Territory Development Corporation. This situation arose as a result of a number of factors. The sorts of decisions which were being made and loans granted represented a misuse of resources and the development corporation was exposed to the havoc created by certain very sharp operators from down south who have since departed.

Mr Speaker, at the time, as the record will show, the government attempted to blame various public servants and others for those failings of the corporation that have so far been exposed. However, the responsibility always must lie ultimately with the minister. That is our view but, as you know, it is not shared by those opposite. The incompetence of the former Minister for Industrial Development was significant in contributing to the failings of the corporation, a fact acknowledged by the Chief Minister when he removed that portfolio from him last December. The government, and more particularly the minister, failed to perform as an effective manager of the Northern Territory Development Corporation and the result of that mismanagement is now known to the whole Northern Territory.

However, the problems of the corporation faded into insignificance at the end of last year with the disclosure that 2 senior ministers interfered directly in a private business transaction involving the sale of 3 cattle stations. I refer to the action of the Treasurer and the then Minister for Mines and Energy in preventing CSR from selling its pastoral holdings in the Territory to the Queensland-based company Tancred Meats. I stress again that the main actor in this particular piece was the Minister for Primary Production. This was a private business dealing between a major Australian company, which is in a position to play a considerable role in the development of the north and has massive resources at its disposal, and a second Australian company that was also looking to inject considerable resources into the Territory. It is also important to note that the action of these 2 ministers in disrupting this particular business deal has not only been confirmed by the Chief Minister but fully supported by him. When I put out a press release some time ago expressing my disquiet on this matter, I was rebutted by the Secretary of the Department of Primary Production rather than the responsible minister to whom I directed the press statement. I heard that gentleman on radio rebutting what I had said. When asked whether there had been interference in the sale of these properties, he said: 'No, to the best of my knowledge, there was no interference by any government ministers in the sale of these properties'. He said that despite the fact that the Chief Minister had publicly acknowledged months before that such a thing had taken place. The action was confirmed by the Chief Minister so there is no question whatever that it took place.

I would like to put to the Assembly the details of the activities of these private enterprise ministers. If I miss any of the facts perhaps the Minister for Primary Production can correct me so that the record is straight. In October last year, negotiations were under way for the sale of 3 pastoral leases in the Territory: Eva Downs, Cresswell Downs and Walhallow. The stations were owned by CSR and the company seeking to purchase them was Tancred Meats. The sale of the stations was agreed to on or about 20 October and was to go to the CSR board for final approval at a meeting to be held in Sydney on 23 and 24 October. The Minister for Primary Production and the Treasurer were in Sydney at the time and applied pressure to members of the CSR board to prevent the sale of the pastoral holdings to Tancred supposedly because this would involve the shipment of cattle out of the Territory.

This has been the only reason advanced by the government for this extraordinary action. The claim was that Tancred had a meatworks at Mt Isa and that all the cattle from these stations would be turned off and shipped out of the Territory into Queensland to the disadvantage of the Tennant Creek abattoir. I am advised that the board of CSR rejected this argument. The naivety it shows about the nature of the beef industry is nothing short of staggering. As a result, I am sure the CSR board would have given it little credence. I understand that the Minister for Primary Production, then Minister for Mines and Energy, put to the CSR board that it might find great difficulties in operating in the Northern Territory in respect to its mining interests if the sale of the stations to Tancred went ahead. Again, the CSR board refused to concede to this highly improper pressure. I understand that the CSR board then approved the sale of the pastoral leases on 25 October. Some days after that, the Minister for Mines and Energy called the General Manager of CSR, Mr Brian Kelman, who had travelled to Tokyo to negotiate coal contracts, and put it to Mr Kelman that, if the sale of the stations was allowed to go ahead, then CSR could forget about any coal contract to the Northern Territory government to supply the coal-fired power-station at Channel Island. As we all know, CSR has very significant coal holdings in both Queensland and New South Wales.

As a result of this extraordinary pressure from the minister who first threatened its mineral interests in the Northern Territory and then said that it would not get any coal contracts from the Northern Territory, not surprisingly, CSR caved in and the deal was called off on 1 November. The staff of CSR were instructed that they were to say nothing at all about the activities of the Minister for Primary Production. His activities were described to me by a senior executive of the company as 'politically filthy and an example of political blackmail'.

Tancred Meats sought legal advice as to the validity of the agreement that had been struck with CSR for the purchase of the stations and was informed that there were strong grounds upon which to fight the case that a binding contract existed. Not surprisingly, the company decided against proceeding. In fact, it was indicated to me at the time that it was its intention to proceed immediately to wind up whatever activities, however small, it had in the Northern Territory, and it has subsequently done so. Tancred has now decided to cease its operations in the Northern Territory as a result of the minister's interference in its business activities.

The covert activities of the Treasurer and, more importantly, the Minister for Primary Production in this affair exposed the contempt with which the government treats its responsibilities to the Northern Territory community. The damage done to the Northern Territory in terms of attracting investment as a result of these ministers' actions is significant. Certainly, it will not be overcome by simplistic advertisements in the national press.

I might also add that the very frank comments on this that have been made to me by many people who own and run pastoral properties in the Northern Territory would probably surprise the government. The people who have spoken to me in the strongest terms about this action would normally be CLP supporters. They have informed me, in the same strong terms as have been expressed in the press recently, that they would never vote for this government again. The damage has been considerable.

I would like to return now to the sole reason that has been advanced by this government for this absolutely unbelievable intervention to prevent the sale of these properties. Speaking on commercial radio on 18 April, the Chief Minister said:

> *What would have happened if the ministers had not involved themselves in the transaction and CSR disposed of its property on the Barkly Tableland is that the Tennant Creek meatworks would have been closed down with a loss of a couple of hundred jobs ... I fully support the action of ministers Perron and Tuxworth in getting involved in that transaction.*

Mr Speaker, the Chief Minister said that, if Tancred was not a multi-national company, it was at least a very big Australian company, and that was a bad thing. Absolute nonsense! I would be interested to hear from the Chief Minister how the fate of the Tennant Creek meatworks was totally dependent upon the turnoff from 3 cattle stations. I would also be interested to hear from the Chief Minister a detailed explanation about his extraordinary theory of how the price mechanisms in the Northern Territory beef industry operate. In fact, as I will demonstrate in a minute, the former Minister for Primary Production, the honourable member for Ludmilla, understands it very well indeed. In that ridiculous public statement, the Chief Minister has endorsed the policy that shows complete ignorance of the Territory's beef market to the extent that I do not believe that any credence could be placed on it at all. The Chief Minister is not that ignorant but the excuse put forward was nonsense and he knew it.

Mr Speaker, in evaluating live stock production in the Territory, one must include the eastern part of the Kimberley region of Western Australia and also the western areas of Queensland. The meatworks servicing the region are those in the Territory as well as meatworks at Wyndham and Mt Isa. It is a fact - and I know the honourable member for Ludmilla will endorse this - that ruling southern prices are a major determinant of the level of return to our producers in the Territory. Local prices equate with southern capital city prices less the cost of transport to that particular capital city. Local meatworks offer a price that is just sufficient to make interstate shipping unattractive. Unlike down south, there is no price-fixing mechanism comparable to public auctions that can equate supply and demand. The minister knows that. The price is determined by a treaty between buyers from the meatworks and a particular property and reflects the transport situation of that property, as you, Sir, well know.

Mr Tancred said on ABC radio that Tancred-owned stations in the Territory would operate like Tancred-owned stations anywhere else and, I might add, like any stations anywhere else: lighter cattle would go to local meatworks and the fat cattle, which would attract better prices, would be shipped interstate. Tancred operates like any other commercial operator. That is how it operates its other cattle stations throughout this country. The pastoral division of Tancred sends its cattle to where it gets the best price, like everybody else. For the Chief Minister to suggest that a certain station owner would ship cattle to Tennant Creek irrespective of the price offered at the

meatworks is absolutely stupid.

Even the Minister for Transport and Works, as I have said, knows the actuality of the operation of the beef industry in the Northern Territory. At the end of last year, while the member for Ludmilla still held the primary production portfolio, in an interview on the ABC Country Hour program, he said: 'A lot of cattle go past the Alice Springs abattoir and go to the Adelaide market. There is a very good reason for this: fat cattle go to a fat cattle sale and the Alice Springs abattoir does not accommodate them as far as price is concerned'. That is absolutely correct. It is a complete contradiction of the ridiculous reason put forward by the Chief Minister for this extraordinary action.

Mr Speaker, the new owner of the stations that we are talking about, the person who eventually bought them, instead of the person who was going to buy them, already has substantial holdings in the Northern Territory. He had them at the time: 4 cattle stations. Two of those cattle stations were on the Barkly Tableland adjacent to the Tennant Creek meatworks. The government stepped in and stopped Tancred from buying the station on the grounds that it would ship the cattle interstate. Another buyer bought the station. It is very easy to check on the record of this other buyer, who now owns these 3 properties, in shipping cattle through the Tennant Creek meatworks. It is very easy to find out because the records are there to show it. This new buyer, who bought the properties in 1982 with the agreement of the Northern Territory government, turned off thousands of cattle from these properties, 2 of which are on the Barkly Tableland. The number of cattle carrying this pastoralist's brand that passed through the Tennant Creek meatworks last year amounted to 14 head. If that does not expose the Chief Minister's reason as palpable nonsense, I do not know what would. Most of the cattle from these properties were shipped to Queensland.

Mr Speaker, that is not a criticism of that particular pastoralist. It simply reflects the prices being offered at the various meatworks and the ability of the pastoralist to minimise transport costs. In March last year, steer prices in Queensland were up to 38% above prices offered in the Northern Territory. In May last year, prices in Queensland were up to 60% above local prices. For cows, a similar picture was apparent.

The Chief Minister's one argument in support of interfering with the sale of cattle stations is simply nonsense. The implications of the minister's actions are so grave that a proper explanation has to be given in this Assembly immediately, and by the Minister for Primary Production not the Chief Minister. We all know what the Chief Minister did with him. He sent him to Victoria River Downs Station with an absolute command to shut his mouth and say nothing. He did that. The only public comment has been made by the Chief Minister, and it is nonsense. The minister must answer these allegations. The information I have been given is very precise. No longer can we tolerate the minister making errors, showing himself to be totally incompetent and then being banished to the bush by the Chief Minister.

The Minister for Primary Production is under immense political pressure, and rightly so, because of his total incompetence. Not only has he interfered openly in what was a private business transaction but he also faces other charges of interference at the moment. The moment of truth for the honourable minister has now arrived. I want to know this morning if he is prepared, in front of the honourable member for Ludmilla and you, Sir, to support seriously the argument that has been put forward by the Chief Minister. I would like to see the Minister for Primary Production demonstrate his knowledge of the beef industry and support those arguments. He has no

choice but to give a full explanation to this Assembly as to why he took action to prevent the sale of these 3 cattle stations. It begs the question. It has been demonstrated in my view that the only reason given is nonsense. Therefore, I would like an explanation from the honourable minister as to the real reason behind the interference. He has either to give that or he has to get behind his Chief Minister and support the reason already given: that it would have meant that cattle would be turned off away from the Tennant Creek meatworks.

Mr Speaker, this government is seriously proposing at the moment to increase the size of this Legislative Assembly by 6 members. I have objected to that on the grounds that it would not for one minute improve the quality of government in the Northern Territory. If we get 6 members for Barkly, the cold, hard, mathematical facts are that 6 nothings still equal nothing. The honourable minister is on the spot this morning. He is the member who represents the Tennant Creek meatworks. I know that the meatworkers and the local cattle people there are very interested to hear the explanation. I might add that, when the Chief Minister put forward his explanation as to why this interference took place, one could hear them laughing in Darwin. I would like to see the Minister for Primary Production, who has to deal with them on a day-by-day basis, seriously advocate the same reasons this morning for his interference.

The allegations are serious, and I repeat them: as Minister for Mines and Energy, he told CSR that it would have a great deal of trouble operating on its mineral leases in the Northern Territory if it did not buckle under. It did not buckle under that initial pressure and the board went ahead after that pressure was applied and approved the contracts. That was not enough. He then personally telephoned a very senior executive of the company in Tokyo and said to that person, who was over there negotiating sales contracts for CSR's coal, that if it did not reconsider that decision, it could forget about supplying coal to the Northern Territory's coal-fired power-station. These are pretty serious allegations. I know my information is absolutely 100%.

There is only one way the minister can get out of this: in this Assembly this morning he must put up a credible reason as to why this interference took place. If he does not do that, he must join the Chief Minister in his palpable nonsense. Either way, the onus is on the minister.

Mr TUXWORTH (Primary Production): Mr Speaker, the Leader of the Opposition stands there and says to me that, if we had 6 more noughts like me, we would be nothing. Let me put it to him that if we had 6 more guys like him, the Northern Territory would not be $200m up the spout, but it would be $1200m up the spout, because he and the people who think like him would have the ability to sell us out again. Once again, the Leader of the Opposition has had his brains kicked out in the sittings and he is looking for something that will get him a little bit of credibility. He has been caught with his fingers in the till by telling fibs about going to Canberra with Mr Bannon.

Mr Bell: Whose credibility?

Mr TUXWORTH: If the honourable member for MacDonnell will just bide his time, he will get his comeuppance in a few minutes.

Mr Speaker, this gentleman has been found over the last couple of days to have told untruths. He is not happy about it; he never is. He stretches the truth. He takes words out of context. He puts them with other words and makes all sorts of deductions. Let us just look at it. This morning's

little blast was more air. If you take out the venom and the theatrics and listen to the words and not the music, you get a different picture. It was a pretty hollow effort.

I will run through what I know to be the facts. Late last year, my colleagues and I had a discussion on the philosophy of meatworks' owners and operators owning and controlling large cattle stations in the Northern Territory or, conversely, controlling large numbers of cattle in the Northern Territory, which could affect the viability of any works in the Northern Territory. After the discussion, there was no doubt in our minds that there could be a conflict of interests between people controlling large numbers of cattle and owning works at the same time. Let me make it quite clear that I am not levelling allegations at anybody about the impropriety of owning stations and meatworks. I am suggesting that there could be a conflict of interests from time to time.

Quite extensive discussions took place because of the government's involvement in several works in the Northern Territory by way of loans or securities and the importance the works play in the economy of various towns. The discussion was not treated lightly at all. In Alice Springs, the meatworks is owned by someone who does not have any pastoral interests and the same applies to Tennant Creek. In Katherine, the meatworks are owned by people who have pastoral interests and control very considerable numbers of cattle. That matter was taken into consideration.

The government decided that, in future, it would prefer, as a matter of philosophy, that the owners and controllers of stations and large numbers of cattle were not at the same time meatworks operators. We did not have an interest for anybody except the people of the Northern Territory. We were not interested in the people who own the stations or the meatworks. We felt it would be helpful to the farming community and the productivity of the works if the industry was totally competitive. We were not looking out for Hookers or CSR or Tancred or any other group. I might say that it is particularly interesting that the Leader of the Opposition has taken up the cudgels for Tancred who, to my knowledge, have never owned a square kilometre of land in the Northern Territory. We believe that the optimum time and place to turn off cattle is, as the honourable Leader of the Opposition says, a decision that should be taken by the pastoralists. It should not be influenced by other interests. If the people controlling large numbers of cattle had meatworks, then there could be a conflict of interest. We believe that is not necessarily healthy.

I would like to inform members that CSR advised members of this government, probably 6 to 12 months before it sold its properties, that it wished to acquit itself of its properties. When it was raised with me, I said: 'Fine, that is its affair'. I had never given it another thought. It was raised with my colleague, the now Minister for Transport and Works, and his view was much the same. CSR advised me at the same time that it had acquired the properties in an acquisition bid that it had made some time before. It did not take the properties because it had an interest in them as cattle stations. It had acquired them from an English company which had very considerable interests right throughout Australia. The Barkly Tableland cattle stations were thrown in as a part of the deal. CSR felt that it was happy to let them go and the government did not mind that. I believe, and have always believed, that CSR is a good corporate citizen whatever the honourable member might say.

When the decision was made by CSR that it would like to sell to Tancred, we were advised. I took the opportunity of advising the CSR people that the

government had determined that it did not want large numbers of cattle properties owned in future by people who owned and operated meatworks. This related particularly to people who owned Tennant Creek, Katherine, Alice Springs, Mt Isa, Darwin or Wyndham meatworks. That point was made quite clear. When these properties were on the market, an approach was received from the owners of the Alice Springs meatworks who expressed an interest in taking them over. They were given exactly the same advice and they decided that they would not go ahead with it.

Let me make it quite clear that I do not see that there is anything improper about this government moving to protect Northern Territory interests. This government is keen to see that the produce of cattle stations is sold at the right time so far as the condition of the animals is concerned to the right meatworks and for the best price that the farmer can possibly get. That is how pastoral properties become profitable and well run. We also believe that it is an owner-farmer decision, not a corporate decision. Where a corporate group owns stations and meatworks, it can decide that it will turn cattle off now or later or not at all to the benefit or disadvantage of a particular meatworks whether it is its own or someone else's. We do not see that that is a particularly healthy thing.

The Northern Territory government does have an interest in this. Its interest is to see that the land is properly used in a pastoral sense and is made as profitable as possible. When a government determines that it will not transfer a lease, that is not interference. The government has the right to decline the transfer of a lease if it so wishes. One cannot call that interference. If that is the Leader of the Opposition's idea of interference, it must be the same as his idea of paying $200m for our railway line.

At Tennant Creek, the government does have a responsibility. We happen to have a $1.12m loan invested in the Tennant Creek meatworks. It is a very new works which is still moving to reduce its liabilities. The other fact is that 200 jobs are involved in Tennant Creek and that is important to the viability of the community as well as to the personal well-being of the people involved. If there is anything the government can do to see that the meatworks has a fair go, then it ought to be doing it. I say that about all the meatworks in the Northern Territory, not just one or two of them.

If Tancred had bought the CSR properties and if it had decided to turn its whole product off to Queensland or elsewhere, that could have had a very important bearing on the productivity of the Tennant Creek meatworks because those properties had been sending about 7000 animals a year to the Tennant works. As the honourable member would know from his own interest and involvement, the Tennant Creek meatworks management has to have about 47 700 animals in sight to kill for the year because, if it does not get that number of cattle, it is not even worth opening the doors. It must have a minimum kill target to maintain its viability. The government's interest has not been to control or interfere with anybody but to see that the Northern Territory obtains the best possible deal for its involvement.

Mr Speaker, I would like to turn to Tancred's involvement. Whilst I have only been the Minister for Primary Production since 1 December, I have been around for a few years and I have never met the Tancred people. I can honestly say that, while I have been in this job, I have never received a piece of correspondence from or a telephone call from the management of the Tancred group. That would seem to me to be a very interesting fact. My experience has shown that, when people come to the Northern Territory to be corporate citizens and investors, the first thing they do is meet people

involved in the government.

The second point is that the Leader of the Opposition has been claiming that Tancred - this wonderful, wholly-Australian group - has been denied an opportunity to invest in the Northern Territory. Tancred must be 50 years old. In the Northern Territory, in those years, it has owned 3 shops and a warehouse. I have no knowledge, and I am researching it now, of Tancred's ever owning a pastoral property. If it was genuinely interested in being a pastoral and corporate member of the Northern Territory, I think that, in the last 20 or 30 years, it has had more than ample opportunity to put its money up and show its interest in a genuine way. I make the point, too, that there is still plenty of opportunity for it to do that if it wants to. I would also make the point that, while it is a big company and may have many other investments that people do not know about, I have no knowledge of any other Tancred investment.

Let us turn to the Leader of the Opposition. The honourable Leader of the Opposition said that I went to some extraordinary lengths to stop this sale. Mr Speaker, that is absolute rubbish. I conveyed to the management of CSR the government's philosophy on the ownership of stations by people that own meatworks. That was done in what I believed to be a very proper manner. I will come to that in a moment. Let me just deal with something that the honourable Leader of the Opposition said that is just so far from the truth that it is unbelievable. In fact, I would declare it as an outright lie, Mr Speaker, and I will say that right now.

Ms LAWRIE: A point of order, Mr Speaker! I understand that that is totally unparliamentary language and request that it be withdrawn.

Mr SPEAKER: Will the honourable member withdraw the word 'lie'?

Mr TUXWORTH: Yes, I will replace it with 'untruth', Mr Speaker, if I may.

The honourable Leader of the Opposition said that I called Brian Kelman in Tokyo threatening reprisals concerning that company's business dealings in the Northern Territory. Mr Speaker, let me say to you that I have never called Brian Kelman in Tokyo. The occasion the honourable member is fishing after and alluding to occurred because I had dinner in Sydney with Jack Campbell, who is one of the senior people in CSR. I had with me 2 senior representatives of the Northern Territory government. I can tell you, Mr Speaker, that I made no threats nor did I compromise myself or the government in any way.

The honourable Leader of the Opposition told another untruth when he said that the Treasurer and myself were in Sydney at the same time. That is another bit of tampering with the truth. A check of the diaries would show that we were about 2000 miles apart.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr ROBERTSON: Mr Speaker, I move an extension of time for the honourable minister.

Mr B. COLLINS: Mr Speaker, I would like to point out to this Assembly ...

Mr ROBERTSON: A point of order, Mr Speaker! There is no debate on the question.

Mr B. COLLINS: Mr Speaker, it has been the practice of this Assembly for 5 years - and I might say that, until now, it has been adhered to by the Leader of the House who arranges the business - that one extension of time is offered to the lead speakers on both sides on any debate. Out of courtesy, I requested an extension of time for my speech which I could have used. I was told by the Leader of the House that it could not be granted on a matter of public importance discussion. The Leader of the House has another speaker on his side lined up and that speaker can take up where the minister left off. If he is prepared to make those rules for the opposition, in fairness, he should make them for the government.

Mr SPEAKER: The question is that the motion be agreed to.

Mr ROBERTSON: Mr Speaker, it is completely unfair for a minister of the Crown not to have an extension of time to properly argue wide-ranging allegations put forward by the Leader of the Opposition especially when the Leader of the Opposition himself has asked for those answers.

Motion agreed to.

Mr TUXWORTH: Mr Speaker, the honourable Leader of the Opposition demanded of me earlier a complete explanation. When I am on my feet to make one, he does whatever he can to stop it.

Members interjecting.

Mr SPEAKER: Order! I draw honourable members' attention to Standing Order 60: 'No member may interrupt another member unless to call attention to a point of order or privilege suddenly arising, to call attention to want of a quorum, to call attention to the presence of strangers, to move or close a motion or to move that business of the day be called on'.

Mr TUXWORTH: Mr Speaker, the honourable member suggested that I had made improper threats to CSR. Let me give my perception of my relationship with CSR. The CSR people have been over a long time and still are very important citizens in the Northern Territory corporate community. They have major alumina interests at Gove and they have been willing to become involved in the uranium province for some time. They hold a large number of exploration permits. They are currently looking at developing cashew nuts in the Northern Territory. They have shown particular interest in our oil and gas developments because they are becoming heavily involved in the energy scene. The directors of CSR are also directors of other boards of Australian companies that have interests here.

I am not going to cut my nose off to spite my face. I know that these people are important to the Northern Territory. I went about explaining the government's philosophy to them in a most polite and delicate way. I accept that the government of the Northern Territory cannot please everybody. I am sorry that I cannot please Tancred. I can give an assurance that, so far as I am concerned, CSR has not been heavied. The government is looking for the best deal for the Territory, not necessarily the best deal for any particular corporation.

Mr Speaker, I would just like to turn to a press release the Leader of the Opposition put out on 12 April 1983. Today, he has accused the government of driving business out of the Territory by interfering in normal private enterprise transactions. The transfer of pastoral leases and other leases from one company to another is not an interference by the government. In fact, it is a direct government responsibility. The Leader of the

Opposition said the giant beef concern, Tancred, was pulling out and that was a major blow. It closed 3 butchers shops and a warehouse. This major beef concern has not done anything on a pastoral property here in the last 50 years so far as we know.

Mr B. Collins: I was talking about potential investment.

Mr SPEAKER: Order! I draw honourable members' attention again to Standing Order 60 and I ask them to avoid my having to use Standing Order 205. If members have the time to look that up, it might interest them.

Mr TUXWORTH: He went on to say that we had lost what could have been a multi-million dollar investment and hundreds of jobs. As I understand it, there was a queue of people waiting to take over the CSR properties. As it turned out, one person bought them and I know of one other who had an interest in buying them. To say that we had lost an investment is absolute tripe. Where do the hundreds of jobs come from, Mr Speaker? The only hundreds of jobs we would have lost would have been in meatworks employment. He accused myself and the Treasurer of forcing Tancred out of the Territory. Let me say quite openly: I would welcome Tancred to become property owners in the Northern Territory so long as it abides by the philosophy and the rules of the government.

The Leader of the Opposition said: 'Mr Perron and Mr Tuxworth have gone to extraordinary lengths'. He did not even get the place, the time and the wherewithal right. He continued: 'Negotiations between Tancred and the owners CSR have been almost signed and sealed'. Anybody would know that any contract for the transfer of property in the Northern Territory would be subject to ministerial approval. He said that I had flown to Sydney to talk to the directors of CSR. I was on my way back from Canberra where we had a health conference. It concerned an amount of money that we believed the Northern Territory should be getting from the Commonwealth and which it was a bit reluctant to part with. He said: 'It is outrageous that the government meddled'. As I said, government oversight of the transfer of leases and the determination of whether it will transfer or not is not meddling. Then he went on to say that the Territory was being made to suffer. Who suffered and where? Territorians did not suffer. The policy and the philosophy that we are implementing will do more good for the Territory than the one the honourable Leader of the Opposition is proposing to the people. I can say with sincerity that we believe that the development of the cattle industry in the Northern Territory will be best achieved when the meat processors and abattoir operators are quite divorced from the people who operate the stations. I have yet to have anybody from within the cattle industry, or from without it, argue with me on that point.

The Leader of the Opposition's speech was pretty heavy on innuendo, suggestion and accusations, Mr Speaker. Again, he has not put up anything at all to suggest that what I and my colleague have been involved in on behalf of the government was improper. I put it to you, Mr Speaker, that it was not improper. It was a perfectly responsible thing to do.

Mr SMITH (Millner): Mr Speaker, this is the second occasion in 2 days on which I have been forced to rise to address myself to the government's naivety in financial dealings and general management of ...

Mr Tuxworth: False!

Mr SPEAKER: Order! I draw honourable members' attention to Standing Orders 60 and 205.

Mr SMITH: Mr Speaker, I found it interesting, to say the least, that the honourable member opposite started off by coming up with this policy, which I am sure is news to everybody in this Assembly. I am very sure CSR and Tancred will be most interested to hear that this government is not going to sell cattle stations to people who have substantial interests in meatworks. He made that point at the beginning of his speech. Two and a half minutes later, he made the point that he is willing to receive further offers from Tancred. As far as I am aware, Tancred has not disposed of its meatworks. What sort of policy is it? I would suggest that is a policy that the government developed this morning and is prepared to give away this afternoon. It is a policy that does not make any sense; a policy no one has ever heard of before. It is just nonsense. It is an attempt by the minister to get out of something that is inexplicable. It is an attempt by the minister to attempt to overcome the mistakes and stupidity of actions taken in this particular issue.

Mr Speaker, let us come back to the real point: a major Australian company, CSR, in the top 10 bracket in the Australian economy, with widespread interests in the Northern Territory, was negotiating to sell 3 Northern Territory properties to another major Australian company, Tancred. Tancred owns cattle properties elsewhere in this continent. It owns meatworks. It is a respected organisation. The fact that it does not own property in the Northern Territory is not its fault and cannot be held against it. That is what this discussion is about. To make that a major point in the argument is just ridiculous. Negotiations between these 2 companies were all but finalised. The minister has said that he was aware of CSR's desire to sell these properties for 6 months before October of last year. The negotiations were all but finalised when the Northern Territory government stepped in. The government's basis for stepping in is contained in what the Chief Minister said on commercial radio. He said: 'What could have happened if the ministers had not involved themselves in the transaction where CSR disposed of its property on the Barkly Tableland? The Tennant Creek meatworks would have been closed down with the loss of a couple of hundred jobs'.

That reason differs substantially from the reason the minister put up today. I submit to you, Mr Speaker, that it is a retrospective reason and that it was not the reason at the time. It is ridiculous to argue it. The reason does not make sense anyway. That point was very clearly covered by the Leader of the Opposition. The point is that, in this whole exercise, they have revealed that they do not know how the cattle market operates. It is not particularly important who controls pastoral properties in the Northern Territory because the basic principles of how the cattle market operates are largely autonomous of individual owners. All owners follow the best market. We have heard that Tancred intended to follow the generally accepted principles of cattle marketing. It would send its light cattle to the local meatworks and its fat cattle to meatworks, abattoirs and saleyards in the south where it would get a better price.

Mr B. Collins: That is what they do everywhere else.

Mr SMITH: That's right. That is what the existing owner of these 3 properties has done with those properties in the Northern Territory. It is not exceptional; it is common commercial practice. It is ridiculous of the government to argue the reverse. It shows again that, in a very important area of the Northern Territory economy, it does not have a clue about how the market operates. That is the key point here: it does not have a clue. Because it does not have a clue and because it has these strange sorts of principles that it rakes out when it suits, it has put offside one of the top 10 companies in this continent, one of the companies that has the

greatest potential to invest in the Northern Territory. It has also put offside a major meatworks, cattle property and butcher shop owner. I have no hesitation in saying that my household was very sorry to see Tancred butcher shops go because they had the best meat in the Northern Territory. Tancred was offering a high-quality butcher shop service. The result is a small but fairly important disadvantage to the householders in the Northern Territory.

Mr Speaker, one of the other major matters that the honourable Leader of the Opposition touched on was the question of the pressure exerted on CSR. The minister has admitted that CSR did not accept the reasoning provided by the government. Certainly, I do not blame it because the reasoning is fallacious. No one with any knowledge of the industry - and certainly CSR has a good knowledge of the industry - could accept that reasoning. The Leader of the Opposition said political blackmail had been applied by the honourable minister opposite in attempting to get CSR to change its mind. The minister engaged in what was really a fairly skilful exercise in trying to skirt around that. He did not deny either of the 2 major allegations that he had put pressure on CSR by threatening its continued mining operations in the NT or that, if it continued with the sale, it would not be able to sell coal to Channel Island. He did not deny those allegations. He just said that they did not take place exactly at the time that the Leader of the Opposition mentioned. He did not ring Mr Kelman in Tokyo. He did not say quite clearly and specifically that he did not have a conversation with Mr Kelman where this sort of political blackmail was imposed. His was a very clever attempt but it does not work. We know it has happened. We have had confirmation that it happened.

This again reveals the lack of credibility that this Northern Territory government has. The government, with some justification, has been called a cowboy outfit. That description is particularly apt in this context. More importantly, it fits overall. What we must realise is that, unless the government gets its act together, and improves the way it goes about these things, it will do irreparable damage to this community. Through this particular exercise, it has already done incredible damage and put offside both CSR and Tancred. It is time the government woke up and learned to operate as a government rather than a bunch of hicks.

Mr PERRON (Treasurer): Mr Speaker, there have been one or two speakers today who do not know one end of a cow from the other.

Mr Smith: You are the second.

Mr PERRON: I guess it is not high on the curriculum of school teachers these days.

We have been listening intently trying to get some substance to what on earth this matter of public importance discussion is all about. It seems to me that it all boils down to a fairly simple principle that the opposition and the government disagree about: the protection of the interests of Territorians and the role of government in that very question. As has been pointed out in the Assembly, and certainly every member here knows, there is a provision in the Crown Lands Act which requires the transfer of a pastoral lease between owners to be approved by the minister. One could wonder why such a power is there if it is not to be exercised from time to time. It may be that a minister decides that a pastoral property should not transfer between a proposed purchaser and a willing seller. Obviously, the provision is there for good reason. It has been endorsed by major amendments to that act over the last 12 months.

To my knowledge, no one has suggested that that section in the act should be abolished because that is certainly what we would have to do if we took the member for Millner's point. He made the statement here - and I am sure he will have it thrown back at him now and again - that it is not important who owns cattle properties in the Northern Territory. He would not get many Territorians and possibly not very many Australians to agree with him. Obviously, he would not mind if all the pastoral properties in the Territory were owned by a single owner or if that same owner owned all the meatworks in the Territory or indeed all the meatworks in Australia. He made a bald statement, which presumably reflects the view of the opposition, that it is not important who owns cattle properties in the Northern Territory. I certainly disagree with him, as do all members on this side of the Assembly. Obviously, he does not support the section in the Crown Lands Act which gives a minister the power to refuse transfer. As well, he does not support the section in the act which provides, as a general rule, that a person or company shall not own more than a specific area in pastoral holdings in the Northern Territory, even though for the last couple of days he has been asking the Chief Minister questions on that very subject. Here, he tells us that he is not interested in who owns the properties in the Territory and that means he is not interested in how many properties they own in the Northern Territory.

Mr Speaker, federal and state governments become involved in who owns land and, in some cases, other business enterprises in the Territory. The FIRB, under the Labor government, recently blocked the takeover of a property in the Northern Territory - I think it was Rosewood - by Asian interests. The FIRB want to have a look at it more closely because it may not be in Australia's interests. Now that is interference in private enterprise; it is interference in dealings between 2 parties who have reached an agreement. If the Australian government can take such an interest to protect Australia, why should not the Northern Territory government take an interest in protecting the position of the Northern Territory within the Australian scene and within Australian law, particularly Northern Territory law. We have a tender-preference scheme which does exactly that. I have not heard the opposition object to that. It cost taxpayers' dollars, more so than if we did not have such a scheme. This scheme was designed solely to benefit Territorian businesses and contractors over interstate contractors. It is exactly the same principle: looking after the Northern Territory. What is the government here for if it is not to do those things? For some reason, according to the opposition, there is one area where these principles are acceptable, and there is another where they are unacceptable.

The Leader of the Opposition would have us believe that the owner of a meatworks in Mt Isa, competing with 3 meatworks in the Northern Territory, would favour the NT meatworks. They compete with each other and they also compete for the live export market. They compete with live cattle taken south for killing as well as live cattle taken north of the Territory for eventual killing. He would have us believe that a person with a meatworks interstate will place the Territory first when he makes business decisions about where cattle from his properties are to go. Would such a person see his meatworks shut down earlier in the season whilst his properties sent meat to another abattoir? Would he have the meatworks run at half capacity because his local manager was selling stock down the track to someone else? Would he tolerate that happening? Of course he would not.

If the Leader of the Opposition thinks that such companies will not protect their interests, he is living in fantasy land. In this case, we are certainly talking about integrated interests: production, processing, packaging, distribution, promotion and retailing - that is a vertically

integrated business. The opposition is trying to tell us that each section of this business is run so totally independently that, despite the fact that they have a single owner, they will all survive or perish independently from each other. That is simply not true. Integrated businesses can run loss transport operations in order to show profits or losses elsewhere within their companies. Nevertheless, the opposition said today that that has no bearing on the question whatsoever and that we should not have played any role whatsoever when it was learned that these properties were proposed for sale to Tancred. The message given to CSR was that we did not want the properties sold to existing meatworks owners. There were other buyers available and it could sell them to whom it wished.

Because of this action by the government, we are told that we have railroaded investment out of the Northern Territory. I presume the investment they are talking about is the purchase of the properties themselves. If it was not that investment, what other investment was it? I do not recall any plan proposed by Tancred to swarm across the Northern Territory with a widespread network of businesses and thousands of jobs. That is the figment of the imagination of the opposition.

We are told that we have been denied a multi-million dollar investment in the beef industry. I do not think we have been denied it at all. Tancred may not be making it but other people are. The properties were still purchased. I do not think anyone has been denied. The company is pulling out of the Territory completely. The company, described as 'a giant beef concern', was pulling out of the Territory forever. It really sounds to me as if this giant company had been part of the Territory's beef industry for a century or more. There are large companies which have been around for that long. This was in the press releases issued by the Leader of the Opposition. This 'giant beef concern' did not have very many interests in the Northern Territory. From what we understand, it had some butcher shops and a warehouse so that it could sell Queensland beef. That is fine. We do not mind Queensland beef being on the market. But, to have this whole matter portrayed as some shattering disaster for the Northern Territory is a sham. That is the way it has been portrayed.

Certainly, the government is concerned that any company should pull out of the Northern Territory for any reason at all. We go interstate and we are reasonably successful in encouraging companies to come here. The opposition is talking as if the very economy of the Northern Territory has been shattered and it will take years to recover. If we really wanted to go about shattering investor confidence, we could take a few lessons from the ALP. I suppose the prime example is their policy in regard to uranium. At a time when this country desperately needs jobs, investment and export earnings as never before, the federal government goes out of its way to stop 2 new mines, which could proceed virtually immediately, by a mere signature from a federal minister. That is the sort of open arms investors get in this country with a Labor government. Let us not hear too much more talk about that. We have had in this Assembly attacks by members of the opposition on almost every major proposed investment in the Northern Territory by an Asian interest. There has been a great deal of scare tactics which has done a lot of harm overseas. We have also had the persistent attacks, through unsubstantiated innuendo, on the NTDC and on the work it has been trying to do.

Mr Speaker, this matter of public importance is a non-event. We have had groundless allegations made today. They are totally unsubstantiated and I think it is simply an abuse of the privileges of the procedures of this Assembly.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent 3 bills, the Financial Administration and Audit Amendment Bill 1983 (Serial 302), the Ombudsman (Northern Territory) Amendment Bill 1983 (Serial 303), and the Public Service Amendment Bill 1983 (Serial 304), being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee report stages and the third readings of the bills together, and the consideration of the bills separately in the committee of the whole.

Motion agreed to.

FINANCIAL ADMINISTRATION AND AUDIT BILL
(Serial 302)

OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL
(Serial 303)

PUBLIC SERVICE AMENDMENT BILL
(Serial 304)

Bills presented together and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bills be now read a second time.

The bills are related in that they deal with the procedures required to make acting appointments. The present procedures are unwieldy and, in certain respects, I believe need clarification. In the case of the Ombudsman, the present legislation requires that the Administrator make an acting appointment on the recommendation of the Legislative Assembly.

From an administrative point of view, it is cumbersome to go through this procedure in cases of short absences such as recreational leave. The relevant bill provides for the Administrator, acting on the advice of Executive Council, to make acting appointments for periods of up to 3 months. In the case of the Auditor-General, the effect of the existing legislation is to require the Executive Council to meet to recommend to the Administrator that the Auditor-General should take leave and that a person be appointed to act in his place. The relevant bill provides for the minister to grant leave of absence to the Auditor-General and also to appoint an acting Auditor-General for periods of up to 3 months in the absence of the incumbent.

In the course of drafting these amendments, section 19(4)(b) of the Public Service Act, which sets out the powers of the minister to temporarily appoint departmental heads, was adapted for inclusion in the bills. The effect of the section is to empower the minister to direct a person to act as a departmental head for a period of up to 3 months. While there are strong arguments to support the proposition that the minister may make a second or other discrete direction rather than an extension at the expiration of an earlier direction, it is considered that the provisions of section 19(4)(b) of the Public Service Act need clarification to put the powers of the minister beyond doubt. Accordingly, provision has been made in the 3 bills to provide specifically for further consecutive acting appointments to be made in the relevant contexts. I commend the bills to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 286)

Continued from 17 March 1983.

Mr LEO (Nhulunbuy): Mr Speaker, the Chief Minister correctly pointed out in his second-reading speech that the bill provides amendments to 2 principal sections and a new section which would insert a 12-month probationary period for new recruits into the act. The opposition certainly supports that.

The bill also deals with the appointment of police aides and the conditions of their employment. At the moment, their conditions of employment and remuneration are determined by the Administrator. It is felt by the government and certainly by the opposition that police aides should have their own award structure. The opposition supports the bill.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, the attitudes of a constable may well and truly change after he has been in the force for some time. We would all agree that police work is a demanding job. There may be aspects of the job which were not fully understood by people when joining the force.

In the police force, we need the right people - people who fit in well. The early joys may wane and constables may well want to get out. They can get out by resigning but, while jobs are hard to get, people will put up with more than they would normally. It is most important that we do not get square pegs in round holes. It is often better for all concerned that an unsuitable person leaves the force.

At the moment, there is a probationary period for the police: 6 months with the right to extend for another 6 months. This amendment attempts to introduce a 12-month probationary period, which is fairly consistent with other services. A similar provision was introduced to the teaching service just before I left. I do not remember any changes to it. Certainly, while a person is on probation, it is easy to form an impression of his best capabilities. I have presided over probationary teachers. Unfortunately, when people finish their probationary period, they tend to lose their edge and stop giving of their best. They do not all follow that pattern but some certainly do.

Twelve months is a more reasonable period to form an opinion. I am awfully pleased to note the bill allows for an extension of even that period. There are people who are no doubt very keen and set their heart on a job but, for various reasons, are not fitting in too well. I have seen in the teaching profession people who do not know how to control children and yet their capabilities and knowledge of their subject are excellent. I believe an extra 6 months is a good idea. The time could be extended if a person is still keen to overcome the difficulties. I am sure the police would try to help a new constable overcome any difficulties. Counselling should be available.

Whether it takes 12 months, 18 months or even 24 months, the result will be efficient, capable and coping constables who are enjoying their jobs and getting satisfaction from them. Anything less would be likely to lead to resignation. That is not what we are after. Sometimes it is necessary to be cruel to be kind to someone who is not fitting into a particular job. He hangs on to it because he cannot see his way clear to get another job somewhere else. It is often best that someone bring the chopper in. This

bill will allow for that.

The other part of the bill relates to the pay and conditions of police aides. These people are members of the police force and I am happy that the opposition is in agreement that their pay and conditions should be determined in the same way as everybody else's in the Police Force. I support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, as other honourable members have said, the bill has 2 main points of interest. The first one is in relation to the matter of probation and the second one is in relation to the conditions of service of the police aides. In my electorate, there are 3 police aides on the Tiwi islands. There had been 5 previously but there are now only 3. I know these police aides work very admirably in their communities and they are held in high regard by their own people and also by the other members of the Police Force. I know that they wear their police uniform very proudly. They have commented on this to me previously. If they are considered for all intents and purposes to be members of the Police Force, it is only right that their conditions be the same as other members of the Police Force. This legislation deals with that by removing the subsection which relates to the Administrator being responsible for determining remuneration and allowances.

The other part of the bill deals with probation and a slight correction has been made to a previously existing anomaly whereby the Police Force was acting under public service conditions. The Commissioner of Police will now be given power to appoint recruits to the force on probation for 12 months with an option at the end of the time of confirming the appointment, terminating the appointment or giving a further term of probation of up to 6 months. I would think that, by the end of 12 months, the commissioner would have a pretty fair idea whether certain people are fit and proper people to continue in the Police Force. I assume that there would be odd occasions - I do not think there would be many of them - when it would be necessary to increase the term of probation. A person may have particular skills or personal qualifications that the Police Force would not want to lose and perhaps, with a further period of probation, certain problems may be sorted out.

I assume that the period of probation will apply to ordinary recruits as well as brevet officers. The situation regarding brevet officers in the Police Force is not strictly correct; they are not strictly brevet officers. I know of only one and he has been appointed in the air arm of the force. He was appointed to the Police Force because of his special qualifications. Strictly speaking, he is not a brevet officer but, for all intents and purposes, he would be considered as such. I assume that this legislation also deals with such people who have special qualifications.

Mr Speaker, I fully support this legislation. It will give a more streamlined effect to these 2 aspects of the workings of the Police Force.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MUSEUMS AND ART GALLERIES AMENDMENT BILL
(Serial 229)

Continued from 17 March 1983.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Museums and Art Galleries Amendment Bill seeks to change the Museums and Art Galleries Act to make the Museums and Art Galleries Board subject to the minister in the exercise of its powers. Honourable members will note from reading the act that the board is presently subject to the minister in the performance of its functions. I refer them to section 17 of that act.

The minister, in introducing the bill, said that it was government policy that all such statutory bodies be subject to the directions of the minister both in the exercise of their powers and performance of their functions. Indeed, there are many examples of this: the Conservation Commission, the Housing Commission, ADMA and other authorities. The opposition does not support the view that all of these things must be approached in a uniform manner. We believe that each authority must be considered on its merits, bearing in mind the role of each authority in the community.

Nevertheless, in relation to museums and art galleries, the opposition does support this amendment, bearing in mind that the board is at present subject to the minister in the performance of its functions. Therefore, we support this bill but perhaps not for the same reasons as those given by the government.

I have received submissions from people in the community to the effect that organisations dealing in cultural matters should act as independently as possible. While I respect the views of those persons, it is the opinion of the opposition that the Museums and Art Galleries Board should be dealt with in the manner proposed by the amendment.

Ms LAWRIE (Nightcliff): Mr Speaker, unlike some members of the opposition, I oppose this bill and the supposed evidence for its adoption put forward by the sponsor in his second-reading speech. Had I had time in question time over the past 3 days, I would have asked the sponsor of the bill if this proposal is unique in Australia or if we are seeking to give the minister the same power as is exercised in some of the states.

It was not possible to ask the question because, on each day, pressure of time intervened and the Leader of the House, as is his right, called on government business. In this context, I would point out there are 4 government backbenchers, there are 8 members of the opposition - not all belonging to a party, but still in opposition - and you give equal time, Sir, to both sides of the Assembly in asking questions. That gives the government's own backbench twice the opportunity to ask questions that the opposition has.

This morning, I think the government's own backbenchers asked a greater number of Dorothy Dixers than has been their wont over the last couple of sittings. Nevertheless, Sir, I make my point that, as members of the opposition, members of an Assembly which does not sit that frequently throughout the year, we look for the opportunity in question time to assert the supremacy of parliament over the executive. We are denied the opportunity because the government's own backbench gets twice the time. I am only sorry for the minister and the Assembly that I could not ask him in the appropriate fashion the questions which I raise now in the second reading of this legislation. I would ask him to indicate if he knows whether this is unique,

as my information has it. I do not have the same resources as the government and must rely on the inquiries I have been able to make up to date. If it is unique, why is it necessary for the Northern Territory government to introduce this legislation?

In his second-reading speech, the minister said that it is government policy for authorities, boards, commissions and other bodies to be subject to ministerial direction which should extend to both the performance of the various bodies' functions and the exercise of their powers. The honourable member for Fannie Bay made the very valid point that this should not be a blanket approach but that each statutory authority, commission or board should be considered independently and on its merits. I agree with that proposition entirely. It is in that context that I am opposing the passage of this legislation. It is not that I would necessarily oppose any other move in any other statutory authority but I believe that museums and art galleries hold a particular, peculiar and special place in the community and that to divorce them as far as possible from ministerial control, which means political control by a government of any complexion, is a worthwhile exercise.

Mr Speaker, I make the point quite clearly that, if a government of another colour were in power in the Northern Territory, my views would not alter. In fact, it is a protection for government to distance itself from museums and art galleries which often enter into most contentious arenas of public comment in their acquisitions and in the exercise of their functions. I believe sufficient ministerial control to protect the public interest - which is a valid point - already exists. For example, the minister, if he were totally dissatisfied with the operation of the board, could sack the lot of them. The government of the day, through its budget, controls the money going to the Museums and Art Galleries Board and could express its disapproval through budgetary restraints. The government has already 2 options through which overall control can be exercised, in the taxpayers' interest, over the museums and art galleries. But I express my sincere and deep disquiet at the extension of any political control by any party over the exercise of the powers of the Museums and Art Galleries Board.

I would also invite the minister to indicate to the Assembly whether the bill is brought forward simply through a desire to keep legislation uniform throughout the entire gamut of government boards and statutory authorities or whether his Cabinet has reason to disagree with actions taken by the present Museums and Art Galleries Board. Is this a response to defiance of government? If so, I believe the remedy lies in other quarters.

Mr Speaker, I do not support the passage of this bill. This is not only because of the reservations which I have expressed but because I believe insufficient reasons for the validity of the legislation were given during the minister's second-reading speech. I will never accept that we must pass legislation simply to bring something into line with something else. I oppose the passage of this legislation at the moment and certainly until I have heard the honourable minister's response.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the bill. As the honourable members for Fannie Bay and Nightcliff have already pointed out, the necessary ministerial control is there. All this bill will do is bring the legislation into line with other legislation and make it uniform.

It is interesting to note, if we look at the 1981-82 Annual Report of the Museums and Art Galleries Board, there is a mistake in that report. In

the introductory remarks, it says, 'Subject to any direction of the minister, the board is granted power to do all things necessary or convenient to be done for, or in connection with, or incidental to, the performance of its functions and the exercise of its powers'. That is included in the report which is actually before the Subordinate Legislation and Tabled Papers Committee at this time. It is a mistake but, of course, this bill is not here specifically to correct that mistake. But, Mr Speaker, that is what the bill will end up doing. It allows for ministerial direction over both those areas of function and powers.

Another interesting comment was made in that report. I hope that it was not the reason why the minister commented in his second-reading speech about financial restraints. It was in the area which dealt with acquisitions. I will just read out a section of that report:

> *However, despite the considerable number of acquisitions made, the board is still most concerned at the level of funding available for this most fundamental and important activity. A number of areas of collection are still lacking or limited and, in areas such as the fine arts, the important gaps which need to be filled involve expensive purchases.*

I hope that the minister did not refer specifically to that particular passage.

I believe it is important to have uniform legislation. It is important also for the minister to have control in areas which affect the public purse. However, I do not think that he will become involved actively in this area at all. The members of the board are responsible people and, if there are any problems, the board is the correct body to look at those particular issues. I have had representation from supporters of the right to free expression who are concerned about this amendment enabling the minister to become involved with direction as far as displays are concerned. I point out that the minister has that power now and I do not think that he is at all interested in that area. The board is the appropriate body to make any decisions relating to displays or what have you.

The museum and art gallery in Darwin is one of the success stories of the Northern Territory. It has been extremely well attended since it was opened in September 1981. Many people have gone through the museum since then. In the report itself, we see that about 80 000 people have visited the museum. I am led to believe that, from 1 July last year to today, that number has been exceeded. This financial year to date something like another 94 000 people have been through the museum. Since the museum opened in September 1981, some 174 000 people have visited it. I believe that is something we ought to be proud of and all of those people who have been involved in the setting up of the museum and the operation of the museum itself are to be congratulated. As was indicated in that report, on a per capita basis, we make greater use of our museum than people make use of similar facilities elsewhere in Australia.

Mr Speaker, I do not see any great problem with this particular amendment. As I said, and I am sure the minister will agree, the board is the body that has been selected to do this job. However, it is necessary for the minister to have the final control where taxpayers' money is concerned and where displays are open to all the public, including children. Mr Speaker, I support the bill.

Mr ROBERTSON (Attorney-General): Mr Speaker, for the information of members, this bill was originally drafted as a result of a recommendation I

put to Cabinet quite some time ago. Indeed, it came before me in the form of an action file about 3 sittings ago. I declined to present it to the Assembly at that time because His Honour the Chief Justice of the Northern Territory, who is also Chairman of the Museums and Art Galleries Board, was on long service leave. I considered that it would have been a discourtesy to introduce it in his absence.

After Cabinet made a decision in relation to local purchasing preferences, it was found that the government, in law, could not instruct a statutory authority in relation to government purchasing policies. We could not say, as a government, that we wanted the Museums and Art Galleries Board to give preference to local shop owners. It was as simple as that.

Mr Speaker, there is no intention on this government's part, to the best of my knowledge, to directly involve itself in the operation of museums and art galleries. It is not done elsewhere in this country and there would be no reason why we should want to do it. Nonetheless, it can often arise where fundamental issues of broad government policies need to be applied across the whole of government's endeavour. It is not a matter of obstructing statutory bodies or bodies such as the Darwin Community College in matters of detail. Nonetheless, ministers are ultimately answerable to the public and the Assembly for the activities of boards such as the Museums and Art Galleries Board. In areas of broad general government policy, the government has to be able to instruct the board to comply with that policy. We are not talking about what it purchases by way of paintings, sculpture or anything else.

Mr TUXWORTH (Community Development): Mr Speaker, I thank the honourable members opposite who have given their support. I would like to comment that I have full confidence in the activities of the Museums and Art Galleries Board. I think it is doing a tremendous job. So far as the government is concerned, I believe that the money we have spent on new buildings, acquisitions and additional finance for running museums and art galleries in recent years is a true indication of the value and the respect that the government holds for the board. I say that because I would not like anybody to infer from this legislation that there is some difference between the government and the board and that we are trying to rein it in or be punitive in some way. That is definitely not the case.

The honourable member for Nightcliff began by saying that we should not legislate just to bring something into line with something else. In fact, that is what we are doing. She went on to say that one of the reasons why we should not legislate is so that we can be the same as the states. Is that what she was saying?

Ms Lawrie: Not really, but it does not matter.

Mr TUXWORTH: Mr Speaker, I do not believe that amendment will create an administrative difficulty between the government and the board at any stage. In legal terms, it will clarify the position.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Community Development)(by leave): Mr Speaker, I move the bill be now read a third time.

Ms LAWRIE (Nightcliff): Mr Speaker, I wish to set the record straight. I certainly did not want to hold up the passage of the legislation by taking it through the committee clause by clause. The point I was trying to make was

that I fear this power being given to the Northern Territory government is unique within Australia. I had wished to ask this morning if the minister was aware of that fact and had done any research on that subject.

Motion agreed to; bill read a third time.

STATEMENT BY SPEAKER

Mr SPEAKER: Honourable members, the honourable member for Nightcliff has cast doubts on the 8 members of the opposition and herself receiving as equal a chance to ask questions as the members of the government. This morning, there were 4 government backbenchers as against 8 members opposite. The official count for the last 3 days is as follows: on Tuesday, 16 questions were asked - 11 by the opposition and 5 by the government; on Wednesday, 21 questions were asked - 12 by the opposition and 9 by the government; today, 24 questions were asked - 14 by the opposition and 10 by the government. I would point out that, this morning, 2 of the questions asked were in my name. That makes 5 backbenchers as against 9 opposition. I think that the ratio of approximately 2 to 1 is as fair as I can make it. I am not prepared to bend any further.

ADMINISTRATION AND PROBATE AMENDMENT BILL
(Serial 285)

Continued from 17 March 1983.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition supports this legislation. Basically, it will enable certain matters under the act to be fixed by regulation. The Attorney-General has indicated that one of the first steps to be taken under this new power will be an increase in the amount to which a spouse will be entitled where a deceased has not left a will. This action is aimed at relieving hardship that can be caused to the deceased's spouse because the amounts presently specified are low. We would not oppose such relief.

The new regulation-making power will cover also the setting of fees under the act. We believe that this is a most practical method of dealing with such matters. It is an accepted legislative approach in such areas. The opposition supports the legislation.

Ms LAWRIE (Nightcliff): Mr Speaker, I have no quarrel with the contents of the bill. However, I would take the opportunity to point out that we are transferring a power from the act to the regulations. Regulations come under the scrutiny of the Subordinate Legislation and Tabled Papers Committee. That committee is receiving an increasing amount of work. Any rule or law brought forward by means of regulations does not receive the same public scrutiny as if it had been brought forward as an amendment to an act. I appreciate that it is, in many cases, a better system of legislation to act by regulation rather than by the very time-consuming performance of amending a principal act by the introduction of a bill and its passage through all stages in the Assembly. Nevertheless, the powers and functions of the Subordinate Legislation and Tabled Papers Committee do not allow it to give the same scrutiny to regulations as is accorded to an amendment of a principal act in the Assembly. We are very restricted in our terms of reference. Although the Chairman of the Subordinate Legislation and Tabled Papers Committee has asked for it several times, we have no authority to obtain independent legal advice. The Chief Minister keeps answering that request by saying that we have, with his permission, the ability to call for assistance from officers of the Department of Law. Nevertheless, I

believe I am correct in saying that members of the committee consistently express the view that an independent authority is preferable as far as preparing advice to that committee is concerned. If a member of that committee wishes to bring before the Assembly disquiet felt about a regulation - which of course is already in effect upon gazettal and is only subject to disallowance by this Assembly - that member is restricted by the terms of reference to ensure that the relative power exists in the principal act to enable the regulation to come into operation. No consideration can be given as to whether it is believed to be in the interests of the wider community or whether the group affected happened to agree with it. It is simply a very narrow interpretation.

Mr Speaker, I do not oppose the passage of this legislation but I think, if we are going to continue to transfer power to the regulation-making authority and if we are going to continue to put further work on the Subordinate Legislation and Tabled Papers Committee - which I do not shirk and which I enjoy - then we may have to look seriously at expanding the terms of reference of that committee so that it may bring concerns to the Assembly as to the necessity or otherwise of adopting regulations which have been gazetted. At the moment, we have to look at whether the regulations or bylaws are in accordance with the general objects of the law pursuant to which they are made. Of course, honourable members will be aware that a couple of times regulations have had to be disallowed but really it does not happen very often.

Whether regulations trespass unduly on personal rights and liberties is very difficult to pin down. I would suggest that one would need the advice of a highly-skilled legal person if one wished to invoke that particular clause to disallow a regulation. Whether they unduly make the rights and liberties of citizens dependent upon administrative and not upon judicial decisions is pretty clear and, of course, we also have an Ombudsman Act on which people are placing increasing reliance.

The next consideration is whether the regulations or bylaws contain matters which,in the opinion of the committee, should properly be dealt with within the act. If one looks at the powers of the standing committee, one realises that the main thrust to any member of this committee wanting to disallow a regulation is to show that it is ultra vires, and that it is not made lawfully because the principal act does not allow it.

I would ask the Attorney-General, in particular, who has a proper interest in the statute book, to take on board the remarks that I have made and to indicate to the Assembly, at the next sittings, whether he has sought advice on the problem I have raised and, if so, if he has any opinion on the matter.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I rise to support this bill. As has been stated by the Leader of the Opposition, the intention is to protect the spouse in the case where a person has died intestate. As was pointed out in the second-reading speech of the minister, at present the limit which the spouse gets is $10 000 and an equal share with any offspring of what remains. That, of course, is a very low figure these days. If a family consists of a large number of children, the equal share of the remainder after $10 000 is deducted may be very small. It could well be that the spouse might have to sell up a family home if the offspring were hard-nosed about the whole matter. I would like to think that children in a family would want to see the remaining parent looked after. However, I dare say that there are cases in this world when people are tough and would go for everything that they could possibly get. I fully support the raising

of this basic amount to $60 000 which today is barely sufficient, particularly in the Darwin area, to cover the mortgage of a normal house. One would not want to see the surviving partner thrown out on the street. Basically that is what this is about.

The point is that, if people are not happy with someone saying that this is how it should be divided up - the first $60 000 to go to the spouse of the deceased and then the rest to be shared equally between the surviving spouse and children - the way around it is very easy: make a will. I do not believe we are trespassing on the rights and liberties of citizens. If they are not happy with that, they have a simple responsibility to sit down and draft a will.

I do not believe that having this covered by regulations will create a great extra burden for the committee. No doubt changes will be brought to our attention. It is up to us to read through those changes and, if we have any complaint, bring it to the attention of the people concerned. I am sure that we would receive a sympathetic hearing. Anyway, the spirit of this amendment is that the changes which may be introduced easily by regulation from time to time would relate to the inflation factor. I think that is a reasonable proposition and I am sure that His Honour the Administrator would be looking to that as his guideline for making changes.

Ms Lawrie: The Executive Council gives those guidelines.

Mr D.W. COLLINS: I would suggest that the Executive Council has enough collective wisdom to take the CPI as its guideline too. After all, this bill has been presented by a minister who is a member of the executive and I am sure he has some degree of power in that executive. I support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, no one can argue with this legislation. As the minister rightly said, everyone should make a will in his lifetime but many people do not. I make a strong plea for people to do this. If people do not do it, it causes a lot of confusion for those who are left behind, especially with the disposition of property. While most people during their lifetimes, especially families, seem to rub along together quite happily, I have seen quite a few beautiful friendships broken up between relatives when no will is available when somebody dies. It is then up to the goodwill of the family to decide how property and money shall be shared by those left behind.

It is only right that, if one has put together a certain amount of material possessions, one should decide on their disposition for when the time comes. It is also to be recommended that it is only fair that the family home and possessions be in joint names. Even if, as in most cases, the husband contributes most finance, the wife contributes the equivalent in house work or in some other way to the maintenance, improvements and extensions to that house. To increase the surviving spouse's entitlement before the break-up of the remainder of the intestate estate from $10 000 to $60 000 makes a lot of sense considering the cost of the average home in the Territory.

If this is to be put into regulation-making powers, I do not wholly agree with what the honourable member for Nightcliff said. In view of the way the cost of living has risen in the last few years, I think for the amount to which the surviving spouse is entitled before the estate is broken up to be stipulated in legislation may make the distribution of estates a bit cumbersome. If it is covered by regulations, it will be much easier to administer.

Ms Lawrie: I agreed with that.

Mrs PADGHAM-PURICH: If the wife, who is usually the surviving spouse, can keep the home as a result of this change in the legislation it will help to make the situation less traumatic which, because of the death of the spouse, would be pretty bad anyway. If the children and the surviving spouse have a house in which to keep the family together, then the stability of the family can continue even if it is in a changed form.

The only query I have with this legislation is the power it gives under regulation to decide the proportion of the relict estate even before the spouse's share is extracted. Several people have said to me that they believe that this power should be contained in the legislation and not the regulations. It should be regarded as a primary division. The amount of the spouse's and childrens' share of the estate should be a secondary one. No doubt, there are good legal reasons for this being stated as it is in this bill. Despite the fact that I cannot quite see the reason for that, nevertheless I appreciate what is attempted in this legislation and I fully support it.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Attorney-General)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

STATEMENT
Absence of Members

Mr EVERINGHAM (Chief Minister): Mr Speaker, I seek leave to say a few words regarding the absence of myself and the Treasurer from this Assembly this afternoon.

Leave granted.

Mr EVERINGHAM (Chief Minister): I should explain that my colleague, the Treasurer, has already left for Sydney to represent me at the meeting of Ministers for Tourism tomorrow. I was hoping to be here to chair the Police Ministers' Council which will be held in Darwin tomorrow. My colleague, the Attorney-General, has now agreed to chair that Police Ministers' Council on my behalf and I will be leaving very shortly to fly to Melbourne and thence to Canberra for a meeting with the Prime Minister tomorrow. I hope that the opposition will be prepared to grant my colleague, the Treasurer, and myself a pair for the rest of the afternoon.

CONTROL OF ROADS AMENDMENT BILL
(Serial 287)

Continued from 17 March 1983.

Mr SMITH (Millner): Mr Speaker, this bill proposes that the power to open, close or alter roads be transferred from the Administrator to the minister. It retains the provision that local governments, in local government areas, must be consulted on these moves and it provides that any such move must be published, and time given for comment, in newspapers and the Government Gazette. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

DENTISTS REGISTRATION AMENDMENT BILL
(Serial 289)

MEDICAL PRACTITIONERS REGISTRATION AMENDMENT BILL
(Serial 290)

OPTOMETRISTS AMENDMENT BILL
(Serial 291)

PHARMACY AMENDMENT BILL
(Serial 292)

RADIOGRAPHERS AMENDMENT BILL
(Serial 293)

Continued from 22 March 1983.

Mrs O'NEIL (Fannie Bay): Mr Speaker, these bills seek to allow registration fees for the various categories of health practitioners to be determined by the minister by notice in the Gazette. Presently, fees can only be changed by statutory amendment. This is supported by the opposition. However, it is another change which will increase the workload on the Subordinate Legislation and Tabled Papers Committee. I think that members who are not on that committee should note the increasing amount of subordinate legislation it deals with. At the moment, we have 77 items before us. Certainly, I have a very high pile on my desk. If, in addition to the 24 items on today's notice paper, honourable members had an additional 77, perhaps they would have some idea of the amount of legislative and other material appearing before that committee.

Nevertheless, the opposition supports this method of dealing with registration fees for health practitioners in these various areas. As the minister pointed out in his second-reading speech, similar provisions were incorporated in the Nursing Act which we passed last year. I was very interested to hear the figures which the minister presented on the cost of running these registration boards. The figure he gave us was $150 000 a year. That is a considerable sum of money and yet, in 1981-82, we are told revenue from fees was only $7700. Bearing in mind that these practitioners - dentists, doctors and so forth - earn considerable incomes as a result of their registration, it is only reasonable that they should contribute a little more than they do at the moment towards the cost of running the various registration boards. These must exist for the benefit of the general public and the maintenance of health standards as well as for the benefit of those professionals themselves.

This morning, I asked the minister a question in relation to chiropractors. It is the opposition's view that chiropractors should be registered as should other professionals such as physiotherapists and occupational therapists who also seek registration. From time to time, I receive requests from persons appropriately qualified and working in these fields. I understand it is policy of the government to proceed but as yet nothing has happened. I would ask the minister to contemplate those other areas as well as that of chiropractors.

The opposition supports this bill and looks forward to its increasing, in a small way, the revenue available.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support these 5 cognate bills, I would like to say at the outset that I agree wholeheartedly that, if the government is providing the service of registration, it is only fair that the government should decide the fees. I have made a few inquiries regarding 2 groups of professional people with regard to the fees that are paid by them and the cost to the government. I think it only fair that the minister should examine the situation and perhaps, in order to make the situation economically viable, increase the fees at some future date.

I made inquiries regarding the situation surrounding the Veterinary Surgeons Board and the Medical Board. I found the 2 systems of registration and fees are different. I can see that, some time in the future, perhaps by regulation or legislation, if the minister is to take the power to prescribe certain fees, perhaps he should give consideration to looking at the subject of uniformity regarding registration of individual members of professions.

All veterinary surgeons in each of the states pay an annual fee. The Northern Territory veterinary surgeons are considering paying a 5-year fee. In the Northern Territory, they pay $20 and this keeps them on the roll for life. I have read the NT Government Gazette over a number of years and have noticed the number of professional people who are still on the roll although they have left the Territory. It was explained to me that people who stay on this roll continue to be registered in the Northern Territory. I am talking about veterinary surgeons because there is a situation where temporary jobs are offered to members of this profession. I take as an example our present BTB campaign. There is rather a high temporary job turnover amongst veterinarians in the Northern Territory. If a person is on the roll and has no criminal record and is not insane or dead or guilty of unprofessional conduct, that person will stay on the roll.

The Veterinary Surgeons Board can review this roll periodically. If it has reason to believe that a person is dead or there are other pertinent reasons why that name should come off the roll, it is removed. However, there are other reasons why that person may be retained on or taken off the register. It is not quite the same thing to be on the register as it is to be on the roll. The register is more strict. The government pays the salary of the Registrar of the Veterinary Surgeons Board. Therefore, I think it only fair that the minister should have some say in what fees these people should pay.

Regarding the Medical Board, there is a $12 annual fee due on 31 December each year. If a particular medical practitioner fails to pay this annual fee, he is no longer on that register. This is where the 2 systems differ. A medical practitioner can stay on the register if he does not live in the Territory so long as he pays the fee and there are no failings in his professional conduct etc. That aspect is always considered with professional people. Medical practitioners can be on registers in all the states simultaneously, provided the relevant fees are paid. Registration differs from state to state. Each board has different requirements for registration but the qualifications are the same. Each applicant is considered by the board and, when a medical practitioner applies for registration in the Northern Territory, there is provisional registration for 3 months before permanent registration is considered.

I will conclude by saying that I agree with this legislation and I

can see that the minister will be keeping a close watch on the registration of professional people in the Northern Territory.

Mr DONDAS (Health): Mr Speaker, the honourable member for Fannie Bay asked me about the registration of chiropractors. I would like to advise her that it is my intention to have legislation ready for introduction by October this year to deal with the allied health areas such as chiropractors, Aboriginal health workers and dental hygienists. I am not in a position to bring it forward before October. At the same time, I thank members for their support for this legislation.

Motion agreed to; bill read a second time.

Mr DONDAS (Health)(by leave): Mr Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

ADJOURNMENT

Mr STEELE (Transport and Works): Mr Speaker I move that the Assembly do now adjourn.

Mr SMITH (Millner): Mr Speaker, I want to begin by thanking the honourable Minister for Transport and Works. Members will be aware that, over the last couple of Assembly sittings, I have expressed some concern about sewerage problems in the Millner area. The minister in response to my concern stated that his department was examining the matter. I am pleased to say that the minister has cooperated with me fully in providing information on the extent of the problem in Millner and, in fact, in the wider Darwin area. He provided me with a copy of a brief from his department which deals generally with the Darwin area and specifically with sewerage problems in Millner. I did appreciate that. It certainly gave me a greater understanding of what the problems were. My question, however, still remains. What does he intend to do about the problem, particularly in the Millner area. I think that the report he gave me quite clearly revealed that there are a number of high priority sewerage problems in Millner that need addressing and improving. Certainly, I would appreciate a comment from the minister in the not too distant future about exactly what his department intends to do in the Millner area.

Mr Speaker, my second concern is another matter that I have raised before and that is insurance in the storm surge area. In the last Assembly sittings, quite a number of questions were asked of the Treasurer about whether TIO in fact did or did not provide insurance for householders in storm surge areas. The Treasurer indicated quite clearly to this Assembly that individual householders could make approaches to the TIO and the TIO would decide on a case-by-case basis whether in fact it would grant storm surge insurance.

In good faith, I passed on this information to my constituents in my constituency newsletter. A number of them have approached TIO and the answers that they have been getting are quite distressing. They ring up TIO and they say something like: 'I understand you offer storm surge insurance' or 'Terry Smith has informed me that you offer storm surge insurance'. The first point of contact at TIO invariably results in the same answer: 'No, we do not offer storm surge insurance'. That has been quite distressing to a number of my constituents. When they have raised that matter at a higher level within TIO, the answer comes back a little begrudgingly: 'Yes, we do

offer storm surge insurance. We are not too keen on it but, if you want to persist in this inquiry, we will have a look at your individual situation and we will determine whether we can offer you the insurance or not'.

Mr Speaker, that is not good enough. The Treasurer in the last Assembly sittings made a very clear statement that the TIO was prepared to look at householders in storm surge areas on an individual basis yet the TIO, when approached on this matter at the level that most people approach it, expresses no knowledge of it. It is a pity that the Treasurer is not here today because I think it is something that he needs to address and sort out.

Mr Speaker, the third matter that I want to speak about is Consolidated Press Holdings and its proposal to take over Newcastle Waters and VRD Stations. I must admit that I am still a little confused after the Chief Minister's answer this morning as to what his exact intentions are. I gained the impression from his answer this morning that he agreed with me that section 38A of the Crown Lands Act provides no discretion for the minister to approve a single owner to own more than 20 000 km^2 of pastoral properties in the Northern Territory. I also gained the impression that he agreed that there were no other provisions within the Crown Lands Act that would allow such a discretion. I also gained the impression that he was saying that, somehow or other, Consolidated Press Holdings would meet these provisions and go ahead with the purchase of the 2 properties plus the transferred shares in the Humbert River Station.

I believe that that answer is inconsistent with his statement yesterday. Yesterday, the Chief Minister said that the 2 stations, Newcastle Waters and VRD, would be purchased by Consolidated Press Holdings and that, on successful completion of the disease eradication programs on VRD, Consolidated Press Holdings was prepared to offer sufficient land for sale to reduce its aggregate holdings. That means that Consolidated Press Holdings was going to purchase those 2 properties, undertake a program of work particularly aimed at disease eradication and, at the end of that program, divest itself of sufficient land so that it would get back under the 20 000 km^2 mark.

That is inconsistent with the answer that the Chief Minister gave me this morning. Again, I would ask the Chief Minister to give a clear statement on whether he in fact does propose to allow Consolidated Press Holdings to go ahead and, if so, on what legal basis. If there is no legal basis, why is he entertaining the idea that Consolidated Press Holdings can take over these 2 properties? It has become as simple as that. We need clear answers in the interests of the general public and particularly in the interests of the pastoral industry.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I will begin by continuing the saga of leucaena glauca. Last Sunday, on a particular dairy farm, a public servant came in and opened a 6" gate-valve which was turned on for half an hour. It flooded a 2-acre paddock to a depth of 6" and nearly destroyed a trial crop of leucaena glauca which the farmer was growing there. After half an hour, the farmer found it on and turned it off. He thought that kids had turned it on. The public servant returned after an hour and the farmer told him what had happened. The public servant was rather cross. He said that he had turned the 6" gate-valve on because repair work was being done on the pipe and, by turning it off, the farmer could have killed the repair man who was working on the pipe further away. Why didn't the public servant tell the farmer what he proposed to do? If there was such danger, why didn't he lock the valve in the open position so that there would be no possibility of harm to the repair man?

This is a large dairy farm. They milk about 50 cows and they have many more that are not being milked. Even Blind Freddy would know that dairies need a lot of water. Several times in the past, persons from the Department of Transport and Works have decided to empty the reticulation line which passes through this property. The sluice valves are turned on and this leaves the dairy with no water until after lunch. No doubt, Mr Speaker, you know what cows do in dairies, even the best behaved cows in the best run dairies. If you left that mess until after 1 o'clock, there would be flies breeding in it and that would detract from the high health standards of this particular dairy. The farmer is genuinely worried about health standards if the practice continues of cutting off water to the dairy without telling him so that he can take precautions and have other water supplies on hand. I have not had time to raise this directly with the Department of Transport and Works but I will. It has been my experience that field workers from government departments are usually polite and usually accommodate landowners' wishes. I really cannot understand how this has happened. However, it cannot be allowed to continue.

Mr Speaker, while I am on the subject of agriculture, I would like to mention a field day that I attended at the end of April at the Coastal Plains Research Station. Unfortunately, I was unable to get there until rather late but I made several inquiries and I have a program in front of me. From conversations with people, I learnt that the field day was up to its usual high standard. The staff at the Coastal Plains Research Station specialise in presenting at their field days items relating to fencing and pasture production. This year, for the first time, they presented an item relating to the making of silage. I was very interested in this because it is something that primary industry could pay more attention to. I think farmers could pay a little bit more attention to conserving pasture in this way because it has certain advantages over preserving pasture in the form of baled hay.

This field day was well supported by the local people who are small landowners in the rural area. Cooperation is always given by officers of the Conservation Commission and they had a display there. There was also a display by the Northern Territory Police Stock Squad. That was very interesting. Local potters and the Weavers Workshop, a local weaving establishment, also had displays. All in all, not only did this field day cater for people with agricultural interests but also provided a very happy social occasion.

Mr Speaker, I was very pleased with the answer the Minister for Community Development gave me regarding a question I asked him about the anomaly relating to Berrimah. I have been interested in this question for some time. The people in Berrimah receive the same services as people elsewhere in the rural area but they pay rates. People in other parts of the rural area do not pay rates. I am not advocating for a minute that the people in the rest of the rural area should pay rates. No doubt this question will be addressed by the Rural Advisory Council that the minister has established.

Honourable members will see the justice of my interest in this when I say that the people in Berrimah pay rates to the tune of 1.2¢ in the dollar on the unimproved capital value of their properties. The people in Darwin pay rates to the tune of 1.27¢ in the dollar on the unimproved capital value of their properties plus a loan rate. The people who live in Palmerston pay a rate of 0.75¢ in the dollar on the unimproved capital value of their properties. The people in Berrimah feel that there is gross inequity in the rates that they are expected to pay and what they get for those rates compared to what Darwin and Palmerston people receive.

The minister has said that he wants to meet with these people after the sittings. That will certainly give them some heart. Perhaps he will consider exercising the power that he has under section 15 of the Darwin Rates Act: 'Notwithstanding any other provision of this act, the minimum amount which may be levied as the rate in respect of one parcel of rateable land is $2'. I hope that my reading of this act is correct and that the minister has power to reduce the rates to a nominal figure of $2 even if it is only for the time that the Rural Advisory Council is considering the advice that it will give to the minister. Perhaps, in the future, other people in the rural area will pay rates. However, it is only fair that the people in Berrimah should not pay rates until the whole rates question for the rural area has been considered by the Rural Advisory Council. The minister has invited me to attend that meeting with the local people after the sittings and I have accepted his invitation.

Mr HARRIS (Port Darwin): Mr Speaker, I do not want to get into the coffee bush debate but I think that the member for Tiwi may have hit on a way of solving our coffee bush problem around Darwin. I wish we could seal all the paddocks and flood them to a depth of 6" and we might get rid of the dreaded stuff.

My reason for rising today is to bring to the attention of the Assembly the retirement of Geoff Helyar on 29 April 1983. Geoff Helyar has served long and well as Chief Draftsman for the Northern Territory since 24 April 1957. He began his career as a junior clerk in the Western Australian public service in 1940 and cadet draftsman in the Lands and Survey Department in 1941. During World War 2, he served in the Royal Australian Survey Corps AIF from 1941 to 1945. He has been actively involved in education for the past 16 years. He served as a member and chairman of the Nightcliff Primary School committee and the Nightcliff High School board of management. He served on the Northern Territory Council of Government Schools Organisation as president from 1970 to 1974 and as a past president from that time to date. Geoff Helyar was also vice-president of the Australian Council of State School Organisations in 1971 and 1972 and president of that council from 1973 to 1975. He was made a Companion of the Australian College of Education in 1973. He was elected a member and, subsequently, chairman of the Northern Territory Schools Commission Innovations Committee and a member of the national committee in the period from 1976 to date.

Geoff Helyar has served on various Department of Education advisory committees since 1972 and has been a trustee of Nungalinya College since 1973. In June 1975, Geoff Helyar was awarded the Churchill Fellowship for study of community involvement in education with the emphasis on parental participation. His 13-week study course took him to the United Kingdom, Denmark and north America in early 1976. He has been responsible for several publications. His Churchill Fellowship report in 1977 detailed the results and conclusions of his study tour. He has written several articles on developing education, on education administration and on community involvement in education. He has presented papers at NT COGSO meetings and conferences, at the Australian Council of State School Organisations Conference in 1975, at the Australian College of Education in 1976 and at the Australian High School Principals Conference in 1977.

Geoff Helyar's involvement in the community did not stop there. He was secretary manager of Northern Territory Little Athletics Association from 1973 to 1976. I know the tremendous work that he did in that particular area because I was involved with Little Athletics for about 4 years following on from where Geoff left off. He was chairman of the Standing Committee of the Uniting Church in North Australia in 1972 and parish clerk of the Darwin

parish from 1964 to 1973. In the Darwin Uniting Church, Geoff Helyar has been a lay preacher and an elder from 1978 to the present time. He was a member of the Nightcliff Cricket Club Committee in 1979 and, for the past 3 years, has been president of that club. His interest in cricket has been rewarded. He was recently made a life member of the Nightcliff Cricket Club and, to cap it off, he won a trip to England in an Australia-wide competition in a cricketing magazine.

I wish him well in his retirement. It does not seem likely to be a restful one. I take this opportunity to commend him to members for his long and varied involvement in Territory life and for the valuable contribution he has made.

Mrs O'NEIL (Fannie Bay): One hundred years ago in the Northern Territory, public comment was being made on discriminatory practices in laws relating to gambling. In 1883, at a farewell for himself, the then Government Resident, Mr Price, commented to the Darwin Chinese community: 'With reference to the game of fantan, the playing of which I think has given more law work than any other infraction of the law, I say that I am sorry that fantan, which is apparently an almost national game amongst your countrymen, is not made as legal as our English game of billiards, provided that it is carried on in the same lawful manner'. Later that year, the Northern Territory Times editorialised on gambling in the following words: 'Our objections are to the system which prevails of permitting, in fact legalising, one species of gambling and visiting another with the law's heaviest punishments. Why, in the name of common fairness, should a billiard room be legalised for gambling with cues and balls, in games in which the element of chance largely prevails for any stakes the players like to fix, if you, on the other hand, punish a Chinaman for playing a game with coins, a piece of iron and a pointed stick for shillings or coppers?'

Mr Deputy Speaker, those views were expressed in Darwin in 1883. Members of our community are very disturbed that that sort of injustice and discrimination in the laws of gambling still prevails. I refer of course to the situation regarding poker machines in the Northern Territory, a matter which I have raised in this Assembly in the past and will continue to raise as long as the unfair policy of our Northern Territory government regarding poker machines prevails.

The situation is that poker machines are allowed in Federal Pacific Hotel's casinos but nowhere else. There are very many people, organisations and social clubs in the Northern Territory that would very much welcome the opportunity to have poker machines in their facilities as a way of providing some entertainment to their members who enjoy playing the pokies and also as a way of increasing revenue. The clear advantage of allowing that, now that we do have poker machines in the Northern Territory, is that the profits will go to the clubs.

I have said in the past in the Assembly that I have 8 licensed clubs in my electorate. There are very many others in the Northern Territory. I am told that they have over 20 000 members. That is a fair proportion of the Northern Territory's population. It is only reasonable that they should have this facility which at the moment is available only to the casinos. They have poker machines under stringent conditions within their establishment. In the view of very many people, the licensed clubs provide a very favourable addition to the social life of the Northern Territory, particularly in the area of sport. They sometimes provide for the training of young people in various sports. They provide places for social enjoyment and recreation. It is a fact that very many of our licensed clubs have financial problems.

Things are not always easy. I pay credit to the many people of the Northern Territory who generously give many hours of their time to manage and assist those clubs so they can continue to function and provide a service to the Northern Territory population.

It is no secret that clubs have experienced greater financial problems since we in this Assembly, in a bipartisan way, passed legislation on drinking and driving. In the past, they relied upon liquor sales for much of their income. That is well known to have decreased. I believe that we were right in passing that legislation but it is only reasonable that we should look at other ways which will allow the clubs to increase their revenue. One obvious area in which we could assist the clubs is poker machines. The Licensed Clubs Association has conducted a survey of its member clubs in the Northern Territory and that survey has indicated that there is widespread support amongst club organisations for the introduction of poker machines. Indeed, some clubs have conducted surveys among their members which indicated almost universal support for the introduction of poker machines in those clubs.

Mr Deputy Speaker, the Labor Party supports the views of those people. Given the fact that poker machines are allowed in the casinos, we support the view that they should also be allowed in clubs. Our view is that it is reasonable that, in the Northern Territory, we should have legislation similar to that which operates in the ACT. The Poker Machine Control Ordinance of the ACT is a comprehensive piece of legislation which provides that 10% of the clubs' gross revenue in poker machines is paid to the Poker Machine Licensing Board each month for distribution to community projects. The ordinance provides that, before any club can install poker machines, the majority of its members must approve the step in a ballot conducted by the Licensing Board.

There is little evidence that the introduction of poker machines to licensed clubs would make any significant difference to the overall gambling turnover in the Territory. After all, there are many legal gambling outlets already available, and the casinos are an obvious example. To allow poker machines in those clubs in which the members desire them, and which could comply with the requirements of the legislation, would simply divert some of the revenue into facilities enjoyed by a great many members of our community.

Mr Speaker, I understand the licensed clubs will be meeting in my electorate next week. I wish them well in their deliberations. I believe that they will be pressing the government for action to overcome the iniquitous and discriminatory system we have in the Northern Territory whereby one organisation can receive revenue from poker machines and yet the many social and sporting clubs within the Territory cannot. Those clubs know that they have the support of the opposition in this matter.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, I want to cover a number of subjects briefly this afternoon. The Labor Party put out a policy statement some considerable time ago on the question of poker machines being allowed in licensed clubs in the Northern Territory. We are aware that there are many well-run and highly-organised clubs in the Northern Territory that would be capable of looking after such an operation efficiently, under stringent legislation similar to that which operates in the ACT. I find it iniquitous that one specific operator has a monopoly in this particular area when similar poker machines could be used by people who would plough the profits back to provide better facilities for club members and their children. Most clubs could provide excellent facilities with the

revenue gained by that means. I hope that clubs in the Northern Territory, whose membership indicate that they want to have the poker machines, are given the opportunity to have them. It is part of the Labor Party's proposal that the majority of the membership must agree to that move.

The other matter relating to gambling is that of TAB. It has been given some air in the last week or so. The Labor Party has had as part of its policy platform for something like 2 years now that TAB should be introduced into the Northern Territory. Again, on the question of facilities, I look forward to the day when we have TAB here. One of the great benefits of TAB is the amount of money it channels back into the industry which is then used to improve the facilities, particularly for on-course punters who can enjoy those facilities. Curiously, in my view, mention has been made by the Chief Minister as to the great tourist attraction of betting shops. I think that an attractive, well-appointed racecourse, with decent facilities, is a far better tourist attraction than any betting shop could ever be. I look forward to the introduction of TAB in the Northern Territory. Certainly, it is a policy that a Labor government would introduce, and it has been for some time.

We heard from the honourable Minister for Primary Production this morning a very curious new government policy. We heard about a wonderful policy of not allowing meatworks operators to run pastoral properties. However, he then said that a particular company which had been prevented from buying properties is welcome to come back and purchase as many pastoral leases as it would like to in the Northern Territory. We had another interesting proposed policy this morning called the '50-year rule'. That was: 'Tancred, what have you done in the last 50 years in the Northern Territory?'

Mr DEPUTY SPEAKER: Order! I would ask the member not to allude to that debate.

Mr B. COLLINS: Mr Deputy Speaker, if you would refer to the Standing Order - and I must say I find it a very curious Standing Order - it does in fact say that members cannot allude to previous debates unless those debates are relevant to the subject being discussed. Mr Deputy Speaker, that is the wording and I am discussing matters that are relevant to what I am talking about now.

Mr Deputy Speaker, this 50-year rule is very interesting and I wonder why it has not been applied to other people. It seems to be a very particular rule applied in certain circumstances. I could imagine a conversation the minister responsible for facilities such as casinos, on being approached by a representative from Federal Pacific Hotels, says to this gentleman: 'Excuse me, Mr Smith, what have you done for us in the last 50 years that would justify us allowing you to build a casino here now? Unless you can prove that you have done something for us in the last 50 years, we will not allow you to proceed'. What a nonsensical statement that was.

I am particularly curious because of the juxtaposition of 2 matters which have been raised in the Assembly in respect of pastoral leases. On the one hand, we have 2 ministers of the government intervening, and acknowledging it, in the sale of pastoral leases in the Northern Territory because they did not want a particular purchaser to buy them. On the other hand, the same government is prepared to agree with the purchase of a huge expanse of pastoral property in the Northern Territory by one purchaser. The Chief Minister himself acknowledged this morning that his ministerial discretion does not go beyond granting 20 000 km^2 of land but that the

government is quite happy to put up a nonsensical statement that such a purchase will be allowed now so long as the purchaser divests himself of some of the land afterwards. The law can be broken temporarily if there is a promise to give back some of the property afterwards. It is amazing that the government can make that kind of accommodation within the Northern Territory's legislation in respect of one particular party which it would like to see own a particular block of country in the Northern Territory. Of course, that party happens to be in the media business. Yet this private enterprise government will intervene just as exclusively in a sale that is taking place to a buyer it does not want to have particular properties. It really is an amazing policy for a government that says it is a 'hands-off, private enterprise, let the market rule' government; a very strange form of behaviour indeed, and very selectively applied when it suits it.

Mr Deputy Speaker, I want to conclude with what is, in fact, a far more important subject: the Chief Minister's trip to Canberra to speak to the Prime Minister about the railway. It is very important. Over the last week, the Chief Minister has chopped and changed to quite an extraordinary degree. Certainly, he has left me confused. I do not want to muddy the waters in respect of getting this matter reopened successfully and I have tried to adjust what I am doing to what the Chief Minister is doing. I am sure they must have a little bit of trouble in Canberra working out what that is because I am having trouble myself.

He made a categorical statement in the Assembly that he would not negotiate with anyone except the Prime Minister. We had a fairly terrible misrepresentation of the message that was given to him because he wanted an appointment on Friday and could not be accommodated on that particular day. The Prime Minister had refused to see him. Mr Deputy Speaker, if someone who applies to my office for an appointment to see me were told simply, 'I am sorry, you cannot be accommodated on that particular day' and, as often happens, 'Would it be satisfactory for you to see one of my staff or one of my ministerial officers if it is urgent', I would hope that that person would never interpret that as my refusing to see him. I am sure that that is probably something that will be taken up tomorrow.

Mr Robertson: I receive many letters with exactly that criticism.

Mr B. COLLINS: If that happens, I accept that comment from the Leader of the House. I think it is a most unfortunate interpretation to place on that. Certainly, someone with the experience of the Chief Minister cannot be forgiven for making that interpretation. Having said that, I must say that the procedure I would like to have seen adopted was in the terms of the amendment to the motion that was put in the Assembly by the opposition the other day: that this Assembly show that it is not satisfied with the deal currently being offered by the federal government on the railway.

I am well aware, and have been scrupulous in my dealings with the federal government, of the protocol that is demanded in dealing government to government between Canberra and the Northern Territory. That has to be maintained. I am absolutely aware that it is the government's role to enter into negotiations - if they can be reopened - on the railway. Determining the detail of what kind of financing is required is the role of the Chief Minister. I have been scrupulous, and it would have been unfair of me to be anything else, to always acknowledge the primary role the Chief Minister has played in trying to get this railway for the Northern Territory. I have demonstrated that by every public statement I have made. But, I feel that it would have been very helpful for the Northern Territory if, by passing

a motion in its Assembly, it could have indicated to the government in Canberra that at least one thing upon which the government and the opposition were in agreement was that the deal that has been offered by the government was not good enough.

It was with deep personal regret, and the regret of this party, that I saw the Chief Minister go off to Canberra, no doubt armed with the motion that was passed by this Assembly the other day, on his own. I would have been happy at least to have joined the Chief Minister in a joint approach to the federal government and indicated to that government the fact that we are not happy with the deal that has been offered and that we want it at least to reopen negotiations on the matter. What a ridiculous proposition to put: that an opposition would go into the fine detail of government financial negotiations. I have never seen the opposition as having that kind of role; that is the government's option. The door was shut by the Chief Minister: 'Not $1 or we will take you to court'. It would have been beneficial for the Territory and for the success of these negotiations if we could have gone together to Canberra and indicated to the Prime Minister that this entire Assembly was not satisfied with the arrangements currently being offered and, at that point, we could have agreed to diverge. Unfortunately, the Chief Minister has decided that he wants to do it on his own which has meant that I have had to change the arrangements that I had made.

I hope that there will not be any further question of people picking up scraps of information in Adelaide. I felt that I was obliged to tell the Assembly what I had done. I was not going to make any press announcement about it because I did not think that it was warranted. I said in the adjournment last night that, because I had read of the Chief Minister's agreement to see Mr Keating, I thought it would be a good idea to cancel my own visit, and I cancelled it.

I then went back to my office and turned on the ABC news after having read on the front page of the NT News that he was going to see Mr Keating. On the ABC news on the same night, I heard the Chief Minister saying that he had changed his mind again. He had cancelled the meeting with Mr Keating because he wanted to talk to 'the organ grinder and not his monkey'. I then thought that we could not leave a vacuum in Canberra. I then reopened all the arrangements that I had made. In fact, the Deputy Premier of South Australia, who is in Sydney at the moment, and I were to meet the Prime Minister tomorrow afternoon in Canberra. I then heard this morning in the Assembly that the Chief Minister will be meeting the Prime Minister in Canberra tomorrow afternoon. I thought that this would be a nice dog's breakfast.

I do not want this to turn into a slanging match between the Chief Minister and myself on the railway when the one thing that we can agree on is that the deal is not good enough. I am not going to turn up in the corridors of Parliament House with the Deputy Premier of South Australia when the Chief Minister is now going there. As a result of the Chief Minister's announcement, I cancelled my arrangements. I wish to thank the government of South Australia for being prepared to join me in this approach. I have advised the Deputy Premier this morning that I want the arrangements for tomorrow called off as a result of the Chief Minister's visit to Canberra. I wish him well in his endeavours.

The other thing that complicated the issue somewhat was the fact that the airline pilots are going on strike as of midnight tonight. You have to stay overnight in Melbourne because you cannot get a direct flight to Canberra.

I understand that, if the strike goes ahead, the Chief Minister will be flying into Canberra tomorrow from Melbourne in a chartered jet. I hope that does not disadvantage his argument that the Northern Territory is in a fairly parlous financial condition. Obviously, such arrangements are necessary. The arrangements have been made to meet with the Prime Minister and the Chief Minister is certainly not in control of the Airline Pilots Federation.

I would have liked to have had the opportunity to express a united parliamentary front on our dissatisfaction with the deal. I am sorry the Chief Minister has not seen fit to allow me to join him in that endeavour but I wish him well.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I wish to read out a letter dated 17 April from Mrs Janushka of Roper Bar Store:

Dear Mac,

Would you please obtain answers from the relevant ministers to the following questions?

Is Yulngu Association Inc of Katherine NT a government body or does it receive subsidy from the government? Does the Yulngu Association Inc pay sales tax or any tax for that matter?

Does a government-owned or subsidised body, free of taxes, compete with private industry; for example, let contracts to Barr Wholesalers, retailer of Katherine, to sell from a motor vehicle to individuals living in subsidised outback communities at city prices or call tenders for transport to carry supplies ex wholesalers Baruwei Enterprises Pty Ltd of Katherine, free of freight charges to some outback communities?

Can a transport operator buy a truck free of sales tax provided that he transports goods to and from Aboriginal communities only?

Does the government provide electricity and or water free of charge to any or all of the following places: Ngukurr Town Council and Community NT, Ngkurr government employees, Roper River Shop at Ngkurr NT, Urapunga Station NT, Rittarungu Community at Urapunga Roper Bar Store NT and Badawarrka at 5 Mile Station Roper River?

Why is there a difference between one citizen and another? Why is there a difference between one privately-owned business and another?

Does the government subsidise NTEC to provide electricity to Mataranka, Katherine or any other township in the Northern Territory?

Does the government subsidise isolated businesses who provide their own electricity? If the answers to the last 2 questions differ, why do they differ?

What is the difference between one place and another, one citizen and another?

Does the government intend to try and unite the people of the Northern Territory by having the same laws, benefits and conditions for every person residing and working in the Northern Territory and working towards making the Northern Territory an independent state?

Mac, I believe Sir Winston Churchill once said, 'United we stand, divided we fall'. It is my strong conviction that his statement applies to all the people in the Territory. Unless we can do something to stop the ill feelings that fester because the government differentiates between one person and another person, one community and another community, we will remain people living in the Northern Territory and not the people of the Territory.

Regards,
Joan Januschka.

What this lady is complaining about has been reinforced by the fact that Katherine retailers cannot buy from the manufacturer for the same price that Barr Wholesalers is selling the goods after carting them to outback communities. Roper Bar is not a very big place. There are about 6 people there. The store has everything. It will be a very interesting place in a few years with its caravan park and things like that. You have to look after these people, who pay full tote odds for their electricity, water and everything else, when they are being subjected to unfair competition - not competition, but unfair competition. I will make sure that ministers receive a copy of the letter because anything unfair should concern them.

Yesterday, I attended the funeral of the late Silas Roberts D.A.M., J.P. who was also a special magistrate at Roper River. He was the son of Barnabas whose earlier whiteman name was Snowball. Silas had 2 brothers. One brother is Jacob who bobs up every now and again with some new venture somewhere. He is a man who has a pretty good brain. You might see him organising the clinic for outback kids in Alice Springs, as I once did, or starting a safari on the Daly River or you might even strike him at Roper. He was there yesterday. The other brother is Phillip who worked for many years with the Health Department and who is the subject of Douglas Lockwood's book 'I, the Aboriginal'.

Mr Deputy Speaker, you might have heard of a 21-gun salute. Yesterday, there was a 17-plane funeral at Roper. There were 17 chartered aircraft on the ground at the one time. I am not much of a judge of crowds because my figures and the estimate of the ABC varied quite considerably over a crowd in Katherine recently. However, I think there would have been 1000 people at the funeral. It was good to see this man recognised as a true leader. That is what he has been: a true leader. The service was conducted by Canon Butler, assisted by Rev PerceLeske and an Aboriginal pastor, Michael Gumbuli. The church was full and, apart from the odd dog fight, there was not much trouble there.

Barry Butler recalled how, 30 years' ago, he first met Silas at Roper and Silas accompanied him on some of the most amazing treks you could imagine. Barry Butler, then quite a young fellow, used to load up and walk to Nutwood Downs carrying all his gear, recordings of texts and sermons and preachings of the gospel to Aborigines and anybody else who would listen. His helper in the early days was Silas. Later the 2 became better organised and they had push bikes. Then, they obtained a motor-bike. Eventually, their efforts were rewarded and they obtained motor vehicle transport. This is the way people lived in those days. They did not only go to Nutwood; they went to Hodgson Downs, Elsey, Moroak, Roper Valley and Urapunga. That is the type of man that Silas was. It was mentioned at the service yesterday that one of the things that hastened his death was his self-sacrificing nature. He helped everyone, with disregard for his own life.

I met quite a few people down there yesterday whom I met 30 to 35

years ago: Gerry Blitner, Willy Gudabi, the Daniels crew and many other people. I think it is very good to see that these people now are recognising the value of tourism. I spoke with Harry Huddleston and he said that they are opening up the Ruined City. As a matter of fact, there is a film crew there now. The film crew filmed the burial yesterday and were present at the church service.

It appears that Roper and perhaps Numbulwar will get into tourism. Both these communities suffer greatly from unemployment and its attendant troubles: vandalism, petrol sniffing, alcoholism etc. If we can give work to these people - and I am told that tourism is labour intensive - they will be a lot better off. They were occupied in the old days and they were satisfied with their lot. They lived their old style which was keeping the tucker bags full. That kept them happy. They were satisfied then. They are not now. I hope that tourism will bring them some self-satisfaction as well as other satisfactions.

At Roper, there is everything. There are the basic needs for any development. There is a first-class power supply. I suppose that is what Mrs Januschka was complaining about. The government pays for it in its entirety, and not the 50% or 40% that the towns get. It has a water supply, an all-weather airstrip, roads, access to funds and 70 miles of the Roper River at its doorstep. It can cater for people who want to fish. It can take them out to the Ruined City, 60 to 80 miles out. It can do many things these days if the people have the motivation.

I noticed yesterday that there is a far greater acceptance of the fact that these people must help themselves. No one else can help them. I know it was Silas' greatest desire that they continue to improve. It was mentioned yesterday in the church service that, when he came back from Maningrida and saw what had happened in his absence, his heart was heavy. I hope these people, who have the ability, will make a move to save themselves.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in the debate this afternoon, I would like to comment on the fairly recent bylaws that the Darwin City Council has passed which make it compulsory to enclose private swimming pools with what amounts to a child-proof fence. I have a copy of the bylaws here. I think they are excellent. I appreciate getting them. On earlier occasions, I have said that I am totally in favour of compulsory fencing of pools. All pools present a possible hazard to unsupervised children who may wander too close to swimming pools. I wonder sometimes why it should be necessary for residents of our community to be compelled to enclose pools as I would imagine that it would be an almost natural reaction of householders to endeavour, if possible, to ensure that kids will be prevented from drowning in pools in their own yards. I think it would be a shocking thing to wake up in the morning and find a little kid face down in your pool.

However, it is not my intention to dwell on this matter but to suggest something which would possibly obviate a lot of argument over the undoubtedly contentious local issue. If fencing a private pool is to be enforced, I wonder if it might not be a good idea if the firms who install home pools should not be compelled by law to include a fence of suitable construction and dimensions which would comply with city council bylaws for such construction of pool fences. In other words, the fence could be put in at the same time as the pool. I do not imagine that such a requirement would fall too far out of favour with pool installation firms if they gave the matter a little bit of thought and consideration. In the first instance, if construction of an enclosing fence became part of the package deal by the pool installation firms, it would help to prevent any timelag between the pool construction

and the fence construction, particularly if it is included in the requirements that the pool should not be filled with water until the fence was constructed, and preferably if both operations were carried out at the same time or as nearly as possible to the same time.

If the people who install pools were required to erect a fence as well, it would be of assistance to the householder as he would not be compelled to find a separate firm willing to carry out the necessary fence building. It could also be said that the requirement to fence a pool as well as install it might be thought an unnecessary imposition on the installer of the pool. I believe that it would be a very small imposition, if any, to arrange for a subcontractor to do the job. With the present unfortunate situation in relation to employment in the Territory, and indeed in the whole of Australia, I cannot foresee any significant difficulty in a pool constructor obtaining the services of a suitable fencing contractor to assist him in carrying out the contract.

Mr Deputy Speaker, such a requirement could be of considerable advantage to the person installing his home pool. I can well imagine that, as it is compulsory for the householder to have adequate fencing constructed around his pool, the services of a competent pool fencer may be at a premium, at least for a short time. As this could lead to increased fencing costs, the total cost of the pool construction could be kept to a minimum until the local market has caught up with the council bylaw requirements.

I do not really imagine that my suggestion would be asking too much of already established pool installers. After all, if one has a house built, it is a requirement that, as well as employing a building contractor, it is necessary to employ other tradesmen such as a plumber to put the roofing on and for septic requirements or an electrician to install wiring and fittings for which his particular talents are necessary. I believe that my suggestion would be well worth looking at.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, the honourable Minister for Transport and Works replied to a question that was asked yesterday by the honourable member for Tiwi and which was taken up by myself again in question time this morning. It is related to the proposal to extend the bus services. I am very anxious that bus services be extended to the Karama district of my electorate. I accept that the honourable minister clarified the answer that he gave to the honourable member for Tiwi by informing me that the subsidy figure that has been notified in the press does in fact include the cost of extending the service to Karama.

As the honourable Minister for Transport and Works knows, there is much housing development currently going on in Karama. Indeed, these houses are being occupied very quickly. As a consequence of that, there are some hundreds of households already in occupation in Karama. The bus service that is presently extended to them is not quite sufficient for their needs. I hope that, in the review of bus services that is taking place, areas like Karama, which are quite remote from the rest of the city - the furthest suburb from the Darwin city area - will be given some consideration.

Mr Deputy Speaker, in recent months, the Housing Commission has allocated a large number of single units in my electorate to aged persons. These persons are entirely dependent upon public transport to get about. It is not a simple matter for them. They require a bus service even to get to the community health centre. Whilst I appreciate that some review of bus services should take place, I hope that this will not mean that there will be a delay in implementing an extension to the service in Karama.

The other matter that I want to raise tonight is the question of the Sanderson high school. I raised this matter in the Assembly at the last sittings and, to my intense delight, I now have an announcement from the Minister for Education that the school will be open for the start of the 1985 school year. This is a matter of great interest to my constituents since the former Minister for Education announced last year that the school would not be opened until at least 1992. Since the announcement of that decision, people in my electorate have taken a great deal of interest in the question of community access to school facilities. I am happy to say that they have been given a very fair hearing by the Minister for Education. Once the decision was made, people in the electorate were anxious to get the minister to a public meeting at which they could exchange some of their views with him. I am pleased to say that the meeting took place on 11 May and a fairly large number of people attended. By and large, the minister was receptive to the views that were put by the people. Events have been moving quite fast in respect of the actions required to bring the school not only into construction but into operation by the start of the 1985 school year. Although the process has been rather fast, I think the people appreciate the reasons for changing the decision and also the hearings that we have had, not only from the minister but also from officers of the Department of Education.

Mr Deputy Speaker, there was scepticism by some people in the community about whether or not community input and meetings of this sort ever result in anything positive. I think that the honourable Minister for Education would be the first to acknowledge that a great deal of discussion on this matter has taken place in the Sanderson community. Indeed those who were sceptical of the ability of the community to have an input in this sort of decision are themselves expressing surprise at the hearing that they have had.

I see this as part of the same process which this Assembly has recognised in the matter of community involvement in schools. I refer specifically to the actions taken by this Assembly to enable the incorporation of school councils. The member for Tiwi asked a question this morning and received an answer on the number of schools that had already incorporated under the amendment to the Education Act which came into operation on 1 January this year. Of the 4 schools that the minister said had availed themselves of the provisions of the Education Act, 2 are Sanderson schools. This is indicative of the very high degree of community interest in my electorate in all matters relating to education. Those 2 schools were the first and the second to incorporate. I see the discussion that has occurred about Sanderson high school as part and parcel of this process of community involvement.

I can inform the honourable member for Millner, who seems to envy me a little in the progress that has been made in community discussion on education matters in my electorate, that residents of the Sanderson area are so interested in the question of school councils that they even attempted to bring one into being in respect of a non-existent school: the Sanderson high school. They were very disappointed indeed to learn from me that this was not now possible under the new education amendment because one had to have a school in operation in order to get the composition of the council correct. However, they were not to be moved from this course; they achieved their purpose by forming a steering committee in order to keep the issues going.

Mr Deputy Speaker, I thank the Minister for Education for the effort and time he has given to my constituents, not only in meetings with residents but also in the preparation and assistance that he directed his officers to give in order to put together a document which would outline all the things people wanted to see in the new high school.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, I would like to pay a brief personal tribute to a gentleman who lived in Alice Springs for a very long time and who died in February this year. I know the Chief Minister intends to give a detailed tribute to him. He intended to do it at the last sittings but time and adjournments ran out. The gentleman in question is one, Mr Patsy Ciccone or Pasquale, as his Italian name is correctly. He was born in Italy 94 years ago. I helped gather the details from his family for the Chief Minister but I cannot say my memory will be exact on every point. As a young man he went to America and then came across to Australia. He was in Melbourne and Adelaide for some time. He met up with Mr Bob Gregory's father. Bob lives at the Old Timers' Home in Alice Springs and is himself an identity. He was a curator at Ayers Rock and is well known in the town. Bob's father and Patsy came up to Arltunga to mine gold. Patsy was there for a very long time, in fact until the gold ran out. His only surviving child is Mrs Gagliardi. She and her husband were induced to come out to Arltunga and mine the gold with Patsy. When the easy gold petered out, they moved up the Harts Range to the mica mines and they worked there until the discovery of mica in India and the cheaper labour there made it uneconomical. Patsy then moved into Alice Springs and took up a number of businesses. Many members would know that just across the causeway by the footbridge in Alice Springs there is the Pasquale Ciccone Building.

I spent a very enjoyable time with Mrs Gagliardi and some of her children talking about the old days. Certainly, things were hard and they worked hard. They said that they had enjoyed themselves and it was very evident that they were a close-knit family. In the yard of the home that Patsy had in Alice Springs, there is a gold battery. I am pleased to say that the Conservation Commission is endeavouring to purchase this and hopes to set it up in the Arltunga area. That was always Patsy's dream.

I was staggered when I learned that he was 94 when he died. I thought he was in his mid-70s. He had a very alert mind and was an active fellow. You could talk to him for hours and listen to the stories that he had to tell of the days gone by. In particular, I would like to pay tribute to the fact that he sponsored many other Italian families out to central Australia. Many of the well-known families in Alice Springs today who are involved with the Verdi Club are the descendants of some of the people whom Patsy sponsored. Those families are a living and lasting memorial to his humanity. The Chief Minister will perhaps give more details at a later date. I thought that, as time was moving on, he should be recognised at least in this small way by myself.

Last week, I was pleased to receive a copy of a report sent to me by the Minister for Transport and Works on the groundwater on the north-eastern part of the Amadeus Basin. This was prepared by the Water Division of the Department of Transport and Works in Alice Springs. The authors are Mr McQueen and Mr Geoff Knott. It is an excellent report. They undertook extensive study over a considerable time of the water situation around Alice Springs, particularly some 10 000 km^2 south of the town in the Amadeus Basin and other basins where potable water could be found for the town. If Alice Springs had had nothing more than the water which was in the alluvial sands in the town basin, it would have been restricted in size to considerably less than what it is today.

Their findings are very encouraging. In fact, they see potential in the central Australia region for a population of 250 000 people, well over 10 times the present population. No doubt, the report will be studied by many people and some aspects will need to be checked. Their conclusions are given very early in the report. I like reports that are written in that way

so that one can see what they are getting at from the start.

If further details are wanted on their arguments, they are available in the rest of the report. They are very keen on monitoring, assessment and control of the region regarding its water. This morning, in a question to the honourable Minister for Primary Production, I said that the report suggests that the best place for agriculture in central Australia is a fair way from Alice Springs, down at Deep Well, roughly 80 km away. Some 400 ha of land has been suggested as being suitable initially with possible increases to come later. I would not want to force this upon the people of Deep Well. I hope that they can see the potential in it. A reasonable price for agricultural land in the Northern Territory would be about $1000 an acre. There is a potential there for the people at Deep Well - 1000 acres at $1000 an acre involves $1m. No doubt they could see an opportunity to improve their own property or they may want to take it up.

We have often spoken in this Assembly about the agricultural potential of central Australia. I know that the Ministers for Transport and Works, Primary Production and Lands, who are all involved, will be very interested to look at this suggestion and, if such development is at all possible, they will want to get it going. It is very much in the interests of the whole Territory, not just central Australia. There are products that can be matured in the central Australian region at times of the year when they are unavailable from elsewhere. Of course, some things cannot be produced up here and must be grown down there. The market is wide open and it is a grand opportunity. I hope that it will be taken up. I commend the people who wrote this report and thank the minister for making it available.

Ms LAWRIE (Nightcliff): The Minister for Transport and Works indicated, through the media, that there is to be an inquiry into the Darwin bus service and, one must assume, into the fares charged. I would like him when reviewing the results of that inquiry to take a sympathetic view of people who travel by bus. I do not know of a public transport system in Australia that runs at a profit. It is generally accepted that public transport systems have to be subsidised by the community at large if they are to continue to provide a service. Mr Deputy Speaker, as you know, the Darwin bus service is the only form of public transport operating in Darwin. We have no trams or trains. We have the peculiar situation where Darwin is on a peninsula and the dormitory suburbs are a long way away. For many people, travel by bus is the only means of ingress and egress to the city.

I am one of the few members present who actually use the Darwin bus service consistently. I get the No 4 bus both into Darwin and out on an average of twice a week. At one stage, Mr Deputy Speaker, when my MG was being panel beaten, I travelled on the bus every day. One kindly bus driver said: 'We are sorry for you, Dawnie - lost your licence, eh!' I had to assure him that I had not lost my licence and that I found travelling on the bus most convenient. That shocked him into silence.

Mr Deputy Speaker, the cost of the trip from Nightcliff to the central city district is 30¢. It takes approximately 10 minutes. The buses are comfortable and clean and it is a very relaxing journey. Sometimes, going home is a bit more amusing when one meets passengers who have been having a long lunch hour and feel like having a chat. I can appreciate that the minister might say that, for 30¢, you are getting one of the best deals in Australia. Of course I am. I could afford to pay more but there are many people using that bus service who could not. As he would know from the returns from the bus drivers, the bus service carries an inordinate number of either non-paying or low-paying passengers such as pensioners and school-

children. Many schoolchildren catch the No 10 bus from Darwin High School every afternoon. Many pensioners living at Kurringal flats and people on low incomes use the excellent bus service, not only to get into the city but on the exchange out to Casuarina. I would not like to see these lower-income earners and children disadvantaged by a decision of Cabinet that the bus service had to run at a break-even point let alone at a profit. It would be foolish to decide that, to break even, we would have to charge everybody a few dollars to get in and out of town. As a taxpayer paying a high level of tax, I accept that public transport needs a subsidy. As the bus service is the only public transport that exists in Darwin, I ask the minister to look sympathetically at the continuation of the bus service.

Mr BELL (MacDonnell): Mr Deputy Speaker, in rising to speak in the adjournment debate today, I had intended to address the fairly ugly little performance the Chief Minister put on in question time this morning. Clearly, he was discomforted by some of the questions I put to him and he chose to respond with a mixture of distortions and half-truths that perhaps will be winkled out on Tuesday. The other ugly aspect of the performance was his smear on people working for Aboriginal organisations. I will have a few comments to make about that when he returns on Tuesday.

I am sorry the honourable member for Alice Springs has left the Chamber. He has made 2 references to Deep Well Station to date: firstly, in question time and, secondly, in the adjournment today. He referred to its suitability for the development of agriculture. Of course, that is highly desirable. Deep Well is in my electorate and I was aware of the potential for agricultural development there. However, there is one small thing that should be corrected. In the adjournment debate this evening, the now absent member for Alice Springs raised the expectations, perhaps unintentionally, of the holders of the lease of Deep Well. The lessees are known to me and they would imagine from what the honourable member said today that they were in a position to subdivide at will and sell off sections of that pastoral lease. I suggest to the honourable member that he do a little homework to determine just what the obligations are on the government and on the lessee for the developments that the honourable member has so justifiably given consideration to.

Today, Mr Deputy Speaker, I want to give a report to the Assembly on my trip to the United Kingdom to participate in the Commonwealth Parliamentary Association seminar. I understand that I am the third person from this Assembly to participate in this particular seminar. I hope that the other people who participated enjoyed and benefited from the experience as much as I have. I have read the contribution made by the Minister for Health and Housing, the member for Casuarina, after his trip in 1978. I also read the contribution of the honourable member for Alice Springs. Both were of great interest. I was interested to hear what had struck them particularly. Many of the things that impressed them, impressed me also.

The 3 aspects of the trip that I found particularly satisfying were the people involved, the information - the actual facts and things that were learned - and the place itself. I should give a few thanks. Yesterday, I thanked honourable members for the chance to participate. I should also mention Sir Robin Vanderfelt of the Headquarters Secretariat of the Commonwealth Parliamentary Association and Mr Peter Cobb, the Secretary of the United Kingdom Branch of the association, on whose shoulders, and upon the shoulders of whose staff, fell the burden of organisation of the seminar. I mention also those people who were very solicitous of our comfort and our education and also the other delegates who came from many Commonwealth countries. Their participation and contributions were an equally important part of the learning experience for me. A large number of United Kingdom parliamentarians

went out of their way to make us feel welcome and to share understanding and give information within the seminar. I mention particularly the staff of the United Kingdom Branch of the Commonwealth Parliamentary Association who worked very hard, day and night, to provide a program that went from early morning through the afternoons and into the evenings. I propose to mention some of the things that I found particularly interesting.

Having become a member of the Commonwealth Parliamentary Association upon entering the Assembly, I must admit that, until I went on this trip, I was somewhat bemused by the association. The CPA had always had other associations for me. In considering the role of the CPA, it was interesting, for example, to hear different people talking about what they perceived important in terms of Commonwealth parliaments. For example, I was interested to hear that the CPA is not necessarily committed to the Westminster system. There are, of course, members of the association whose parliaments would not be described as following the Westminster style. The definition that was arrived at in this discussion was that the qualification for membership should be that the parliament concerned should have a bona fide democratic system.

Within the context of the conference, there was some fairly lively debate about what constituted a bona fide democratic, parliamentary system and there was mention, for example, of the one-party system in Zambia. Criticisms were made and the Zambian delegate, of course, said that it was necessary to understand the situation in his country, a situation of tribal conflicts. It was all of great interest. Similarly, the delegate from Hong Kong discussed the fact that, in a sense, the representatives in that parliament are nominated and not elected. That also sparked a considerable amount of debate as to whether that fitted into the context of the CPA and the definition of a system of government that would be considered acceptable to the CPA.

I suppose I should mention the Commonwealth itself. As well as the undoubted benefit of the information that I obtained from the visit itself and the interactions with the people I have mentioned, for me the chief benefit was a realisation of what the Commonwealth is and, in terms of world politics, what an achievement it is. I have always been of the belief, Mr Deputy Speaker, that institutions should serve people, not vice versa. Certainly, there are some people who do not necessarily agree with that. I must admit that, in the case of the Commonwealth, at times I have had reservations. Having been to this seminar, I am inclined to the view that the Commonwealth serves a good purpose, both for its members and for the world community, in terms of showing a world organisation in which, certainly, there are tensions but also a great deal of communication and cooperation. For me, the Commonwealth came alive.

In talking about the Commonwealth, perhaps it is easier for people such as myself - who can claim, albeit very distant, ties with various parts of the United Kingdom - to feel a sense of belonging to the Commonwealth. The United Kingdom is the focus for the Commonwealth. The old British Empire has transformed itself into this particular institution and I certainly felt a sense of belonging for those reasons. But, in talking to other delegates, I had the distinct feeling that their attachment to the Commonwealth was no less strong than my own in that sense. I came firmly to the view that the Commonwealth is a blueprint for international understanding and is an example in the world.

Coming down to slightly more nitty gritty concerns, in terms of information that was passed on to us and which I compared directly to our

deliberations in this Assembly, considerable discussion was held on the committee system. I understand that a great deal of breath and ink has been spilt within our Assembly, largely prior to my arrival, on exactly that topic. I do not propose to discuss it at length now but certainly I was very interested to discuss the issue of the accountability of legislatures, particularly in the area of public expenditure. The view was expressed - and argued out very thoroughly - that, because of the increasingly complex nature of the financial decisions that parliaments have had to take, the degree to which parliaments are accountable for the money that is spent in their name is less than it was perhaps 200 years ago. I shall certainly look back with interest at debates on those topics in this Assembly.

At this stage, I am not committed to any particular view in that area. Maybe we should be asking better questions as to how we should organise to make legislatures accountable. Certainly, an interest in that particular question was awakened in me as a result of this particular seminar. As well as debating the theory of the desirability of a committee system for a particular parliament, we were also fortunate to be able to visit a number of committees to see what was going on. That was of great interest too.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr DONDAS (Health): Mr Speaker, in rising to speak in the adjournment this afternoon, I would like to refer to a press release which was issued by my office today and which appears in the Northern Territory News. It relates to Liquor Commission appointments. The release reads:

> *The Liquor Commission has appointed 2 Alice Springs residents as part-time members. The new members are Mr Barry Browse and Mr Gerry White.*
>
> *Health Minister, Mr Nick Dondas, said the wide experience of the new members would aid the commission in its aims to keep pace with the rapidly evolving liquor industry in the Territory.*
>
> *Mr Browse is an alderman of the Alice Springs Town Council and president of the Apex Club there. Mr White is head of the School of Tourism and Hospitality at the Community College in Central Australia.*

The reason why I read that out, Mr Deputy Speaker, was that that press release was issued by my office this morning. I have sent letters to a number of people who had applied for the position of part-time commissioner. Some 5 people had expressed interest and I nominated these 2 people. However, it was brought to my attention at the lunchtime recess that, under section 20(b) of the Liquor Act, a member 'shall not hold or have an interest in a licence'. It was brought to my attention also that Mr Browse has an interest in a licence at Mt Ebenezer. It is a roadhouse licence. He is not actually involved in the running of the premises but he does have a financial interest. That has put me in a difficult situation. I have not signed the instrument as yet. I thought that I would bring to the attention of the Assembly that there is a problem. I will not be accepting his nomination unless he absolves his interest in that particular licence. I will give him a week or so to do that. From the information supplied, I was not aware that he had that interest. I made the appointment in good faith, thinking that there were no complications.

Mr STEELE (Transport and Works): Mr Deputy Speaker, for the benefit of members, I would like to read into Hansard the exact financial position regarding the roll-on roll-off facility. I do this so that the airwaves are not completely clouded by misinterpretation fuelled by the matches of the

opposition. This project was originally budgeted, at 1981 prices, at $3.8m for civil and marine works with allowance for an expected customs payment of $540 000. Therefore, there was a total budget at 1981 prices of $4.34m. Our original commitment in 1982, allowing for normal increases and for the fact that we had underestimated in some areas on this unique project, the world's largest Ro-Ro facility ever built, was as follows: $1.5m for civil works, including consultancy fees etc; $2 728 640 for marine works; a contingency of $250 000 for variations which may be required; and an allowance of $540 000. That brought our total commitment to $5 018 640. The contingency of $250 000 was by way of drawdown funds available from the NRMA. Our final commitment to the project, and I stress that there are no outstanding claims, is as follows: $1 507 064 for civil works and $3 636 202 for marine works. That brings our final commitment to $5 143 266.

The variations, therefore, are an increase of $7 064 for civil works, an increase of $657 562 for marine works and a saving of $540 000 on customs duties. The variation between our final commitment of $5 143 266 and our original commitment of $5 018 640 is, therefore, $124 626.

Mr Speaker, Land and Sea Constructions Pty Ltd is an established Singapore company which undertakes the construction and repair of all types of marine craft, tugs, barges, dredges, and landing craft. Land and Sea was nominated by Marine Developments Glasgow Ltd and its subcontractors for the construction of the roll-on roll-off facility in the original tender for the work. I stress that the tender for construction was made earlier than, and independently of, the subsequential arrangement for the financing of the facility. Land and Sea has built vessels of various descriptions, such as boats or barges, for a South-east Asian shipping firm, flat-dumb barges for local owners and 3 cranes for the Bangkok Port Authority. I draw your attention to the fact that the company constructed the pontoon hatches for the Frances Bay, which was under financial support by the Northern Territory government and our locally-owned shipping service, V.B. Perkins. I believe this dispenses with any question of Land and Sea being a dummy company established to meet Singapore loan requirements.

There was no payment of an additional $0.5m to Land and Sea to get a signature on a cheque. The government did not pay $1 directly to Land and Sea. The total increase in the final project costs from the original commitment to final commitment was $664 626, when the original contingency allowance is taken into account. A fixed-contract price contract still allows adjustments to be made for construction contingencies. One could arrive at a figure of $914 626 by omitting the provision of $250 000 made as a contingency in the financing contract for marine works. In view of the unique design and highly complex nature of the work, it must be expected that some variations will occur in the construction process.

The government holds $283 110 on account of work to be completed and as retention moneys for satisfactory performance. This is standard practice and agreed to by Marine Developments, the prime contractor, and there is no legal action pending or likely. In fact, we have a deed of indemnification from Marine Developments in regard to this.

Honourable members who read today's press will have noted reference to a figure of $4.3m for the complete marine and shore works. I regret that this information was inadvertently supplied to the previous minister. They will no doubt note that the final figure I gave today was $5.1m. By way of explanation, I should point out that I have included all moneys expended on the project. I am assured that the figures I have presented to you today are a full and frank account of expenditure incurred on the

project. The figures quoted in the press today relate only to the contract and do not include the final negotiated settlement. If media members want to have a further briefing on this matter, I would appreciate it if they would make early contact and such a briefing can be arranged.

Mr Speaker, honourable members raised a few interesting questions this afternoon. First of all, let me congratulate Peter Wilson on being so very apt in his description of the honourable member for Millner. What he forgot to mention were the other 2 religious-looking characters on that side of the Assembly. Of course, we have Mr Ghandi who has just departed the parliament for places unknown. But what we have not worked out on the frontbench is who the flying nun is.

A few questions were raised about the ALP's attitude to gambling matters. I ask the ALP today to give precise answers to a couple of questions. My first question is in respect of poker machines. Which clubs will get them and how will they be allocated? In respect of TAB, what I want to know is: what percentage would it channel into taking funds from TAB and will it be a fixed percentage? It will face an election in the next year or so and I want it to come up with answers to those questions on gambling. I have been very interested in gambling over a long period and I would be very pleased to see those answers.

A couple of members mentioned bus services this afternoon. Indeed, it is a very serious problem that the government is faced with. The present bus service is recouping only 18% of the subsidy amount and, in the long term, it would look to a figure of around 28% as a reasonable recoupment of the subsidy that is provided by this government. I am advised that the fares have not been increased since 1979. It is not our wish to rush in and increase fares or anything of that nature. We want to do this job properly and look at it on a very serious basis so that the interests of all people who use the service can be taken into account. At the same time, we must be mindful of the very large subsidy that the government has to contribute towards this service.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

MOTION
Censure of Ministers

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that the Minister for Transport and Works and the Minister for Health and Housing be censured for misleading this Assembly in respect of the design, construction and operation of the Ro-Ro facility at the new Fort Hill Wharf and for their continuing incompetence in the discharge of their portfolio responsibilities, and the Assembly call on the ministers to resign.

Mr Speaker, the charge that the opposition will be levelling at this government is that its incompetence in the management of the Ro-Ro facility has caused the loss of some $900 000 of public funds and, indeed, on the amended figures that the government gave us recently, possibly in excess of $1m with the prospect of this figure being considerably more before the completion of the facility is finally realised.

This issue of the Ro-Ro wharf was raised by the opposition last week in the Assembly as a matter of definite public importance. Both the former Minister for Transport and Works and the current minister spoke on behalf of the government. Both ministers provided misinformation to this Assembly about the facility. It is difficult to establish whether they deliberately set out to mislead the Assembly or whether they are so incompetent as to not understand the briefings that, we assume, are provided to them by their departments.

The Minister for Transport and Works informed the Assembly that the government had approved the design and construction of the Ro-Ro facility in April 1981. He said that the fact that a subsequent subcontractor had turned out to be Singapore-based had allowed the government to obtain lower interest finance through the Development Bank of Singapore. He said that the finance system that was applied was that of a leverage leasing method. In fact, in that statement, he echoed the statement delivered earlier by the member for Millner. The Minister for Transport and Works then told the Assembly that the use of this funding technique had the effect of increasing some costs associated with the facility. The minister referred specifically to the need to upgrade the pontoon to meet the requirements of Lloyds of London. He said: 'Obviously, this was not something that the government could have been aware of when the contract was originally signed'. If the minister were even halfway competent, he would have been aware that this was not the responsibility of the Northern Territory government.

Mr Speaker, the contract was to design, construct and install the Ro-Ro wharf. The original contract required that Marine Development build the wharf to meet the specifications required by Lloyds for closed water conditions. It was the decision of the prime contractor that the wharf be built in Singapore. The Minister for Health told us in very strong terms that the Northern Territory government dealt with the prime contractor. 'We could not dictate to the prime contractor whom he engaged as subcontractors', the Minister for Health said in this Assembly last week. The result of the prime contractor's choice of subcontractor was that the requirements of Lloyds changed. If it was to cost more than Marine Development thought, then Marine Development should have put it in its tender price. The incompetence of the government has seen it naively jumping and paying for something that had absolutely nothing to do with the government.

The minister then went on to confirm allegations made by the opposition that the government had outwitted itself in pursuit of cheap funds by giving control of the cheque book to the subcontractor involved in the project. The minister said: 'Because of the powers afforded to him' - that is, the Singapore

subcontractor, Land and Sea - 'under the financial contract, he was able to prohibit access to the facility by the main contractor and therefore prevent the transfer of the pontoon to Darwin'. That is a direct quote from Hansard. In that statement, the minister has clearly admitted the incompetence of the government in relation to the management of this project. We had the extraordinary situation of a subcontractor supplying the purchaser with the funds to pay the main contractor who, in turn, would then give the money back to the subcontractor. As the minister himself said, this arrangement gave the subcontractor the upper hand - an arrangement endorsed by the government to get some cheap money. That fact is made clear by the presence of the Port Authority as co-signatory with Land and Sea.

The Minister for Transport and Works then went on to inform the Assembly that the Ro-Ro was in service and had been since 23 March. He said: 'The Ro-Ro has now successfully been used on 6 occasions'. He then went on to say: 'The design of the facility has proved to be most successful'.

I give the minister credit and say that it is incompetence that caused the Assembly to be misled in this way. I do not necessarily accuse him of deliberately doing it by those 2 statements but, if he is to be given the virtue of incompetence, that incompetence shines through in these statements. The statement that the wharf has been used 6 times since it was put in place at Fort Hill is the only part of the minister's statement that is correct.

In those 6 operations, the Ro-Ro wharf has blown up 3 gearboxes. Replacements have had to be imported from Italy on each occasion at an approximate cost of $1500 each. In the same 6 operations, the Ro-Ro has blown up 2 clutches. I would suggest that, if the basis of the operation of the wharf is the destruction of a gearbox and a clutch every second time it is used, I can hardly see how the minister can seek to mislead this Assembly, and indeed Territorians, by saying: 'The Ro-Ro has been used successfully on 6 occasions and the design of the facility has been proved to be most successful'. These serious and expensive problems involved in the continued operation of the Ro-Ro indicate that there are basic design flaws in the facility. How can we afford to have this minister as a minister any longer? Either he is misleading the Assembly or he has absolutely no idea at all of what is going on.

The minister told the Assembly that the new facility can handle 'all types of vessels'. Mr Speaker, he is wrong again. In fact, the wharf can accommodate only vessels with port or stern ramps. It will be necessary to accommodate starboard-ramp vessels and, in order to do that, further upgrading of the facility is required. The honourable minister has told us that it has been a faultless operation, most successful, and the facility can handle all ships. The only justification put forward was that it was in place, operating successfully and doing a wonderful job. That statement was patently false. These are serious design problems and it cannot accommodate all ships although the minister said that it could. It will have to be further upgraded to accommodate starboard-ramp vessels.

Mr Speaker, we then heard from the former Minister for Transport and Works. He told the Assembly that, in August 1981, the government approved commercial-type funding for the Ro-Ro facility. He said that the contract for the design, construction and supply of the wharf was signed with Marine Development in February 1982. The current Minister for Health then said: 'In December we took the decision to construct... It had to be a floating barge'. Again, I quote: 'A sum of $500 000 was saved from import duties by declaring it to be a floating pontoon and not a fixed pontoon'.

This government put aside $500 000 to meet import duties for the wharf

because it had decided to call it a fixed pontoon. It then decided to call it a floating pontoon,wharf and save half a million dollars instantly. Just how gullible does it think the Territory community is that it would accept that kind of line and that kind of argument? When the press release was issued by the former minister stating that the wharf was to be designed, built and installed on a fixed-price contract costing $4m, that decision, supposedly to save the customs duty, had already been determined by Cabinet some months before.

The Minister for Health then informed the Assembly that the financial contract was signed in April 1982. I would ask all honourable members to note that date because it is extremely important and I will return to it in a minute. The Minister for Health then quoted a communique from the then Chairman of the Port Authority, Mr Max Hardy. Mr Hardy said: 'In terms of the marine component of the contract, an amount of $2 369 400 had been paid to them out of an agreed contract amount of $2 770 957, including spare parts'.

The Minister for Health also quoted a second communique from the former Port Authority Chairman. Mr Hardy said: 'One aspect which concerns me, obviously apart from the claim by Land and Sea, is the fact that the balance of the loan funds from the Development Bank of Singapore, amounting to approximately $US515 000, may not be able to be released to the Port Authority while the parties are in dispute'. Mr Speaker, the Minister for Health quoted a telex from the Chairman of the Port Authority that again clearly shows that, as a result of the government's mismanagement of the entire affair, a subcontractor was able to put pressure on the prime contractor and screw the prime contractor and the Northern Territory government into the ground.

The Minister for Health then proceeded to again mislead the Assembly. We heard from the Minister for Health that the financial arrangements were being put together by the government and the Bank of New South Wales when the whole issue was thrown into a state of confusion, and I am sure all honourable members will remember this statement by the minister. We were told by the Minister for Health: 'Members might remember that the former Treasurer, Mr Howard, came out with a particular surprise statement one day and said that government and companies would not be able to enter into any particular leasing arrangements. Howard came out at 11 o'clock one day and made that statement -"no more leasing"'. The minister told us that the deal was arranged but said: 'The only thing we did not do was to have the contract ...',

Mr ROBERTSON: A point of order, Mr Speaker! I do not wish to interrupt the Leader of the Opposition but I would be curious to know from what document he is reading. Is it his own recollection of the conversation? In that case, why is it that the Leader of the Opposition said he was quoting from Hansard?

Mr SPEAKER: There is no point of order.

Mr B. COLLINS: Mr Speaker, when one is in trouble, one tends to clutch at straws. I amend my statement to say that I am quoting from the accurate transcription I made of the honourable member.

Mr Robertson: Then you have misled the Assembly. You stand condemned by your own words.

Mr SPEAKER: Order!

Mr B. COLLINS: You had better do better than that.

Mr Speaker, the minister said: 'The only thing we did not do was to have the contract signed'. All this was done in April 1982. The decision by the then

federal Treasurer to halt the use of leverage-lease financing was announced in fact on 24 June last year. Members would recall that the Minister for Health had stated in his speech last Wednesday: 'In April 1982, the financial contract was signed'. The incompetence of this minister is reaching new heights. It would appear from our understanding of how this came about that the minister has totally confused 2 separate issues. The first is the financial negotiations that surrounded the Ro-Ro facility and the second is the financial negotiations that related to the purchase of a container crane for the Fort Hill Wharf development.

There was a press release put out by the then Minister for Transport and Works, the Minister for Health, in early May in which he announced that negotiations were in their final stages for the signing of a contract for the design and construction of a container crane. There was another press release put out by the then minister announcing that the contract had in fact been let. The Minister for Health was not even able to distinguish between the various major capital works projects that were under his control. The crane contract was for $5m - as far as we can tell, it was that figure because we are relying on government statements in this matter.

What of the attitude of the Minister for Health to these financial arrangements that the government found itself dragged into by a man so far out of his depth that it defies comprehension? The more detailed financial arrangements will be canvassed more broadly by my colleague, the member for Millner. The Minister for Health told us that the finances were looking okay but that Mr Howard changed the rules and the government was caught short. 'We were forced to change our tack', he said. We then had the Minister for Transport and Works on record as saying: 'It was the presence of the Singapore subcontractor that enabled the Northern Territory government to obtain a lower-interest finance for the facility through the Development Bank of Singapore'. The Minister for Transport and Works misunderstood the insurance aspects relating to the wharf or deliberately misled the Assembly. He conceded that Land and Sea had gained control of the project after denying that that situation existed. It is there to be read. He said that the Ro-Ro was working well when it demonstrably is not.

We then had the Minister for Health tell us that Cabinet changed the classification and that saved the Northern Territory taxpayer $0.5m. The Minister for Health then read out part of a telex from the former Chairman of the Port Authority in which Mr Hardy confirmed that Land and Sea did have control of the cheque book. He then said that the government was forced to go overseas for money because Mr Howard blocked leverage leasing in Australia. The problem is that Mr Howard's move came 3 months after the Ro-Ro financial contract had been signed. That is clear from the minister's own statement and the dates he has supplied. As I say, if you give him the benefit of the doubt and say that he did not deliberately mislead the Assembly in this matter, the height of his incompetence in understanding what is going on is beyond belief.

We then had the Minister for Health say that the Ro-Ro was not a fixed-price contract. The current Minister for Transport and Works then said in the same debate that it was. When explaining to the Assembly and therefore to the Territory the detail of the government's dealings in this matter, these ministers cannot even agree with each other. They cannot even agree among themselves.

Mr Speaker, I am prepared to give the honourable Minister for Health the benefit of the doubt and say that these grossly misleading statements were not deliberately put before this Assembly. The only other conclusion one can draw is that it is incompetence of the highest order for the minister to totally misunderstand what is going on. It was particularly unfortunate that the minister

attempted to deceive this Assembly by saying that the Ro-Ro facility is operating most successfully when every man and his dog down on the wharf knows that it is not. There are serious and expensive design problems with the facility. I might also add that, every time the interior of the thing has to be flooded with sea water - which is when it is in operation - because it is not painted, it has to be flushed out with force-blast fresh water. That does not really indicate that it is a successfully-operating facility either.

The facts remain - they cannot be disputed - that during the debate this Assembly was misled, and misled in a fairly devious fashion. If the minister is prepared to acknowledge that his misleading was not deliberate, and in fact it was due to his incompetence, the terms of the motion in both cases will still stand. These ministers have amply demonstrated they are not fit to hold their portfolios and they should resign.

Mr STEELE (Transport and Works): Mr Speaker, the opposition is attempting to censure 2 ministers of the Crown. It claims that there has been incompetence and misleading of the Assembly.

The first thing I have to say is that the dealings with financiers and the contracts with overseas concerns were very complex. At times, we found that even the officials who were very close to the project were confused in their explanation of the details to ministers. Obviously, if the ministers are not getting the story across,they will have to try a little harder to get it across.

The Leader of the Opposition said that I had misled the Assembly by saying that the Ro-Ro had been successfully used on 6 occasions. Mr Speaker, I do not back away from that statement. We are well aware of the problems with the Ro-Ro. We indicated in our speeches last week that the moneys were being held. We indicated that $283 000 was being held, that further work had to be done and that we were indemnified by the contractor for the work. In fact, only yesterday or the day before, one of the principals of Marine Development arrived in Darwin. He is here to fit new gearboxes to the facility. Those gearboxes are expected to arrive in Darwin today.

There have been problems with gearboxes fracturing when the pontoon is extended beyond its proper limit of travel. Automatic stop-limit switches will be fitted to prevent the gearboxes from being overstressed in this way. Internal painting of the pontoon has been commissioned and we mentioned that last week. A Darwin company will complete the work in several weeks with paint supplied from Singapore under the original contract. Air compressors and air lines are being assessed at the moment. They provide power to extend and retract the pontoon and support the ramp. Portable curbs on the link span may be modified so that the amount of curbing that has to be removed when the pontoon is being retracted is reduced. Discussions are being held with stevedores on the possibility of installing traffic signals on the link span to control the movement of vehicles. The shore end of the link span is being suitably modified to reduce the hump between the end of the link span and the shore.

We have made no secret of the difficulties experienced in the mechanical handling of the Ro-Ro. We have said that the Ro-Ro had been used successfully on 6 occasions and we stick by that.

Mr Speaker, the Leader of the Opposition said that I had misled the Assembly in saying that the Ro-Ro would now handle all types of vessels. He further stated that the Ro-Ro would have to be further updated to accommodate starboard-ramp vessels. I confine my remarks to the vessels that have been calling into the port. I must confess that I had not taken into account that starboard-ramp vessels may require an upgrading of the Ro-Ro.

As I indicated last week, the total cost of the Ro-Ro was $5 143 266. There are no outstanding claims against the Ro-Ro. An additional $500 000 was not paid to get a signature on a cheque, as was alleged by the Leader of the Opposition. As I indicated, a sum of $283 110 is still held. An amount of $807 000 was the figure discussed in the Assembly last week concerning variation. It was made up of items foreseen in the original contract and scheduled at that time. They include provision of improved deck-surfacing, classification of link-span bridges by Lloyds in addition to the pontoon, additional supervision, change in selection of motor starters and some spare parts. The variations accepted between April 1982 and April 1983 included the balance of spare parts, additional valves, consultancy on additional cyclone loads, a computer model required and expenses for Department of Transport and Works staff in Singapore during October 1982 to release the pontoon. The negotiated settlement in April 1983, against the total claims made by the contractor, included additional steel to meet the requirements of the vessel, a pontoon, additional loading and lashing dictated by Lloyd's surveyor for the late sailing, additional tug costs for a more powerful tug due to the onset of the cyclone season, extensions of the time, increased insurance premiums, variations in exchange rates and the terms of payment.

In respect of the complexity of the arrangements conducted by the various officials that the government had working on this project, I think that those officials should be congratulated on handling those extremely difficult negotiations and arrangements. The government took the decision to upgrade the port and to provide a crane and a Ro-Ro facility in the light of Darwin's requirements. The decision dates back to when Doug Anthony made an election promise here in 1977. A lot can be said for election promises to construct the wharf that were actually backed up with finance. Mr Speaker, there is no substance to the Leader of the Opposition's allegations.

Mr SMITH (Millner): Mr Speaker, the honourable Minister for Transport and Works began by saying that the financial matters involved in this exercise were very complex, and we would agree with that. Leverage leasing is a very complex financial arrangement to enter into. But it begs the question as to why the Northern Territory Port Authority and the Northern Territory government became involved in the actual financial dealings to the extent that they did. Normal leverage leasing arrangements provide that the financiers, in this case the Bank of New South Wales, now called Westpac, and Barclays, do all that sort of work. They arrange the finance. They ensure that the contractors are paid properly. It is not the responsibility of the people who are to end up with the property, in this case the Northern Territory Port Authority.

What do we have in this case? The signature of the Chairman of the Port Authority is on practically every document that was signed. There were many documents: genuine contracts, dummy contracts and a whole range of contracts to try and accommodate the very complex matters in which the government was dealing. One of the basic points that we make is that, in fact, by interfering with and diverting away from the normal leverage leasing arrangements, the government got itself into a mess and provided the subcontractors, in this case Land and Sea, with the whip hand and the signature on the cheques. That is one of the basic objections that we have put forward consistently. No one on that side has given us a reason why the government went against normal leverage leasing arrangements and entered into those sorts of fine detail itself.

Mr Speaker, since we last raised this matter, we have more evidence on this particular point and I would like to bring it out now. On 24 November 1982, in order to get the pontoon out to Darwin, the Northern Territory government and Marine Development jointly contributed money to a trust fund. That trust fund

was to be exercised by 2 independent marine surveyors who were to assess the claim of Land and Sea and determine whether it should be paid out of the trust fund or whether the arrangements with Marine Development were quite okay. It is quite understandable that the government became involved at that stage because it was under pressure to bring the pontoon here before the cyclone season started, and that was only 4 or 5 days away. It is to be congratulated for entering into this independent evaluation of the claims of Land and Sea against Marine Development.

However, 2 weeks later Marine Development withdrew from this arrangement to have 2 independent surveyors assess the claims. In fact, I am told that Marine Development threatened the 2 independent marine surveyors that, if they continued, it would take legal action against them. Very quickly after the pontoon had been released, the independent arbitration system that the government had set up had broken down. By that time, we had the pontoon in Darwin. I would have thought that it would have been appropriate for a government that is mindful of taxpayers' money to have said at that stage to Marine Development and Land and Sea: 'We have a fixed-price contract and we have the boat in our harbour. You people sort it out'.

What did this government do? It entered into further financial haggling with Marine Development and Land and Sea. It is very interesting where this financial haggling took place. Both Marine Development and Land and Sea said that they wanted the financial haggling to take place in Singapore and that Darwin would be second best. The Port Authority, which had responsibility for arranging the venue, selected Sydney. We had the situation where Marine Development and Land and Sea flew down from Singapore and 4 members from the Northern Territory government flew from here to Sydney. They spent 4 unsuccessful days in Sydney trying to reach agreement. If they had reached agreement, they would not have been able to sign the documents because they did not take the Chairman of the Port Authority with them. The meeting was reconvened in Darwin 3 days later and, after another 3 or 4 days of haggling, a final agreement was reached. Mr Speaker, that is a waste of taxpayers' money. It is only a small amount but it is indicative of the way that the government has approached the whole business of the Ro-Ro. It has not taken sufficient care of taxpayers' money. That is a small but very valid illustration of that.

The honourable minister also stated that the Ro-Ro is operating successfully. I put it to him that, if his car blew a gearbox every 2 weeks or a clutch every 3 weeks, he would not think that his car was operating successfully. To say that the Ro-Ro is operating successfully is nonsense.

Mr Speaker, this morning we again heard a variation of the story about the Ro-Ro. We were told last week by either the Minister for Transport and Works or the Minister for Health that Marine Development was bringing out 3 painters from Glasgow to paint the inside of this ship. This morning we are told that a Darwin company is to do it, obviously using Darwin people. All that will come from Glasgow is the paint. When are we going to know the truth, Mr Speaker? It is just a constant variation on a theme.

The matter of the wharf was debated for more than an hour last Wednesday, yet we saw the minister rise in the adjournment debate last Thursday to give the Assembly a completely new set of figures on the cost of the Ro-Ro facility. The minister said that he would like to read into Hansard the exact financial position regarding the roll-on roll-off facility. This came some 30 hours after the issue had been raised in the Assembly as a matter of definite public importance. It took the minister 30 hours to produce the figures for what was a fixed-price contract, let in 2 parts with an allowance to meet any overruns.

The minister told the Assembly last Thursday that, with regard to the Ro-Ro facility, the original commitment was, firstly, $1.5m for the civil works associated with the project. He included in this figure an allowance for consultancy fees. The contract was for the design, construction and installation of this facility. There should not have been any reference to consultancy fees nor any allowance for them above the contract price. The true figure for the part of the contract that related to the provision of civil works was in fact in the order of $1.3m, as I stated in the original debate last week. The Minister for Transport and Works said that there was an original commitment by the government of $2.728m for the marine works component of the project. That figure was the one quoted last week in this Assembly by the opposition. The minister also told the Assembly last Thursday that there was a contingency sum of $250 000. Such a figure is an accepted part of a fixed-price contract and it is not doubted by this side. We then heard about the $540 000 to cover the expected import duty. That figure bore absolutely no relation to the contract because, by the government's own admission, the decision was taken by Cabinet in December 1981 to change the name of the vessel and allegedly save the $540 000. The actual contract with Marine Development was signed in February of the next year.

Mr Speaker, the opposition has contended that the cost of the Ro-Ro development was originally set at $1.3m for civil works and $2.7m for marine works. This figure was confirmed by the Mininster for Health when he leapt into print last Thursday, in the NT News, saying that the complete cost of the wharf development was $4.3m, compared with an original figure of $4m, this representing a modest overrun of $300 000. Apart from being a little taken aback by the fact that the Minister for Health now puts out press releases on Transport and Works matters, the actual Minister for Transport and Works was forced to get up in the Assembly and correct the blunder made by his colleague on a matter that was well and truly in the domain of the present Minister for Transport and Works. The member for Ludmilla told the Assembly that the information had been supplied inadvertently to the previous minister. Last Thursday, Mr Speaker, it appeared that there were 2 spokesmen for Transport and Works and 2 sets of figures. If that is not a sign of incompetence, I do not know what is.

The member for Ludmilla told the Assembly that figures quoted in today's press relate only to the contract and do not include the final negotiated settlement. Of course, that is what we said consistently. The $4.3m related to the original contract plus a contingency amount, and certainly was not the final negotiated settlement which now, on the government's own figures, is $1m higher. I thought we were talking about the fixed-price contract for the Ro-Ro and the fact that the final cost of the facility bore little relationship to the contract price and that there was no clear explanation from the government as to how this had happened.

Mr Speaker, let me remind the Assembly of the nature of the contract that was let for the design, construction and installation of the Ro-Ro facility. It was of a fixed-price nature with a normal contingency allowance. If this contingency allowance had been fully drawn upon, then the final cost of the project would have been in the order of $4.3m. The current Minister for Transport and Works introduced a new set of figures into the debate, figures that he described as the government's 'final commitment to the project'. There was $1.507m for the civil works component. Again, if the consultancy fees were excluded, as they should have been, these figures suggest that there was a modest overrun in the cost of this part of the contract. Then the minister set the cost for the marine works at $3.686m. According to the minister, the original cost of the largest Ro-Ro facility ever built was $2 728 640. According to the minister this figure was 'allowing for normal increases and the fact that we were under-estimating in some areas on this unique project'.

I would also remind the Assembly of the figure quoted by the then Chairman of the Port Authority, Max Hardy, to the then Minister for Transport and Works last year. In that telex, Mr Hardy referred to an agreed contract worth $2 770 957. The Minister for Transport and Works then misled the Assembly, an action for which he must receive the highest censure. He said that the original figure for the Ro-Ro facility was $5.018m. He added the $540 000 that was saved from the import duty requirement that applies if you call a Ro-Ro a fixed pontoon but does not apply if you call it a floating pontoon. He added the cost of consultants' fees, which were unrelated in any direct sense to the contract itself, to the value of $200 000. The $540 000 did not appear as part of the contract - the issue to which this whole affair has been addressed at all times by the opposition. Nor can the consultancy allowance of $200 000 be considered as part of the contract.

By the government's own admission, there remains an overrun in the cost to the Territory for the Ro-Ro of more than $1m. The original contingency provision represented 6% of the value of the contract. The actual overrun that has occurred - and I might add that the project is not yet completed and faces many problems still to be resolved - is in the order of 25%. Last Thursday, I mentioned a figure of 33%. So that there is no confusion on that, my figure of 33% was the overrun on the marine works component, and that still stands at 33%. On the total contract the overrun is 25%.

In the words of the minister last Thursday, the figures quoted in the press relate only to the contract and do not include the final negotiated settlement. He then attempted to suggest that the original cost was over $5m. The minister acknowledged, last Thursday, that the contract was of a fixed-price nature after the former Minister for Transport and Works had told the Assembly that it was not. The member for Casuarina said: 'When we entered into this particular agreement, it was not a fixed-price contract'. Then the honourable member for Ludmilla said: 'A fixed-price contract still allows adjustments to be made for construction contingencies'. That was the sum of $250 000 that the honourable minister originally quoted. We have this conflict between the 2 honourable ministers: one says that it is a fixed-price contract and the other says that it is not. The Assembly still lacks an acceptable explanation for the missing $1m and it has now been misled by 2 ministers of the Crown.

Mr Speaker, to recap on the issues, the government became involved in a financial arrangement that saw it lose control of a considerable amount of money. The result is that the Territory has paid in excess of $1m more than it should have paid if the issue had been managed effectively. We have received different explanations from 2 ministers in terms of the circumstances surrounding the government's involvement in the project. We have received more than 2 sets of figures relating to the cost to the Territory of the Ro-Ro. Both the Minister for Transport and Works and the Minister for Health have misled the Assembly. Mr Speaker, they have no option but to resign.

Mr ROBERTSON (Attorney-General): Mr Speaker, in my view, and contrary to the motion of the opposition, I believe the 2 ministers ought to be commended. Mr Speaker, I would ask all honourable members to cast their minds back to what was in existence at the wharf at the beginning of self-government in the Northern Territory. After many years of promises, and then broken promises, we saw absolutely no progress whatsoever in that area of the City of Darwin. Over many years, we heard from various people who had an interest in the Northern Territory of the necessity to develop the Port of Darwin. No one ever did anything about it until the present Minister for Transport and Works, who is a subject of this motion, did something about it. We have now one of the most modern, if not the most modern, port facilities in this country. We have a wharf which has the potential to be fully land-backed with extensions to handle multiple berthing.

We have a roll-on roll-off facility which is the largest and most modern in the world. We have one of the most modern amenities blocks attached to a wharf in this country, and one of the most modern - if not the most modern - control facilities in this country for the operation of that wharf. Mr Speaker, rather than these gentlemen being condemned, it is my submission that they should be commended.

It has not been an easy task. In fact, it has been a very difficult task by Territory standards to put together this vast project with the competence, skill and efficiency these ministers have exercised. We now have that wharf, including the Ro-Ro, at a cost which is still better than the second best tender which would have been available to the Northern Territory.

Mr Speaker, if the principal contractor is deemed by the opposition to be a poor choice, may I point out that either of the 2 first choices would have had to go about it in the same manner as the prime contractor went about it in this case. Either of the 2 lowest tenderers would have gone to a Singapore-based subcontractor. Because of the nature of these constructions and their novelty, none have been built in this country. Logically then, it would have to be done in Singapore. Is it not completely logical then that the financial resources available through the Development Bank of Singapore were utilised? It is not a matter of the incompetence, but a matter of the competence, in this case, of the prime contractor who of necessity used a Singapore-based subcontractor. The information available to us, given that set of circumstances, was that any other tenderer and any other tendering method would indeed have cost the Territory taxpayer additional money.

With a novel thing like the Ro-Ro, there are additions. In this case, those additions have resulted not only in the largest and most modern roll-on roll-off facility in this country, but also in the most robust and most durable roll-on roll-off facility possible. The variations are not minor changes; they are not of minor significance in terms of the durability and functional capacity of the roll-on roll-off facility. They have resulted in the addition to that facility of about 180 t of steel alone. The net result is not something that will operate on the Darwin wharf for the next decade. It will be operating satisfactorily for well into the next century.

Mr Speaker, a great deal of play was made this morning of a date given by the Leader of the Opposition. The date was April 1982. He indicated that either the minister consciously misled the Assembly on that matter or, if he had not, he had demonstrated incompetence. When the honourable Minister for Health made that statement, it was in the middle of a very heated debate. Any member who has debated strenuously on matters of importance would know that the pressure of debate occasionally leads to confusion.

The honourable Minister for Health certainly was confusing the 2 financial arrangements between the crane and the Ro-Ro. Mr Speaker, is that anything to condemn a minister for, particularly as the confusion arose in the heat of debate? I would like you, Sir, honourable members, the press and everyone listening to this to compare that slip of just one date relating to one facet of this very complex issue - made on his feet and off the cuff - with what the honourable Leader of the Opposition admitted that he did this morning. If one is to be condemned for missing a date, I would ask the Leader of the Opposition to compare the circumstances under which the honourable minister missed that date with his position when calmly reading from a document this morning. He does not even know the difference between his own notes, his own recollections, and Hansard. It is crass nonsense to suggest that that constitutes anything other than an innocent slip.

While we are talking about misleading the Assembly and the public of the Northern Territory, the Leader of the Opposition then said, and with great gusto, that 3 gearboxes had blown up and had to be shipped out and brought back at great expense to the Northern Territory public, that the wharf was not efficient, and that it was not running properly. In addition to those 3 gearboxes blowing up, he told us that 2 clutches blew up as well. What is the truth? We are talking about information provided to the Assembly which we are expected to accept. The Leader of the Opposition pushed it. Therefore, if the cap fits, let him wear it. The fact is that the casings on the gearboxes cracked, and not while any operation was going on but while the Ro-Ro was being moved.

The Leader of the Opposition told us that this was a catastrophe in terms of the operation of the wharf facility. What is the truth? The truth is that not one minute of wharfage operation time was lost as a result of those happenings. Further, he stated the enormous cost that this has involved the Territory in - the thousands of dollars that have been expended in shipping these gearboxes and clutches backwards and forwards across the country. What is the truth? He knows it but he does not wish to tell the truth. The truth is that the Ro-Ro facility is subject to a maintenance provision in the contract. Not one cent of the cost of replacing those casings or, as will be necessary, the gearboxes themselves, will be expended by the Northern Territory taxpayer.

Mr Speaker, what we have heard this morning is an attack on 2 ministers based on what we are expected to believe is the integrity and honesty of the Leader of the Opposition. He does not even know what the words mean.

We heard about the $540 000 which, we were led to believe by the Leader of the Opposition, resulted in some sort of sleight of hand. When the contract was let to the principal contractor, a sum quite prudently was set aside in the event that the Australian Customs Service did not admit the vessel one way or the other as being free of import duties. What stupidity it would have been not to have made provision for an unknown factor like the reaction of the Commonwealth to impost on import or otherwise. It was an amount set aside at a time when we did not know what the reaction of the Commonwealth would be. Once we knew what that reaction was, then that amount of money was adjusted back. It is not a sleight of hand; it is not mismanagement. It is quite the opposite; it is prudent budgeting. God help this place if the opposition ever gets into power and does not realise the fundamental necessity for prudent budgeting in order to have funds set aside against the event that a particular line of approach to another government is not successful. We would end up, Mr Speaker, with the same sort of thing that has happened to us in respect of the railway. We change from a position of total Commonwealth funding to our paying 40%.

Mr Speaker, what we have seen here today is a demonstration of the incompetence of the opposition; firstly, in getting its facts straight in respect of this matter; secondly, in understanding even basic economic management and budgeting; and, thirdly, in respect of comprehending that the roll-on roll-off facility is operating successfully. I repeat that, on the information available to me, the 6 movements of ships which have taken place using that facility have gone satisfactorily in all respects. Not one minute of loading or off-loading time has been lost. In respect to its operations, other than normal costs which go with running a thing like that, not 1¢ of the Northern Territory taxpayers' money has been lost as a result of design deficiencies.

The entire fabric of the attack by the Leader of the Opposition and other opposition members on these 2 ministers fails, firstly, on the ground that they have been singularly successful, in the time since self-government, in achieving what no Commonwealth government in 70 years has been remotely close to achieving -

one of the most modern facilities in this country - and, secondly on the ground that the port is an efficient port. There is no question whatsoever about that. Incidentally, it is nonsense to suggest that ministers misled the Assembly in respect of the side from which vessels can be off-loaded. From my recollection, the honourable minister said, 'all vessels using the facility'. To the best of my knowledge, we do not have any port-ramp vessels at this time. Mr Speaker, each aspect of the opposition's attack fails when examined.

I have canvassed the issue of additional moneys which have gone into this facility. It is not wasted money at all. It is money which has been used for a better facility than it would otherwise have been. No one in his right mind could deny that the strengthening of these facilities must improve them and make them more durable. We will not come back to some future Assembly trying to find appropriations for a facility which was inadequately designed in the first place. Not 1¢ of taxpayers' money has been lost as a result of any difficulties which may currently exist with the maintenance contract which is in place at the moment. In analysis, the entirety of the opposition's attack fails and I believe the ministers ought to be commended not condemned.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I had thought that there would be more opposition speakers in this debate because it is a motion of censure. As the debate has proceeded, it has become obvious that this is just another tawdry and desperate clutching at straws by the opposition to draw the attention of the Northern Territory media away from the dishonouring by their federal colleagues of their commitments to build the Alice Springs to Darwin railway line. We saw plenty of that last week and at the time the decision was made. In fact, I think the Prime Minister himself joined in a dishonourable attempt to interfere by trying to link me with the leaking of information relating to David Combe.

Mr Speaker, my colleague, the Attorney-General, has put down the opposition motion very well. He has rightly said that these 2 ministers - the one with the foresight and the other who bore the heat of the day - should be commended. I think it is worth while putting on the record for those people who read Hansard, and who perhaps do not understand the processes of this Assembly, what actually happens when these matters of public importance or censure motions are raised. The government has very short notice of a matter of public importance. As you would appreciate, Mr Speaker, we receive notice of a matter of public importance at 9 o'clock on the day itself. The ministers who are involved then have to acquaint themselves again with the facts of the matter. In a complex matter such as this, the matter of times, amounts and dates tend to become something of a blur. The ministers have to counter the opposition's arguments and absorb in a short time what has taken many people months and years to do and, in this case, has involved Australia's leading firm of commercial solicitors, Allen, Allen and Hemsley, Barclays Bank, Westpac and many other people and companies.

There are 2 levels in this whole matter: the financial level and the actual construction level. There are subdepartments of those. There is money provided under the contract on the Ro-Ro and there is money provided by the government itself. In a debate such as this, all this tends to become inextricably blurred and confused. I would not vouch for the accuracy of every figure that I give today because my understanding of the matter is, to be frank, somewhat imperfect. But I am satisfied that there has been no misconduct on the part of these ministers, there has been no misleading of the Assembly and there certainly is no continuing incompetence on the part of the ministers.

Let us just have a look at cost overruns. I think that is the nub of the whole opposition thrust. Cost overruns have been a fact of life in the construction industry over the past 15 years. As well as by inflationary

pressures, cost overruns have been caused by changes in scope of work and so on. I will quote a few Territory examples. For the Darwin Community College School of Science and Technology, the original estimate was $1.6m and the final cost $2m - an overrun of 25%. This next one is a Commonwealth government project. The original estimate for Darwin Hospital was $24m and cost $73.5m - an overrun of 306%. Certainly, Cyclone Tracy intervened but it should not have intervened to that extent. For Dripstone High School, another Commonwealth project, the original estimate was $4.8m and the final cost was $6.2m - an overrun of 30%. The Government Printing Office, again built in the time of the Commonwealth administration, was estimated at $1.075m and the actual cost was $2.83m.

Mr Speaker, those are cost overruns on other Territory projects. Those projects were right here in the Territory where either the Commonwealth or ourselves had total control over what was happening. The projects were not being undertaken a couple of thousand miles across the sea. Let us look at time and cost overruns in other Australian port projects. Cranes seem to be a popular thing in other ports.

In Queensland, for one project, 2 cranes were ordered. The time overrun was 9 months and the increase in cost from that estimated was 22.68%. If you think that Queensland is bad, let us go a bit further south. In Melbourne, where 3 cranes were ordered, and it took 6 to 9 months longer than the estimated time, the cost overrun was 30.12%. I am not talking about a new and novel Ro-Ro to suit a harbour with very great extremes of tides; I am talking about cranes on the wharf. I am not talking about a new, unique facility. In Sydney, that place where everything goes swimmingly and the ALP has been in government for so long that the fields are Elysian, 3 cranes were ordered. The time overrun was 15 months and the cost overrun was 50%. And we are being censured. At least down in Sydney, the opposition waits until it has something good against the leader of the government before it does anything.

Mr Speaker, this censure motion has been a complete waste of time. We are talking about misleading the Assembly. The prime example of someone misleading the Assembly is, as my colleague, the Attorney-General, said, none other than the honourable Leader of the Opposition. I said before that the opposition has all the time in the world to work up these matters of public importance and censure motions. Mr Speaker, you and all honourable members have seen that this week and last week the Leader of the Opposition and the honourable member for Millner have read from prepared speeches. They can put them together at their leisure. They can bring them on this week, next week or at the next sittings. They do not have to rush into it. They can check out all their facts. What did the honourable Leader of the Opposition say last week - and not a word of it this week, Mr Speaker? Let me just quote his words ...

Mr B. Collins: Are you going to be consistent with your Leader of the House?

Mr Robertson: Just recall what he said.

Mr EVERINGHAM: I recall what the honourable Leader of the Opposition said: 'They went off to Singapore to get some cheap money' - and that, of course, is inaccurate because Westpac was the financial manager and it went off to Singapore and organised it. 'They found out, of course, that the Development Bank of Singapore would not lend them the money unless it was to a Singapore company. They thought they could get around that. They set up a few dummies. They set up a Singapore dummy. The real prime contractor was Marine Development but they set up a dummy company in Singapore so that they could get their expensive-cheap money from the Singapore bank'. The Leader of the Opposition continued: 'That is all the contractor was, a dummy for the sake of getting the money. It was a

fixed-price contract'. Let us talk about fixed-price contracts before we come back to dummies.

Mr Speaker, I have it on good authority from the Secretary of the Department of Transport and Works that a fixed-price contract is an anomalous term used commonly in the building industry. Anomalous terms are used in many professions - in my own for instance. Bids are made on a specific set of documents for a specific amount of work, generally as measured in a bill of quantities, subject to any of the conditions of the contract. The fixed price is for the work specified at that particular time and for the work to be completed within a particular period. Fixed-price contracts may be varied by rise and fall. This is based on a nationally-adopted cost adjustment formula to cater for movements in the industry. In times of medium to high inflation, the figure is significant. Variations relate to additional or changed work which may be ordered by the client. Additional or changed works are required due to design inadequacies or encountered field conditions not predictable at the time of design and includes works - and I think that is relevant - known but not formally documented at the time of the original contract. Adjustment of the bill of quantities is made to match the actual quantities experienced in the field with those measured off the drawings. In this case, I know that, for this vessel - I will call it a vessel because I cannot understand link spans and Ro-Ros - an extra 180 t of steel was required over and above the contract price. That has not been mentioned. I will bet that the honourable member for Millner knows that but he has not mentioned it. Imagine what 180 t of steel costs. There are also contractor's claims, delays attributable to the principal, discrepancies in the documents, ordered deviations of the contractor's program and changes to legislation during the contract. That is what a 'fixed-price contract' means, Mr Speaker. Some fixed price!

Let us get back to the dummy company. As I said, the honourable Leader of the Opposition came in here one morning last week after having all the time in the world to put this together. But he did not even bother to check his sources. It took a telex from the government to the Australian Trade Commissioner to get documentary proof that this was not a dummy company. Did the Leader of the Opposition take that step? He has the same resources. He can pick up the phone and ring the Australian Trade Commissioner in Singapore and get the facts. Of course, the facts are that this was not a dummy company. It had been in business for several years at least and had carried out projects for Northern Territory people in the past. It is run by a well-known Australian yachtsman. Some dummy!

Mr Speaker, it was a deliberate attempt by the Leader of the Opposition to mislead this Assembly by failing to check out his sources. It was a disgraceful attempt to mislead the Assembly. There is absolutely no credibility in the opposition and I refute its arguments. Certainly, there will be no resignations from these 2 ministers.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I thank the honourable Chief Minister and the honourable Attorney-General for attempting to extricate the subjects of this motion. I think it is significant and not surprising that one of the ministers named in the motion did not contribute at all to this debate. I think that that decision - and I would suspect the honourable the Chief Minister made it ...

Mr Everingham: It is your debate. How many speakers have you got?

Mr. B. COLLINS: I think his decision to keep that honourable minister out of this debate was a very wise one.

Mr Speaker, the Chief Minister said: 'This debate is all about cost overruns'.

He then went on for 10 minutes to tell us that that was not unusual. This debate is not about cost overruns at all. That was last week's debate. Last week's debate indeed was on the subject of cost overruns, and the ministers concerned were put on their mettle by the opposition to provide explanations. As a result of those hopeless, contradictory - internally contradictory - and confusing explanations, this motion has been brought on. This motion is not about cost overruns; it is about the incompetence of 2 ministers of this government. I think they have once again demonstrated that this morning. Whilst the Attorney-General and the Chief Minister have once more leapt in and tried to pull their irons out of the fire for them, they have demonstrably failed to do so.

Mr Speaker, the Chief Minister again said: 'My knowledge of this matter is imperfect'. I would suggest to the Chief Minister that his knowledge of this matter is irrelevant. I do not care how much he knows or does not know about it because he is not the responsible minister. We all know that the Chief Minister sees himself as being responsible for everything but I put it to the Assembly and to the Territory that we pay our parliamentarians in the Northern Territory - and I support it - salaries which are commensurate with salaries offered anywhere else in this country, either at federal or state level. If you are big enough to accept that salary, then you have to be big enough to perform and to earn it. Those 2 ministers last week demonstrably did not do that. The sole minister who spoke this morning compounded the allegations in the motion by admitting that the particular matters raised by the opposition were spot on.

The Chief Minister and the Attorney-General gave what I think was the most extraordinary explanation for the inability of the government to handle the heat when it was put on by the opposition. They both advanced arguments that I believe would not be found in any other Hansard: 'Yes,we blew it. Yes,we cracked under the pressure that was put on us. Yes, in the heat of passion and the heat of the moment, we got confused and we did this and we did that. But it is not a fair cop because the opposition can bring these things on with an hour's notice'.

Mr Speaker, in all fairness, we raised last week a matter of public importance concerning cost overruns on the Ro-Ro and general mismanagement. The government provided figures which it acknowledged were untrue. Confused or otherwise, it provided them. It put out a press statement last week based on those incorrect figures and subsequently sought to correct the figures and thus acknowledged its mistake. Mr Speaker, I seriously put to you, would any competent government in this country, having done all that, not expect the opposition to kick its head in?

If the government is so complacent, it demonstrates the most appalling and very disturbing complacency on the part of this govenment. Whatever it does cannot be questioned. It is sacred writ even if it happens to be wrong. Any competent government would have foreseen last week that, as a result of acknowledging its own error, this matter would be raised again this week. The fact that it is not prepared for it is entirely its own fault. Silly explanations - such as, it is not a fair cop because the opposition only gave an hour's notice - demonstrate that.

We all know that there are some ministers in this Assembly who are more competent than others. We know that there are ministers in this Assembly who are briefed by their departments. I do not want to embarrass people by picking them out but some ministers have those briefs on their desks. I know how those briefs are put together. In fact, some ministers handle it very competently. It is kindergarten stuff. They need only to look at their portfolios and decide which are the topical issues of the moment. If this Ro-Ro has not been a topical issue, well I do not know what is. The honourable Minister for Transport and Works does not have to bother himself with too much else. A minister has only to consider

what is likely to come up, what he is likely to get his head kicked in on, and brief himself for it. It is his responsibility.

The Chief Minister says he knows very little about it. The Chief Minister does not have to know anything about it. It is not his portfolio. The Chief Minister is not the subject of this motion. He also said: 'When people in New South Wales bring on motions of censure against the head of government, they arm themselves a bit better'. We have censured the Chief Minister in this Assembly before. I point out to him again that he is not the subject of this censure motion. If I had wanted to censure him, I would have done so. Mr Speaker, the censure motion is moved against 2 of his ministers. One of them did not even respond in the debate by speaking in his own defence. I do not care what the Chief Minister knows and does not know. That is irrelevant. The plaintive cries that it is not a fair cop because they cracked under pressure, it was the heat of the moment and they were not given enough time are pathetic. Frankly, there is no other word for it.

Mr Speaker, we have a censure motion against the incompetence of ministers, not cost overruns. Let us get that clear. Please have a look at the motion. We have a situation that has been admitted to in this debate this morning: that a minister delivered another set of figures. Quite commendably, the Attorney-General tried to extricate the honourable Minister for Transport and Works from the statement he made about not knowing that the Ro-Ro was not able to handle ships with a starboard ramp. As I recollect it, he said that, in fact, it had handled all the ships that we had handled so far. But, in the debate, the honourable minister himself admitted his mistake. That is quite extraordinary. There is an admission from the minister that he made a mistake and then the Attorney-General tries to extricate him and explain it away. It was an amazing performance.

I reiterate for the honourable Chief Minister, who does not seem to have been paying much attention to the terms of the motion this morning, that the Minister for Transport and Works clearly, under pressure or otherwise - and that is what this Assembly is all about; it is all about whether ministers can come up to the mark when the heat is put on them - misunderstood the financial aspects relating to the wharf. He conceded that Land and Sea had gained control of the project after he himself had denied that that happened. He said that the Ro-Ro was working well. I quote him: 'The design of the facility has proved to be most successful'. I did not suggest in my speech that the gearbox and clutch failures that have occurred have lost the Territory a cent. Have a look at what I said. I did not suggest that they had cost anything. I said they were expensive failures. I was simply attacking the minister's own statement - and it has to be an attack - that the design of the facility has been most successful. Clearly, it has not. The minister himself admits that a team of engineers is flying into Darwin today to try to rectify the design faults in the Ro-Ro. I do not care whether the Northern Territory government has to foot the bill or whether perhaps it can be contained in the original contract. I am not quite sure that we can take the minister's word for anything on that. That is not the thing at stake. The minister made a statement last week that the design was most successful. He told the Assembly this morning that a team is flying into town today to try to repair it.

Mr Speaker, I put to you that, in all fairness, that information should have been made available to us during the debate last week, and it could have been. However, the minister was quite happy to lead us along by the nose and say that everything was just hunky-dory down on the wharf and working wonderfully well. Yet, he admitted this morning that it is not. That was then compounded by having an admission from the minister and a denial from the Attorney-General.

Mr Robertson: I did not deny it. I said that ...

Mr SPEAKER: Order, order!

Mr B. COLLINS: You never deny it.

Then we had an amazing diversion, Mr Speaker, as to whether I was quoting from the daily Hansard or working from copious notes. I am about to make a terrible confession: I was quoting from the daily Hansard. I confess it. Mr Speaker, I confess to misleading the Assembly on that matter. But, as the Attorney-General knows full well, this subject of quoting from copious notes or the daily Hansard has been a matter ...

Mr Robertson: It's a nonsense.

Mr B. COLLINS: Yes, nonsense, as the Attorney-General says quite rightly, and a tongue-in-the-cheek matter in this Assembly for the 5 years that I have been here. It cannot go without some mention. The reason I raise it is that the Chief Minister, having condemned me roundly for this terrible deception, then starts waving his daily Hansard around in the air and quoting from it.

Mr Everingham: I never said a word.

Mr B. COLLINS: Mr Speaker, it has been a fairly appalling performance from the government this morning in respect of this motion. We have had admissions from the Attorney-General, the Chief Minister and the Minister for Transport and Works that the very substance of the motion has been proven and that, in fact, the inconsistencies that we have pointed out in the statements made in this Assembly are there. The design faults are there, a team of experts has been flown into town today to try to fix it and the first time that we heard about that was this morning. The minister conceded that he had forgotten to mention that it could not handle a particular type of ship when he said that the Ro-Ro could handle all types of vessels. It cannot. Indeed, in order to handle starboard-ramp vessels, which exist and may call into port, it will have to be upgraded at further cost to the Northern Territory. All these confessions have been made this morning and one reason, one reason only, has been advanced for the government's incompetence in this matter, and it is an extraordinary one. The reason put forward by the honourable Attorney-General and the honourable Chief Minister was that the 2 ministers concerned fumbled the ball and made mistakes under pressure in this Legislative Assembly. It was said that we had not given them enough notice that this matter was to be brought on and that they had not gotten their act together. I would doubt very much whether such extraordinary admissions have been made by any government in any parliament in Australia. I would be amazed if they have.

Mr Speaker, as the honourable Attorney-General knows, discussion of matters of public importance are a daily occurrence in the federal parliament. They come on every single day with as little notice. As the honourable minister knows, the opposition has little opportunity to determine the course of the sittings of the Assembly. The government determines that. One of the few opportunities that an opposition has in any democratic parliament is through discussions of matters of public importance. The very purpose of those debates, and this applies equally to question time, is to put the government and its ministers on their mettle and put them under pressure to see whether they can come up with the goods. Not only did they fail but we have had an admission from the Chief Minister and the Attorney-General that they cannot take it. We have had that admission this morning. That is the only explanation advanced. They cannot handle the pressure.

I say again that the substance of this motion has been proven. It has been demonstrated this morning that ministers made contradictory statements. We sit very infrequently in the Northern Territory. I do not complain about that. We sit 23 days a year. I have made submissions, as the Cheif Minister knows, that we can still contain ourselves within those 23 days if we reorganise the sittings by making them weekly sittings instead of fortnightly sittings so at least we do not have to wait 3 months before we have an opportunity inside this Assembly of raising issues of public importance. The government likes that arrangement because the government not only dislikes being put under pressure by the opposition but also has shown again and again that it cannot handle it. I did not expect to get such an amazing admission from the head of the government and from the Attorney-General that the government cannot handle it.

Mr Speaker, when ministers contradict each other in this Assembly, whether it is in the heat of passion or not, it is their job to be competent. When they give answers that are wrong, the onus is on the government. This is the testing place. This is where governments have to perform and they either shape up or they ship out. We have had 2 ministers contradicting each other and admitting it. We have had the ministers contradicting themselves in the same speeches. Two sets of figures were given to the Assembly. We have had statements made that the Ro-Ro is operating efficiently and it has now been admitted this morning that it is not and experts are flying in.

The substance of the opposition's motion has been proven. Neither the Chief Minister nor the Attorney-General are under fire this morning, although I thank them for their attempts to extricate the subjects of this particular motion. We have censured the Minister for Health, who has not spoken, and the Minister for Transport and Works, whose contribution would have been better left unsaid. We have proven that this government has on its front-bench 2 incompetent ministers. The attempts of 2 other ministers on the front-bench to extricate them from the mess they are in has failed. Mr Speaker, I call on those ministers either to earn their money in a more competent fashion or to get out of the way and let someone else do their jobs.

Motion negatived.

SPEAKER'S RULING
Quoting from Uncorrected Hansard

Mr SPEAKER: Honourable members, again I draw your attention to my previous ruling and action in this Assembly forbidding quotation from the uncorrected daily Hansard. As indicated on its cover, it is an uncorrected proof of the daily report. Quoting from the uncorrected daily Hansard means accepting Hansard's version of what members say without question. The provision of correction sheets in every uncorrected daily Hansard given to honourable members indicates that the Hansard editors themselves anticipate making mistakes in interpreting honourable members' speeches.

It has always been accepted practice in this legislature and, in fact, in every legislature that quoting from daily Hansard is forbidden although there is no meniton of it in Standing Orders. I would again request that all honourable members refrain from quoting the uncorrected daily Hansard in future or, alternatively, that some mention of it be made in Standing Orders if that is an acceptable practice.

MINISTERIAL STATEMENT
Collapse of Trustees Executors and Agency Co Ltd

Mr TUXWORTH (Community Development) (by leave): Mr Speaker, the government

is gravely concerned over the private organisations in the Northern Territory with money on deposit with Trustees Executors and Agency Co Ltd which is now in receivership. In many cases, these organisations have deposited with this company money received as grants-in-aid from the Northern Territory government for their operations. To assist these organisations wherever possible, the government is bringing forward grants which, in the normal course of events, would have been paid to them later in the year. It is hoped that, with this assistance, they will be able to continue their operations at a normal level while the difficulties facing the company are being resolved.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Inadequacies in Aero-Medical Services in the NT

Mr SPEAKER: Honourable members, I have received a request from the honourable member for Fannie Bay proposing that a definite matter of public importance be submitted to the Assembly for discussion, namely, inadequacies in the aero-medical services in the Northern Territory resulting from the government's aviation policies. Is the honourable member supported? The honourable member is supported.

Mrs O'NEIL (Fannie Bay): Mr Speaker, there is concern in the Northern Territory community about changes in the aerial medical services in the Northern Territory in recent years. There is concern in the health industry. There is concern in the aviation industry and there is a particular concern by patients and potential patients in isolated areas of the Northern Territory. As honourable members know, we had in the Northern Territory for 20 years or more an excellent service provided by the Department of Health, assisted by TAA. That service was appreciated by the people and existed with few problems for many years. That changed, however, in the middle of 1980 when the Northern Territory gained control over internal aviation matters. East West Airlines, the parent company of Airlines of Northern Australia, about which we have had much debate in this Assembly in the past, vigorously pursued the aerial medical contract and subsequently won it.

Honourable members will also recall the famous telex from the then Minister for Health, the member for Barkly, to the Chief Minister in which he predicted problems with this arrangement. At the time, he said:

> *East West Airlines assume they are going to be given the aerial medical operation at any price and also assume they have a right and entitlement to the aerial medical hangars in Alice Springs and Darwin. The tender supplied by East West for the work being done by TAA is approximately $170 000 more than the quote from TAA.*

He predicted:

> *There are complicating factors in the proposed introduction of East West Airlines that are starting to worry me. I believe it has a potential to be a political time bomb and for that reason I would like to keep the aerial medical operation separate as I do not believe we should allow this part of the Health Department to become involved in what might become a fiasco. I would ask that the matter of organising aerial medical services be left in my hands so that I can keep it under control.*

Mr Speaker, as honourable members know, I frequently disagreed with what the member for Barkly had to say when he was Minister for Health but he was dead right that time. The disaster he predicted came to pass. Northern Airlines

collapsed and subsequently, Airlines of Northern Australia took over using, of course, its subsidiary, Northern Territory Aerial Work, to provide aerial medical services in parts of the Northern Territory. It is mentioned in the Department of Health's Annual Report for 1980-81 that the Royal Flying Doctor Service took over aerial medical services out of Alice Springs. That is a fine organisation which specialises in this work and does a very good job. Northern Territory Aerial Work started providing services in most of the rest of the Northern Territory. It is summarised in the Department of Health's report thus:

> *In 1980-81, there was a major restructuring of commercial airlines in the Northern Territory. The new regional airline, Northern Airlines, ceased operation, to be replaced eventually by Airlines of Northern Australia. These changes had a substantial influence upon medical aerial operations as the department had entered into a crewing and maintenance arrangement with Northern Airlines in respect of the aerial medical service's Nomad fleet. Following the withdrawal of Northern Airlines, the department entered into an interim arrangement with the new regional carrier, Airlines of Northern Australia.*
>
> *There was, as well, a further reorganisation of the Nomad fleet. The remaining Nomad aircraft in Alice Springs were withdrawn to Darwin. Subsequent aerial medical services in the Alice Springs and Barkly regions were accommodated by the Royal Flying Doctor Service and by aerial charter organisations, and the department's hangar in Alice Springs was made available for lease.*

At the end of 1981, we had the Royal Flying Doctor Service in Alice Springs, supplementary charter work in the Barkly region and Northern Territory Aerial Work, using the departmental Nomads out of Katherine, out of Darwin and out of Nhulunbuy. Mr Speaker, the contracts were to be drawn up between the Northern Territory government, the Royal Flying Doctor Service and Northern Territory Aerial Work for 5 years commencing in 1981. It has been very disturbing for people to find that, in regard to Northern Territory Aerial Work, no such contract was signed or certainly had not been at the time the Auditor-General reported to this Assembly on 30 June 1982. The Auditor-General said: 'It is of concern that, although a draft contract exists, a formal contract has not yet been signed although substantial expenditure is involved'.

In relation to the amount of expenditure, I refer honourable members to the Department of Health's report of 1981-82 in which it is summarised. Other things are also revealed in that report. It was revealed that, out of Katherine as well as out of Tennant Creek, most of the flying in the area was being done by a local air charter company. Further, and this is something predicted by the then Minister for Health, the member for Barkly, as being most inadvisable, the aerial medical work in that area had become part of a general government tender to cover air charter requirements for the Northern Territory. Details of those tenders will be followed up by my colleague, the member for Millner, in this debate. The cost of aerial medical services in the Northern Territory is substantial. It was $2 175 000 in the last financial year for 5576 flying hours. It is a significant matter, one with which this Assembly should concern itself.

Curiously, while the last annual report gave a breakdown of the Royal Flying Doctor Service in Alice Springs and stated that it flew 1506 hours at a cost of $387 486, such breakdowns are not provided in the report in respect of charter companies and the Nomads operated by Northern Territory Aerial Work. It is obvious from the report that the RFDS put in 27% of the flying time, but received only 23% of the money. This suggests that there is a cost overrun in some other

area which is not explained in the report. In about 3 years, we have gone from a system of uniform cover throughout the Territory, with pilots gaining experience in that particular service in planes appropriately fitted out for aerial medical work, to one which is a mish-mash: we have the RFDS in Alice Springs; in Tennant Creek and Katherine, the work is done by charter companies; in Darwin, we have Northern Territory Aerial Work and the Nomads; and in Nhulunbuy, we seem to chop and change between Nomads and other arrangements.

Mr Speaker, I have no query of the Royal Flying Doctor Service which is a good service. Its staff are specialists who know what they are doing and do it well. But I have a specific query about the use of charter operators out of Tennant Creek and Katherine to provide what should be a specialist service. I understand the charter operators use whatever aircraft happens to be available. The pilots are not specialists in this area. The aircraft do not have the desired specialist equipment; for example, stretchers are sometimes unrestrained. I have heard stories of oxygen cylinders lying loose on the floors of those planes. I understand from people who fly in those planes that passengers risk contracting infection from patients. Those planes are being used for a variety of purposes.

We have Nomads in Darwin and Nhulunbuy. They are interesting aircraft. A lot has been said about them. It is well to note what the Minister for Health had to say about them on 14 March 1983. He said: 'The Nomad air ambulances have distinct advantages for remote work. They have a short landing and take-off capability, ideal for bush airstrips, and they have ample space on board for patients, staff and medical equipment'. I agree with what the Minister for Health had to say - Nomads have some distinct advantages. There is no perfect aircraft for aerial medical services, or at least not one that we can afford. The Nomads are fitted out for that purpose.

However, he then said: 'We are going to sell 2 of them'. Why should the minister be selling 2 aircraft when we need services in Katherine and Tennant Creek and we do not have the appropriate aircraft providing those services? Why is the government persisting in using air charter operators in the Katherine and Tennant Creek areas? It could have good reasons. Perhaps it is providing a better service. Perhaps it is providing a service of equal standard but cheaper. There is no evidence of either of those things. In fact, there is evidence to the contrary. It is not providing a better service. The planes being used are mostly 402s. I am told they are not significantly faster and have less endurance than the Nomads. They are certainly not cheaper. Indeed, a committee of review, established by the government to examine the position of the aerial medical service south of Katherine and set up by the former minister in February 1982, demonstrated just that. I understand it found that the Royal Flying Doctor Service could do the job at 70% of the present cost. That was among a number of recommendations of that committee. It reported to minister Tuxworth at the end of last year, which is 6 months ago, and yet we have had from the new minister, the member for Casuarina, no action at all on this matter. All that we have had from him is that the Nomads will be sold.

Why are the 2 Nomads being sold? Other planes will be modified. Those Nomads could be modified too. Perhaps the minister in his reply can tell us whether he has been able to sell those aircraft because I suspect he will not get much.

Mr Dondas: We are waiting. Where is the money coming from?

Mrs O'NEIL: Are you going to earn your money? Good thing. We have given you 5 hours notice for this one so you should be all right.

Mr Speaker, the matter is of legitimate concern to people. Many people have approached me about this. They ask why the government is continuing to maintain charter services out of Katherine and Tennant Creek when it has 2 viable options. It can use the RFDS system or it can use surplus Nomads. The public purse would be saved the cost. As it stands, the government received the report 6 months ago. It recommended a change, and yet no action has been taken. That is a very poor thing in itself. It has not reported to the Assembly. No action has been taken. In the space of 3 years, a fine, uniform service in the Northern Territory has been broken up. The then Minister for Health, Mr Tuxworth, advised that it would be a bad thing. He said that the aerial medical services should be kept separate: 'I do not believe we should allow this part of the Health Department to become involved. I would ask that the matter of organising aerial medical services be left in my hands'. However, it is now subject to the government's general tendering procedures and a lesser service is resulting to the people of the Northern Territory.

Mr TUXWORTH (Primary Production): Mr Speaker, the honourable member's concern is of interest to me because I have been involved in this area for some time. I think for her to bring the matter up today in the way that she has is only a filibuster to use up the Assembly's time and to try and get herself a name as a concerned opposition member. At the same time, she was able to talk a lot of tripe hoping that no one would report it.

Mrs O'Neil: That is a bit inconsistent.

Mr TUXWORTH: Mr Speaker, let me just run through the facts for the benefit of the honourable member. She made quite a play about the fact that she was concerned and that so many people had been to her with concerns. I had the portfolio for some time and was involved in this matter for some 4 years. I can say that the number of complaints that I received were few. However, there were many broad-sweeping statements, like the one that the honourable member just made, that reflected very badly on the integrity of the service. When it came to pinpointing the actual areas of concern, they just evaporated in front of our eyes. I say to the honourable member that, if she has 2 skerricks of evidence of a poor service, she has an opportunity to bring them forward.

During the period that I was involved, the RANF raised its concerns with me about the reliability of the Nomads. It did not wish to fly in them any more. That matter was taken on board. Its concerns were legitimate and restricted. This government has always been concerned about the delivery of health care in remote areas and the reliability of the provision of that care to people in remote areas. I do not think the honourable member has said anything today that would reflect in any other way than that the government has performed extremely admirably.

I would also make the point that, in the years that the aerial medical service has been developing in the Northern Territory - nearly 15 years - the federal and Northern Territory governments have also been involved in a program of establishing about 80 community health centres throughout the Northern Territory. They cost well over $1m a year to operate and provide a service that never existed in the days when the aerial medical service and the Royal Flying Doctor Service were put into place. In delivering care to remote areas, we believe there has been a great deal more to it than just providing aeroplanes. The government's program of training over 200 health workers to work in remote areas with Aboriginals is also part of this scheme. Aeroplanes are but a part of it.

Mr Speaker, let us look briefly at the people who are involved. In the

Northern Territory, we have pilots, engineers, ground staff, doctors, nurses and medical support staff in all our hospitals. Over 100 people would be working full-time in delivering health care to the people in remote areas of the Territory. Another 50 at least would be working part-time in assisting with the delivery of this care. Out of a workforce of 2500 in the department, that is quite a considerable effort in terms of manpower.

Let us look at the number of planes that the government is funding in the Northern Territory to provide services to people in remote areas. In Alice Springs, we have 3 Navajos and a helicopter that are used solely for aerial medical operations. On top of that, we have charter costs. In Tennant Creek, the department is responsible for funding a charter plane. In Katherine, it funds 2 charter planes. In Darwin, the department is operating 4 Nomads. In Nhulunbuy, we have a Navajo and a charter plane. Groote Eylandt is covered from Nhulunbuy. In aircraft terms, that is a pretty fair commitment to the delivery of care to people in remote areas. If the honourable member cannot grasp that, then there is not much hope for her.

Let us look at the dollars. At self-government, the cost of aerial medical services medical work, which was paid to TAA, was $1.17m a year. Last year, it was in the order of $2.3m. That is a 100% increase in the 5 years of self-government. I would put to you, Sir, that that is a very fair commitment and an indication of the government's responsibility and serious approach to the service.

The honourable member said that last year we flew 5576 hours and operated from 5 bases in the Northern Territory. That is about 14 hours a day flying. It amounts to about 500 km a day flying for 7 days a week and 365 days a year. Let me give an indication of the sort of flights we are offering to people in remote areas. Last year, there were about 1000 clinic flights. There were about 1000 medical flights. We evacuated 3500 people to hospitals. There was an average of 3 evacuation flights every day and, on average, 10 patients every day were evacuated to Northern Territory hospitals. That is a lot of effort and, if the government was falling down on the job, that would be well known throughout the community. The fact that one rarely hears a word about the operations of the aerial medical service is because it is operating so well. Mr Speaker, I would put it to you that the service is excellent and that complaints are rare. Nevertheless, one of the exciting things about working for the Department of Health is that it is always seeking to improve things and to lift its game.

As a result of that stimulation, I was quite pleased to set up an inquiry in May last year. Let me just run through the idea of the inquiry for you and who was involved. The members on the committee of review which looked into the aerial medical operation were: Dr Fleming, chairman of the committee and the secretary of the department; Mr Ossie Watts from Alice Springs, who would have to be regarded at this stage as a pioneer in centralian aviation; Lyle Kempster, a man who has been involved in electronics and communications in central Australia for the best part of 25 years; Barry Lodge from the Department of Air Transport; Peter Dossett, the Executive Director of the Royal Flying Doctor Service; and Clyde Thompson, the chief pilot for the Royal Flying Doctor Service. Those last 3 gentlemen were representing the Royal Flying Doctor Service on the committee and we sought their services particularly because of their Australia-wide experience. Also, there was Mr Damien Miller and Sam Calder, men who had flown the run in the very early days and had practical experience of what it was all about. The aim of the committee was to assess and review aero-medical operations around and south of Katherine to the South Australian border with special emphasis on the delivery of care.

Mr Speaker, I will run through the questionnaire that we sent to people in the rural area. About 140 were sent to communities which the department believed it should be servicing:

Question 1: Is the availability of aircraft to your satisfaction? For example, are they readily available to you and where are they currently based?

Question 2: Are the aircraft suitable to your area? For example, can they operate into your airstrip?

Question 3: Have you any other comments regarding the aircraft which you consider important?

Communications -

Question 1: Is communication with the aero-medical service readily available to you? For example, is the quality of communication satisfactory?

Question 2: Is the communication with the aero-medical services suitable and can you communicate with the appropriate medical staff?

Question 3: Have you any comment regarding communications at all?

Medical -

Question 1: Do the facilities you have at your disposal - eg medicine chests, access to radio consultation etc - allow you to deal with most of your routine problems?

Question 2: Is your access to scheduled radio medical consultation satisfactory?

Question 3: Does the aero-medical emergency evacuation service operate to your satisfaction?

Question 4: Have recent evacuations been satisfactory?

Question 5: Do you consider the current routine medical clinics adequate?

Question 6: Have you any comments at all regarding the delivery of medical care?

About 140 of these questionnaires were sent out to people throughout the rural area. The response was not as good as we would have liked. We sent them out a second time and followed up through the Cattlemen's Association, the department's arm of community medicine etc. After that, we received a response of about 80%. I would also make the point that the Department of Health consulted very closely with independent health services and the Cattlemen's Association was asked for assistance and advice. All these organisations were very helpful and their interest was appreciated. We were very heartened and encouraged by people's perception of the service we were offering. There were a very small number of complaints and those related to communications rather than to medicine or aviation-type concerns.

So far as communications are concerned, I am afraid that there is a limit to the government's responsibility in this area because we cannot control the

development of technology and we cannot control the weather which often affects communications. Let me run through our efforts with communications to give an idea of our involvement. The Royal Flying Doctor Service in Alice Springs operates the communications system there. This government pays a very considerable amount of money toward that facility. The Tennant Creek area is operated by the Royal Flying Doctor Service and the radiophone. In Katherine, a departmental system is in place which is an HF network and it also operates in Darwin and Gove. The Department of Health provides a 24-hour-a-day coverage 365 days a year for radio communications for people who want to make contact with the department. As I said, our only limitation is the fact that we cannot control the weather which affects our ability to communicate.

I will touch on one other point for the honourable member. On 9 July last year, after we had been conducting the inquiry for some 2 or 3 months, it was obvious that we needed additional information. I put out a press release on that day advising Territorians that our inquiry was being expanded to collect more baseline data, and we sought the cooperation of many more people in the community, including about 70-odd stations in the Katherine area. Again, the response to that was magnificent. I emphasise, though, that the honourable member for Fannie Bay has never, at any stage, raised this, and certainly she did not make herself available to the committee.

Mr Speaker, I would like to touch on some of the issues raised by the member for Fannie Bay. She expressed great concern about health and the aviation industry. As a department, our current concern is with the delivery of services to the patients. I am not advocating, and I never have, that the only way to provide care to patients is either by owning and operating twin aircraft or by chartering. Obviously, there is a need for a mix.

The honourable member suggested that the department is currently operating a mish-mash. A 'mish-mash' might be something that the honourable member for Fannie Bay does not understand and I accept that point of view. The truth is that the department operates a balance of departmental, charter and Royal Flying Doctor Service aircraft that enables it to best service the people in the remote areas at all times.

Mrs O'Neil: That is what the inquiry is about.

Mr TUXWORTH: The member has embarked on this mindless exercise of raking over old coals just to get a headline. I would be pleased if she would listen to the facts.

The honourable member has raised matters such as cross-infection and whether people should be going in planes that are not aerial medical planes. I suggest that that is a medical decision. One of the policies that we have adhered to since I have been here is to allow the doctor on the ground at the time to make the decision about which aircraft will be used, where it comes from, and what staff use it. There is no way that this Assembly or any administrative instruction can take that power away from the doctor because he has the ultimate responsibility for the patient's care.

It is not our philosophy to run the aerial medical service with 10 planes owned by the government or a fleet of planes owned by private enterprise. The honourable member raised the issue of the Nomads being sold. The Nomad issue has been raised in the Assembly at least a dozen times over the years. The question of the reliability of and difficulties with the Nomads still exists. For every hour they are in the air, an hour is spent on the ground repairing them. I cannot change that. I did not design the Nomads. I point out to the

honourable member that it was her esteemed ALP government in the 1970s that rammed them down our throats against all the best advice available.

Mr Speaker, the honourable member also made the point that the RFDS could operate the Northern Territory aerial medical service at 70% of the cost we are paying now. I would have to challenge that because what the RFDS cannot do is offer 100% cover. There is no one group of operators that can guarantee plane availability for medical evacuation when required. Records of the department will show that, the moment a plane is out on call from the other side of the Northern Territory, there will be another call. We must have a system that can respond to the second call. Even though the RFDS has 3 planes in Alice Springs, there are often occasions when the department has to charter planes to respond to calls. That is a fact of life that no one can change.

Mr Speaker, in closing, let me make a pertinent point. This matter of public importance is nothing more than persiflage. It was trumped up as something to fill up the morning. It is absolute tripe to put up this proposition. It is a reflection on not only what the government believes in and is doing but on what many people in the department are working hard at every day to provide the best medical service possible to people in remote areas. The member for Fannie Bay has said nothing today that would raise a query in my mind about our delivery of care.

Over the last 3 or 4 years, I cannot remember the honourable member for Fannie Bay ever asking a question in this Assembly which sought information about the delivery of care in remote areas. Further, I cannot recall her writing to me or putting a question on notice. I cannot recall receiving a letter from the honourable member seeking information about the proposition she is putting forward so she can get the facts. I cannot recall her ever speaking in an adjournment debate about it. Mr Speaker, the proposition that the honourable member has put forward, as far as I am concerned, is unresearched tripe and it should be condemned by this Assembly.

Mr SMITH (Millner): Mr Speaker, the Minister for Community Development, the former Minister for Health, made a statement that I had no quarrel with: it is the government's responsibility to make sure that the prime concern in these matters is the delivery of service to the patient. What the minister did not address himself to is the question from the honourable member for Fannie Bay as to why a system that worked well 2 or 3 years ago, and provided an efficient, effective and widely-supported system of aero-medical evacuations was changed by the government to the mish-mash - and I use the term again - that we have at present.

To see what a mish-mash it is, we simply have to look at the situation that has applied in Tennant Creek and Katherine in the last few months. The member for Fannie Bay referred to the fact that the aero-medical operations in Katherine and Tennant Creek have been absorbed within the general government air charter contract in those 2 towns. Tenders were called in both those towns in the second half of last year and were both awarded in October 1982. The tender in Tennant Creek went to a firm from outside Tennant Creek. In fact, if it had operated at all within the Territory, it had operated in Darwin. Certainly, it was based in Darwin. The following facts are relevant. In discussing them, we must remember that we are looking at this operation in terms of the general government charter commitments, plus a specific responsibility for aero-medical services, plus a statement from the honourable minister that the intention was to provide a 24-hour-a-day service. All those things are important.

The firm that won the contract stationed one aircraft and one pilot in Tennant Creek. The aircraft had been sold to the operator by another NT operator

who believed it was beyond its normal commercial life. At the time the contract was signed, the aircraft required extensive, essential modifications together with other major repairs. The operator had no money to effect those repairs prior to the contract being signed and, in fact, used the contract as collateral for a loan to have the work carried out. Mr Speaker, in the first 3 weeks of the contract, the aircraft was not available in the Tennant Creek area because it was in Queensland having the essential work done. In other words, the General Tender Board issued the general government contract, including aero-medical services, to a contractor whose plane was not airworthy at the time the contract was awarded and knowing that, for the first 3 weeks of the contract period, it would be out of action.

Mr Speaker, that does not demonstrate to me that the primary concern of this government, in the provision of aero-medical services in Tennant Creek, is the welfare of the patients. The ramifications of this were as follows. The fact that there was only one aircraft and one pilot meant that it was not legally possible to maintain a 24-hour service. I do not have to explain that; it is perfectly obvious. The fact that it was an old, unreliable and uneconomical aircraft meant that there was no service at all for about 50 days in the first 4 months of operation; that is, 50 days out of the first 120 days. On those 50 days, the plane was grounded for one reason or another.

Mr Speaker, contrast that with the service that the previous operator in the Tennant Creek region offered. That operator successfully maintained the service for 4½ years without complaint from people in the area. He was able to maintain a 24-hour, 7-day-a-week service and I am informed that each call for aero-medical services was answered within 35 minutes. The operator who was awarded the contract in October was unable on 14 January to respond to a serious accident in Tennant Creek because, for one reason or another, the aircraft was grounded. An aircraft had to be brought from Darwin. It arrived 7 hours later and, subsequently, the victim died. I am not prepared to state that the victim died because of the 7-hour delay but certainly it does raise serious questions about whether the 7-hour delay in getting that aircraft to Tennant Creek contributed to the death of the victim.

We have a situation where a perfectly satisfactory arrangement was replaced by this arrangement which, obviously, is completely unsatisfactory. I am pleased to note that, subsequently, the government has recognised that the original contractor is not able to provide a service and that the contract has been withdrawn. From all reports, the work is now being performed satisfactorily by another contractor.

The questions remain, Mr Speaker: why did the General Tender Board accept the tender for the job from an operator who so obviously could not provide the level of service required? He was awarded the contract on the basis that he would station only one aeroplane in Tennant Creek. The General Tender Board should have known it was an old plane requiring major modifications. I submit that the answer to this question indicates that there is a basic problem with the General Tender Board and the government in the way they deal with these things. The government is preoccupied with cutting costs and does not pay proper consideration to the capacity of firms that apply for work. This is not restricted to the government aircraft charters; it is right across the board. There is a good example in the construction industry if the government wants to have a look at it. In the case of the government aircraft charter for Tennant Creek, it played cheapskate with human lives and, unfortunately, it lost.

The other issue in the Tennant Creek affair was the effect that the General Tender Board's decision had on the closing down of the previous operator, Tennant Air. The loss of that government contract meant that Tennant Air could not

continue to operate and has subsequently been sold. I have no particular brief for Tennant Air but it should be able to compete fairly in the marketplace and I think it is quite clear that, in the awarding of this contract, it was an unfair marketplace. It was undercut by a competitor who clearly offered an inferior service to that which the town had been offered in previous years. It was undercut by a competitor who, quite obviously, could not provide a 24-hour-a-day, 7-day-a-week service which the minister, in his speech, said was so essential and so important.

Mr Speaker, in your own home town, there was a different situation. The contracts were again advertised in October last year. The successful tenderer for the government charter work was Arnhem Air Charter. Its tender was for 2 five-seater aircraft to be based in Katherine and it was to receive first priority for all government work. After winning the tender, Arnhem Air Charter moved staff to Katherine, set up an office, bought furniture, rented flats and stationed 2 planes there. It estimated that it spent about $13 000 on the move. The Minister for Community Development has already indicated that, in the last 12 months, the flying hours for aero-medical services were about 5000. When doing its sums for its application for the contract, Arnhem Air Charter reasonably thought that it would have 300 to 400 hours alone on aerial medical work in Katherine plus work that would come to it from the general government charter area.

Mr Speaker, the fact is that Arnhem Air Charter, in 2 months in Katherine, received 3 charters even though it was the prime government aircraft charter operator in that town. Obviously, something is wrong there. It could be read to mean that government departments had suddenly decided to save the government money and travel by road and not by air. That happened to some extent. Road communications in the Katherine area are quite good. However, that is not the basic reason why Arnhem Air Charter, the prime government contractor, received 3 charter flights in 2 months. Basically, what happened was this. First of all, their contract was for 5-seater aeroplanes. Government departments, and in particular the Department of Health, frequently found the need for 6 or more people to travel on a charter and they were exempted from the requirement to travel with Arnhem Air Charter and could travel with another operator. Government departments also developed a line that anywhere where the RPT operator flew was out of bounds to Arnhem Air Charter. The departments drew no distinction between the RPT operations and his charter operations which is a fairly unusual interpretation of the Aviation Act.

Mr Speaker, although some protection for RPT operators is written into the Aviation Act, we have a situation where this was interpreted to its logical absurdity so that no work at all went to Arnhem Air Charter. I am not sure why the government departments did that. Perhaps it was some misplaced loyalty to the locally-based operator and the operator who held the government contract previously. The point is that appeals by the operator to the General Tender Board fell on deaf ears. The General Tender Board was not able to enforce its own contract. Perhaps you could justify its not being able to enforce its own contract but, if you can accept that, you cannot accept that it had made the right decision in the first place. One way or the other, the General Tender Board mucked up that situation, caused tremendous inconvenience to the operator who applied for the contract and made it impossible for him to operate. Consequently, he too has withdrawn from that route and another operator has taken it over.

What is particularly unfortunate about that situation is that, on the strength of obtaining the Katherine contract, Arnhem Air Charter applied for and was granted an RPT route linking Katherine, Jabiru, Maningrida. I think we would all agree that this represented a significant step in the development of

RPT services in the Northern Territory and is a fine example of private enterprise in action. The tickets and luggage labels were printed and everything was ready to go. The operator was not expecting it to be a profitable route. He was prepared to build it up over time and support it for a period from the profits of the government charter. However, Arnhem Air Charter was forced to hand the contract back because it could only get 3 charters in 2 months. As a result, it was unable to proceed with this new exploratory RPT route and I think that is most unfortunate.

In the Top End, the situation is that the government has entered into an arrangement with NTAW for the provision of aerial medical services in the Top End. It entered into that arrangement in 1981. The Auditor-General, in his last report, indicated that there had been no contracts signed for that particular service and, 9 months later, there is still no contract signed. It is a fair and obvious question to ask the government when a contract will be signed for that particular route and why it has taken so long.

Mr Speaker, you can see that the government, through its mishandling of the awarding of contracts for aero-medical services in the 3 places I have outlined, has seriously diminished the public's confidence in the aero-medical service and has certainly diminished the quality of the service that previously existed.

Mr DONDAS (Health): Mr Speaker, the member for Fannie Bay stated early in her speech that there had been changes since 1980 regarding the aerial medical service. That is quite true. Not only have changes taken place in the air but also on the ground. For example, there are some 200 Aboriginal health workers working in the field. They were not there in 1979. Our nursing and health sisters visit outstations. Our health sisters visit health centres and also live in health centres. Doctors visit health centres and also live in health centres. We have a doctor living at Kalano and one at Bathurst Island. Negotiations are taking place for a doctor to live in Oenpelli and perhaps one in Jabiru to cater for the outstations in that area. The services are being provided on the ground.

The most important thing is the wireless contact. The Department of Health is in contact with major Territory centres - Tennant Creek, Katherine, Alice Springs, Gove - for 24 hours a day, 7 days a week. Medical advice and evacuation is available to people in those places.

The member for Fannie Bay mentioned the committee of review into aero-medical services and services south of Katherine. She said that the former Minister for Health commissioned the report and it had been outstanding for some time. She asked what I, as the new Minister for Health, was doing because she had not heard. She has not heard because the report was forwarded to me on 10 May, a couple of weeks ago. I have had an opportunity to read the report. Before sending it on to the department, I thought I should make myself familiar with the recommendations and why the review was called for. I hope that the member for Fannie Bay will accept that response: the report was given to me only 2 weeks ago.

The basis of the discussion this afternoon is 'the inadequacies in the aero-medical service in the Northern Territory resulting from the government's aviation policies'. The former Minister for Health understood the problems associated with aero-medical services in the Northern Territory. The Commonwealth changed over to the Nomad aircraft before self-government was given to the Territory. The important point is that there has been a succession of operators within the system of providing aero-medical services to the Northern Territory. This discussion of a matter of public importance, as presented, is not justified

because we are talking about inadequacies. As far as I am aware, in the 4 months that I have been responsible for the health services, there have been only a couple of complaints regarding aero-medical services.

The function of the committee was to review the aero-medical services in the Alice Springs and Barkly regions and to determine the needs and the demands for the supply of health services by air. The member for Fannie Bay knows what is in this particular document because, apparently, she has it in her possession. Point 2 was for the committee to consider what personnel are required to undertake this function and their mix. Point 3 was to determine the source of these personnel in the light of the contributions that can be made from the various agencies supplying health care. Point 4 was to consider the equipment and facilities available to carry out the functions in turn, having regard to geographic development of resources. Point 5 was to recommend the most cost-effective operation from the various operators that supply air medical services. That document would indicate to me that the former Minister for Health had acted responsibly by calling for this inquiry. As I said a few moments ago, the report arrived on my desk on 10 May. Consequently, the government is trying to provide to those people in remote communities the best health service available.

On 14 May 1982, the former Minister for Health came out with a very comprehensive statement which I will not read to the Assembly. It is available to members and no doubt the honourable member for Fannie Bay has a copy of it. Nevertheless, as stated in the press releases of the former minister and in the report that I now have, things are being done. There is only one exception. There is a problem in Tennant Creek which I will come to shortly.

Once more then we must put up with the scare tactics from the other side. They tell us that the whole aerial medical service is inadequate. The honourable member for Nightcliff interjected that she had 5 complaints a week regarding aero-medical services. That is how I understood her. As I say, in the last 4 months,I have received 2.

Ms Lawrie: Well, that must say something about the public's confidence in you.

Mr DONDAS: Well, you cannot satisfy everybody all of the time, as the honourable member for Nightcliff has said on more than one occasion in this Assembly.

The former minister wanted some public feedback. He informed pastoral properties, tour operators, health centres and most of the communities in the Northern Territory of his intention to gather information for this review of aero-medical services. He placed a public notice in newspapers to the effect that the Minister for Health had established a committee of review to examine the provision of aero-medical services south of Katherine and to make recommendations regarding the type and level of services required. He wanted to cover a whole cross-section of the community in that area. I compliment him for his foresight in taking that action. But according to the honourable member for Fannie Bay, it has been neglected, rundown and nobody is being served.

The honourable Minister for Community Development presented the statistics on health service operations. The question was asked: why sell the Nomads? As I said, the Nomad aircraft were an inheritance from the Commonwealth administration. In some quarters it was felt that the Nomad aircraft may not have been the most suitable aircraft to provide the service. In fact, the public record will speak for itself. There are letters on record from the Royal Australian Nursing Federation saying that nurses did not want to fly in the Nomad

aircraft. Consequently, after discussions with the Royal Australian Nursing Federation, and the staff who use those aircraft, it was proposed that modifications be made to enable the aircraft to be retained. Since the decision was taken to retain the Nomads, some thought has been given to replacing them with a couple of different aircraft. Mr Speaker, that would have cost about $5m, and that is on the public record as well.

Therefore, it was decided that, if we modified the Nomads, and rid ourselves of the 2 that have been causing most of the problems, then the 4 should be sufficient. After all, a committee had examined aircraft requirements for the area. The recommendation was that we only needed 2 aircraft. We decided that, if we sold 2, we would still have 4. In other words, we would have double the capacity we required. Of course, replacement aircraft would have been much faster. The Nomad is slower and more cumbersome. Nevertheless, it gets into those very remote corners of our community. However, they are expensive to keep in the air. My decision to get rid of 2 meant that we would only have to maintain 4 and not 6 aircraft.

We are all aware of the arrangement with NTAW. We talk about Katherine. We talk about a gentleman who presumably won a contract from the government tender board. In much the same way, another gentleman won a government tender board contract in Tennant Creek. The Department of Health should not be held responsible for a decision that the tender board might make, and which affects people's lives.

The Department of Health decided that, if a primary contract were won and the contractor would work for the various government departments, then it should work for the Department of Health too. Of course, that is provided that it is not involved in medical evacuations or medical charters. In those cases, the decision to whistle up an aircraft must be made by the doctor in charge of that area.

That is probably the reason why the contractor in Tennant Creek felt a bit out of it. I was involved in some of the discussions early this year with both operators in Tennant Creek and with the hospital superintendent. He was very concerned that he did not have access to an aircraft when he needed one. We all know the story about an aircraft that we procured to fly somebody from Tennant Creek to Darwin. It was very unfortunate. At the time, we tried to contact the Royal Flying Doctor Service which does a terrific job in central Australia. But it does not have all the aircraft that are required. When we asked for an aircraft for an emergency, one was unable to be located. Consequently, arrangements were made to bring a Nomad down from Darwin. The important thing is that the doctor in the area, who is dealing with lives, must be able to take a decision to call for an aircraft. In small communities, we must at least give him the right to overrule any General Tender Board's ruling on a primary contract wherever there is no other aircraft available.

Mr Speaker, in Tennant Creek there was only one operator. Another operator has just moved in. He won the primary contract. What if he is not providing full 24-hour cover because the General Tender Board had not asked for that cover? As I understand it, it was just a tender for general charter. When people get sick, they usually get sick at 2 o'clock in the morning. They do not get sick between 8 o'clock and 5 o'clock in the day.

When I met with the hospital superintendent at Tennant Creek, I gave him a reasonable direction to use his own discretion when trying to arrange an aircraft. Consequently, the arrangements have since been made for an aircraft in Tennant Creek. I understand that the doctor concerned in Tennant Creek is quite happy

with the arrangements. We are happy with the arrangements that exist in Katherine.

Negotiations will take place with NTAW through its parent company ATI for changes in the northern region aero-medical operation. I have no doubt that, within the next 3 or 4 months, changes will take place there because I understand that NTAW has not won the air surveillance contract. Consequently, its Nomad operations will be wound down. Perhaps it would be a good idea if we wound down our Nomad operation also. However, those discussions will have to take place in the next couple of weeks.

As far as I know, the medical superintendent in Katherine, and the officers concerned there and in Tennant Creek, central Australia and Alice Springs are happy with the services they are getting; that is, the Royal Flying Doctor Service in Alice Springs and Tillair in both Katherine and Tennant Creek.

In some ways, I felt a bit sorry for the operator who had the primary contract in Tennant Creek. He was a Northern Territory aviator who operated out of the northern region and he won a primary contract through the General Tender Board to provide services to the Northern Territory government. Mr Speaker, there are another 10 or 11 divisions within the Northern Territory government that he would have to provide a service for. What I am saying, and I make no apology for it - none whatsoever - is that I gave Dr Goodbourn at Tennant Creek Hospital the right to use his own judgment in the use of aircraft for his hospital and medical operations in the Tennant Creek region.

SUPPLY BILL
(Serial 320)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, authority to spend moneys under the 1982-83 Appropriation Act lapses on 30 June 1983. Therefore, legislation is necessary before that date to provide for expenditure between then and the passage of the 1983-84 Appropriation Bill. The Supply Bill provides for expenditure during the first 5 months of the financial year, with sufficient funds being provided to ensure the continuation of capital works programs, roadworks and normal services of government. It does not foreshadow the budget for 1983-84 although the manner of calculation of the provisions made in the Supply Bill must, of course, have regard to the estimated costs of ongoing services.

The bill provides for a total expenditure of $381.9m allocated by division and subdivision to the various departments and authorities. The significant items include: capital works sponsored by departments - $49.5m; repairs and maintenance, including roads, highways and buildings - $17m; the construction and loan programs of the Housing Commission - $28.4m; education, including colleges in the VTC - $60.2m; health - $42.4m; and Palmerston Development Authority - $5.2m. In addition, the bill contains an appropriation of $7.5m entitled 'Advance to the Treasurer' from which the Treasurer may allocate funds for the purposes specified in the bill, including provision for inflation costs. Honourable members will be aware that funds appropriated by the supply legislation are required from 1 July and it is necessary that the bill be processed through all stages during this session.

I commend the bill to honourable members.

Debate adjourned.

ABORIGINAL SACRED SITES AMENDMENT BILL
(Serial 315)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

The bill deals with the question of the responsibility of the Aboriginal Sacred Sites Protection Authority to the government. At the moment, there is no provision in the Aboriginal Sacred Sites Protection Act for ministerial control. It is a common provision in legislation establishing statutory bodies that a statutory body, in the exercise of its powers and the performance of its functions, is subject to the directions of the minister. Examples of statutory authorities which are responsible to a minister by virtue of an explicit requirement of a parent act are the Northern Territory Development Corporation, the Tourist Commission, the Palmerston Development Authority, the Territory Insurance Office, the Agricultural Development and Marketing Authority, the Conservation Commission and the Northern Territory Port Authority. It is obvious that such ministerial control is necessary and in the interests of good government.

Practical difficulties have been encountered with respect to the day-to-day activities of the authority and the proposed amendment is intended to make it clear that the authority is accountable to the minister and subject to his directions for the purposes of general administration. Honourable members will note that some important functions of the authority have been excluded deliberately from ministerial control. The excluded matters relate to the investigation and registration of sacred sites and the power of the authority to initiate prosecutions for offences against the act. These are technical and professional matters in respect of which, it would seem, the authority properly should exercise independent discretion. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent 2 bills relating to racing and gaming being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee report stages, and the third readings of the bills together, and the consideration of the bills separately in the committee of the whole.

Motion agreed to.

LOTTERIES AND GAMING AMENDMENT BILL
(Serial 313)

RACING AND BETTING BILL
(Serial 312)

Bills presented together and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bills be now read a second time.

Mr Speaker, the racing industry in Australia today is an institution of significant proportions. In Melbourne or Sydney, it is not unusual to have more than 20 000 people attend the Saturday metropolitan meetings. Statistics show that the legalised betting turnover has increased from $1890m to $5760m per year in Australia in the decade to 1981-82. It is even more staggering when one considers the amount of illegal betting that cannot be assessed accurately. On average there are approximately 100 horse, trotting and greyhound race meetings conducted throughout Australia each week generating over $100m in turnover. The $5760m gambled by punters on racing in 1981-82 represented approximately 50% of all legalised gambling turnover in Australia in that year. That includes casinos, poker machines, lotto games, lotteries, bingo and other forms of gambling.

In 1981-82, total government revenue in Australia from betting was $270m. This government recognises that the racing industry plays a very important part in the social and economic structure of the nation. These bills pursue the policy of the Northern Territory government to update existing legislation to provide what the government sees as essential and necessary controls for the racing industry and its attendant betting, as well as meeting the changing lifestyles of Territory residents.

For many years, the old Lottery and Gaming Act provided a composite legislative framework for all racing, betting and gaming activities in the Northern Territory. Last year, this government introduced the most innovative and progressive legislation in Australia to control lotteries and gaming not connected with the racing industry. Cognate bills titled from the remnants of the old Lottery and Gaming Act and the Racing and Betting Act resulted. At the time of introducing those bills, I informed honourable members that a review of the Racing and Betting Act would be carried out and new legislation introduced.

The review took longer than anticipated but the bill before this Assembly now demonstrates the extent of the task. The major bill is designed to repeal the existing, outdated Racing and Betting Act and replace it with a new act of the same title. The second bill is cognate and updates the antiquated provisions as they relate to common gaming houses and other relevant unlawful gaming. Therefore, in repealing part IV of the existing Racing and Betting Act, this cognate bill seeks to insert into the Lotteries and Gaming Act, by way of an amendment, those provisions related to unlawful gaming, as distinct from unlawful betting, which are provided for in the new Racing and Betting Bill.

Mr Speaker, currently there are 15 horse racing clubs and one greyhound racing club licensed to race on 13 racecourses in the Northern Territory. In 1981-82, those clubs conducted a total of 1060 races at 190 race meetings and paid out $677 000 in prize money. It is estimated that there are between 500 and 600 horses eligible to race in the Territory. In addition, there are 205 registered greyhounds in Darwin. Since self-government and the creation of the Racing and Gaming Commission, there has been a substantial growth in the industry primarily due to the increased funding provided by this government to race clubs. Examples of this development to date include: the upgrading of the administration area, public toilets, provision of a viewing mound and commencement of upgrading of a stable complex at Fannie Bay racecourse; the new starting gates, improved administrative and members' facilities at Pioneer Park racecourse in Alice Springs; a new lighting system, starting boxes and redevelopment of administration, totalisator and members' facilities at the Winnellie Park Greyhound Racing Track; and improvements to safety features at country racetracks holding an average of one meeting per year. The commission is also underwriting the cost of a new racecourse in Tennant Creek where the inaugural meeting is scheduled for 18 June 1983.

Mr Speaker, this bill updates the provisions for all racing codes and brings them more into line with current relevant legislation applying elsewhere in Australia. For instance, it clearly defines the powers and functions of horse, trotting and greyhound clubs such as the Darwin Turf Club, Central Australian Racing Club and Darwin Greyhound Association. In the Territory, horse racing is conducted under a national set of rules and conditions. This legislation supports that arrangement. For greyhounds, control is vested in the Racing and Gaming Commission which makes and administers the rules under which greyhound racing may be conducted. As legislation providing for this form of control is only recent, there are no significant amendments contained in the bill. Trotting or harness racing is one sport that is not conducted in the Territory. However, moves are under way to introduce trotting in Darwin and, should these succeed, provision has been made in the bill for the Racing and Gaming Commission to become the controlling body, as it is for greyhounds. Sprint or quarter horse racing has not been provided for specifically in the legislation. However, should this form of horse racing be introduced, it can be covered within the legislation existing for the control of thoroughbred racing.

Mr Speaker, over the past 3 years, the government, in its desire to help the racing industry, has returned the bulk of its share of betting fees and taxes back to the industry. This has been done by appropriations through the budget process to the industry assistance fund established under the act and administered by the commission. The government proposes to continue this policy by providing for the total amount of betting fees and taxes to be paid to the industry through the fund. Provision has been made, however, for ministerial discretion to transfer moneys out of the fund and into Consolidated Revenue at any time should the minister consider the balance of the fund is in excess of what it should be for its purposes.

Betting with bookmakers in the Northern Territory in 1981-82 totalled $46.3m. This represented $378 per annum per head of population and is on a par with the national average. Currently, there are 48 licensed and registered bookmakers operating in betting shops and on Territory racecourses. This act provides for the retention of the present network of off-course betting shops. The government's attitude is that a bookmaker's licence or permit is a privilege and not an automatic right. Just as anyone holding any form of government licence can have it taken away for infringing the conditions of the licence, this can happen to a bookmaker. The existing powers of the Racing and Gaming Commission to deal with bookmakers' illegal activities have some shortcomings. The bill before the Assembly is designed to strengthen and broaden general provisions for the control of bookmaking.

To summarise, the bill provides for the following major changes in the regulation of racing and betting. The security that can be required of a bookmaker for a bookmaker's licence is raised from $10 000 to $25 000 maximum. At present, the hours of opening are at the discretion of betting-shop operators. Under the proposed legislation, the commission will have control over the levels of betting services provided to the public by shop bookmakers. There will be a provision for remote licences to be issued to existing licensed bookmakers who wish to operate an agency service, provided that the agency is not within 30 km of any existing licensed bookmakers' premises. Bookmakers' clerks will be licensed by the commission. This is a standard requirement elsewhere, especially where permission can be obtained for clerks to operate in a bookmaker's absence. Bookmakers will be able to take legal proceedings against a punter for recovery of lawful debts or for wagers made with him. In the past, only the punter has been able to take such action.

In addition to these changes, the government will allow a licence for a

registered bookmaker to operate on specially approved sporting events such as football, test cricket and foot races. This form of betting will be allowed only under permit conditions prescribed under regulation. It will also be permissible to bet on non-sporting events, perhaps even elections. Again, a special permit will be required.

This new provision will add a substantial new dimension to bookmaking in the Northern Territory and provide opportunities for bookmakers to demonstrate their entrepreneurial talents in ways formerly prohibited, and certainly not available to bookmakers interstate. Betting under special permits will not necessarily be restricted to events in the Northern Territory or indeed Australia. For instance, a bookmaker may wish to bet on the English Derby or world cup soccer or whatever.

A totalisator or tote, as it is more commonly known, is a system whereby betting investments are accepted and then aggregated. Following the result of a race or a series of races, and after a prescribed commission is deducted, dividends are calculated, declared and then paid out on a proportional basis, depending upon the result of such race or races. Until 1983, totalisator betting on Territory racecourses has been limited to small operations at Winnellie Park Greyhound Track and one country race meeting. The total amount invested through this form of betting in 1981-82 was $48 000. The government acknowledges the concern of race clubs over decreasing attendances. The Racing and Gaming Commission is currently investigating the feasibility and economic viability of computerised on-course totalisator operations.

I recognise that this innovation, in itself, may be insufficient to increase patronage at race meetings. Hence, the possibility of direct telecasts of southern races to Territory racecourses is also being explored. The government supports this course of action and provision has been made in the bill to allow for the amalgamation of on-course totalisator pools with pools from another state or territory. In a stand-alone situation, Territory on-course totalisator investors would generate relatively small pools. Small pools create poor dividends and poor dividends deter punters. However, if Territory punters were able to receive the same tote dividends as their counterparts in the states, then on-course totalisator betting would be more likely to become a viable alternative and healthy competition for the bookmaker. This bill also provides for totalisator commission to be prescribed. This is deemed essential if amalgamation of pools goes ahead because the Territory will need to be consistent with state commission rates which vary from bet type to bet type.

I now draw honourable members' attention to the provisions to counter illegal activities. These provisions create offences for unlawful betting and prohibit the setting up of places for unlawful betting known generally in the past as common gaming houses. Section 6 of the act, which is to be repealed, defines 'common gaming house' and section 41 creates the offence of keeping a common gaming house. The phrase 'common gaming house' is centuries old and is an anachronism which should not be perpetuated in modern legislation. The act currently provides that it is an offence to play a specified unlawful game whether it is played for money or not. A number of games are commonly played for money that are themselves not unlawful; for example, poker, rummy, manila etc. Roulette is defined as an unlawful game yet the game can be purchased from most stationery and toy shops and its playing could result in a premises being classed as a common gaming house. As the law stands, one family could play a social game of poker in their own home whilst another could not play fan tan or piquet in their home with or without money.

Because of the number of court decisions that refer to and further define

'common gaming house', it has become necessary to describe it in the new provisions as a place for unlawful betting which will not be affected by past court decisions. Under the existing act, a house, office, or room or place may, under certain circumstances, be a common gaming house. This bill defines the word 'place' and, because it is an inclusive definition, the words 'house', 'office' and 'rooms' have been omitted.

The provisions in the bill relating to the unlawful betting on sporting events in a place for unlawful betting and the provisions relating to the playing of unlawful games are to be transferred to the Lotteries and Gaming Act where they will be more appropriately accommodated. The bill provides for it to be an offence to open, keep or use any place in relation to unlawful betting as well as the playing, receiving and setting of bets with any person. The act currently provides for the Supreme Court, on the affidavit of the Commissioner of Police, to declare that a house, office, room or place is a common gaming house. The effect of such a declaration is to provide access at any time to police to detect breaches of the act. This provision, to my knowledge, has never been used in the Territory and is archaic in itself. Such provisions are not included in the bill.

Section 32(1) of the old act prohibits a person from using or being in any street for the purpose of betting. 'Street' is defined in the act but it is not as inclusive as 'public place' which is defined in the Summary Offences Act. In addition, it is necessary to prove that the street was either being used for the purpose of betting or a person was in the street for the purpose of betting. Section 34 of the old act prohibits unlawful betting at sporting venues other than at a licensed racecourse or dog racing ground. The bill seeks to make it an offence simply to unlawfully bet in a public place. The definition of 'public place' is inclusive and includes a street and sporting venues.

The Racing and Betting Act contains a number of evidentiary provisions helpful in proving unlawful betting transactions. These provisions are necessary to curb uncontrolled betting and have been retained in the bill. Unlawful betting transactions are carried out in a very covert fashion and evidence is often destroyed and thereby difficult to prove. Honourable members are reminded of the amendment passed last year which considerably increased the penalties for illegal betting. Whilst no further changes have been made to those penalties in this bill, other offences relating to unlawful betting will be subject to penalties more in keeping with present day standards.

Finally, I believe that the Racing and Betting Bill introduces some very important and innovative changes as well as safeguards for the racing industry and the public at large.

Mr Speaker, turning to the provisions of the cognate bill dealing with unlawful gaming, the remnants of the Racing and Betting Act to be repealed relating to unlawful gaming are to be transferred to the Lotteries and Gaming Act. I refer more specifically to part IV of the old act referring to 'common gaming house'. As I said, this is an archaic provision which needs a thorough review.

The important provisions of the Lotteries and Gaming Bill create the offence of using or being in a place used for unlawful gaming. The repealing of the Racing and Betting Act makes it necessary to transfer to the Lotteries and Gaming Act those provisions relating to the playing of unlawful games in what now amounts to a common gaming house. Section 42 of the Lotteries and Gaming Act defines 'unlawful games'. A number of games are identified in this provision, the playing of which, with or without money, constitutes an offence. Such legislation is now undesirable and unacceptable. I mentioned previously roulette

which is procurable from most stationery and toy shops. I also referred to an anomaly where, whilst one family can lawfully play a social game of poker in their home, another cannot play fan tan or piquet, notwithstanding that it is not being played for money. This bill seeks to get rid of this anomaly by not identifying specific unlawful games.

The Racing and Betting Act provides for the offence of keeping a common gaming house. With the removal of the provisions relating to lotteries and unlawful gaming therefrom, it is necessary to establish reciprocal provisions in the Lotteries and Gaming Act. The bill therefore provides for an offence of keeping a place for unlawful gaming which, in general terms, is defined as a place unlawfully used in connection with lotteries, calcutta or bingo or the playing of an unlawful game which is defined in section 42 of the Lotteries and Gaming Act as 'playing for money or goods being a game of chance or a game which is more chance than skill or when some person other than in his capacity as a player derives some part or percentage of stakes played for'. Finally, there are the complementary evidentiary provisions that exist in the Racing and Betting Act which have of necessity been transferred to the Lotteries and Gaming Act.

In conclusion, as I said at the outset, betting is big business everywhere in Australia and we in the Territory are no exception. I believe that the proposed legislation provides a broad and balanced framework for racing and betting activities to be conducted in the Territory and lotteries and gaming provisions more appropriate for today and some time into the future.

Mr Speaker, before resuming my seat, I wish to record my appreciation of the work done by the Racing and Gaming Commission, particularly its chairman, Mr Barry Davis, and his staff, the officers of the Department of Law, Parliamentary Counsel, Mr Dorling, and his staff, and the Northern Territory Police Force in respect of the major review of this legislation. Many people have put a great deal of work into this. I commend the bills to honourable members.

Debate adjourned.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 321)

Bill presented and read a first time.

Mr TUXWORTH (Conservation): Mr Speaker, I move that the bill be now read a second time.

For some time now, the government has been concerned at the possible effects that unregulated shooting may be having on ducks and geese during the annual shooting season. The season length and relative lack of controls on the shooting of wildfowl for recreational purposes may have been appropriate for the relatively unpopulated and underdeveloped Territory of a few years ago. However, with the severe damage to geese and duck nesting habitats by feral buffalo, together with the increasing human population, concern has arisen as to the future of our wildfowl population. Hunting is a very popular and valid recreational pursuit in the Territory and the shooting of ducks and geese constitutes the majority of hunting undertaken up here. The wonderful shooting opportunities in the Territory have been a significant tourist attraction and it is important that this resource be properly managed for the benefit of this and future generations.

Accordingly, I have asked the Conservation Commission to consider necessary amendments to the Territory Parks and Wildlife Conservation Act to

regulate the shooting of ducks and geese with specific reference to bag limits, season lengths and the methods of killing. Recently, I received information that suggests the breeding cycle of some wildfowl, notably magpie geese, has been affected by the unusually late and uneven wet season. It appears there may be considerable risk in allowing the normal hunting season this year. Accordingly, as a matter of urgency, I have brought forward proposals to amend the Territory Parks and Wildlife Conservation Act to provide an ability to alter the present static hunting season and, at the same time, introduce bag limits and other conditions that may be necessary because of other circumstances. Looking ahead to a period when our population has expanded, I can see that provisions relating to the adoption of safe hunting practices may be a matter that will require regulation and I am sure there will be others.

Most of the Australian states are just emerging from a severe drought that has had an effect on the wildfowl population of this country. These states have either restricted or abolished the 1983 wildfowl hunting season in order to protect the remaining birds. The provisions I now introduce will allow a flexible response to changing conditions such as we have recently experienced. It is my intention, given the ability that will be provided by this legislation, to carefully examine the information relating to the present condition of our wildfowl so as to determine what length of season, if any, is appropriate this year and what conditions to place upon the hunting of wildfowl if hunting is to take place in 1983. This flexibility to adjust both the length of the season and the number of birds that may be taken and to apply other conditions will ensure that our important wildlife is managed with regard to the health of its populations in the seasonal conditions that occur.

Honourable members will notice that, in order to make the act consistent with the provisions of the Interpretation Act as they affect the general ability to make regulations and bylaws, the bill proposes changes to the procedures for making regulations and bylaws under the Territory's Parks and Wildlife Conservation Act.

Mr Speaker, I would like to bring to the notice of the Assembly that it is the government's intention to seek the suspension of Standing Orders so that this bill can be passed through the Assembly at this sittings. I commend the bill to honourable members.

Debate adjourned.

MINING AMENDMENT BILL
(Serial 296)

Continued from 23 March 1983.

Ms D'ROZARIO (Sanderson): Mr Speaker, the opposition supports this bill. I must apologise to the honourable minister for inadvertently causing some confusion last week when I inquired about proposed amendments to the Mining Act in relation to strata titling of mining leases and also open range exploration licences. This bill does not address those 2 matters which are quite substantial shifts in the policy of the government. The matters addressed in this bill relate to the rectification of administrative defects of the legislation at the time that the original bill was passed through this Assembly.

The Mining Act has been in effect for some 9 or 10 months now, although it was passed in the Assembly in 1980. In the time that it has been in operation, some matters of an administrative nature have come to light which require some correction. One very important matter is addressed in the amendment relating

to the transitional clause in the principal act. That is designed principally to clarify the status of leases which were issued either under the principal act or since the amendments have come into force. It is proposed that the amendment be retrospective in its effect. Although the minister has explained that it is not his government's intention to enact retrospective legislation as a matter of principle, one cannot but agree that this is the correct action in this particular case.

There are certain leases whose status is not clear because of the original provision in the principal act. Although that may be of no consequence to some persons, it is necessary to ensure that all leases issued under the Mining Act come within the control of the act. This is necessary from the point of view not just of ensuring compliance with the terms of the act but also so that the industry knows where it stands in respect of leases that have already been issued.

Another matter which is taken up by this particular bill is the question of the grid. Members will recall that, in 1980, there was considerable discussion on the grid system which would be applied to the issue of exploration licences. The discussion was that, when licences are issued, their boundaries should conform to a whole block which, of course, is a part of the grid. The old Mining Act allowed people to take out licences over areas which they thought were highly prospective and not bother about other areas. This meant that people were able to pick the eyes out of certain areas of a lease and leave the rest. In 1980, the legislature decided to overcome this and ensure that people in fact took up whole blocks on the grid.

It now appears that this is all very well, except in cases where the boundaries of national parks, Aboriginal reserves and Commonwealth Crown land do not coincide with the grid. In order to at least keep that land available under exploration licences, it has been decided that, where such a boundary occurs, the minister may grant the licence over part of a block instead of an entire block in those circumstances. This is a matter with which I agree. It is not the intention of the legislature to withhold certain areas of land in the Territory from exploration licences and this would be an unnecessary obstacle to the issue of exploration licences in certain parts of the Territory.

Mr Speaker, there is another matter which relates particularly to the extractive industry. It is now possible to issue a permit for extractive purposes over private land by consent of the owner of that land. Activities relating to the extractive industries tend to be fairly well contained, but also produce very high bulk products of relatively low value. The way the Mining Act is framed at present, if a person wished to obtain an extractive permit over private land, the methods of doing so are extremely expensive. Again, it was not the intention of the legislature, where an owner was willing to make his land available or to issue an extractive permit over his land, to remove that area from productive use. We will now be able to issue a permit over such lands with the consent of the owner. Of course, compensation to the owner would be due and payable.

Mr Speaker, the only other matter which this particular amendment takes up is the question of the terms of leases. It appears that, in the 1980 principal act, the term of the lease once given was not then able to be altered. The minister will now have a power to determine the length of time for which leases will be held and this could be necessary in regard to certain types of minerals and over certain types of mineral leases. The opposition supports that move.

There is one further thing that this bill does and that is to make land available for mining leases on private land and serves the owner of the private

land with notice that his land could be made so available. Again, because of historical events, there are large tracts of land which are not available for mining activity because either the owners cannot be found or the act itself was deficient in not permitting mining to take place on private land. There are large tracts of land on which mining could occur and of which the original owners have long since passed on to their heavenly abode. There is no way of tracking these people down which means that, again, land is removed from mining production for no good reason. The bill balances this provision by providing that all efforts must be made to trace the owners of the land and, again, compensation would be payable. The balance is both in consent and in compensation, so I do not think this is an unnecessary encroachment on the rights of private landholders.

Mr Speaker, we support these amendments. They seem to be necessary to improve the operation of the Mining Act.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, as the honourable minister said in his second-reading speech, this mining legislation is under constant review because of the importance of the mining industry to the Northern Territory economy. This bill reflects the government's acknowledgement of the industry's demands in relation to how it will be governed by legislation. I will briefly touch on the clauses in the bill that I found of interest.

Clause 4 ensures that mineral leases granted under the old act fall within the definition of a 'mineral lease'. Section 191(5) is amended by clause 32 which protects the rights of exploration licences granted or applied for under the old act. Clause 4(b) ensures that a mining tenement covers a mining lease that has not been granted due to a lack of survey in accordance with section 61(2) of the current act. As the act is written, it would appear that, by virtue of a miner's right, a person can help himself to any tailings on Crown land. Clause 5 makes a licence necessary. Unfortunately, as in many other ways, the old days are gone.

Clause 7 provides for greater flexibility in the granting of an exploration licence. Before, there had to be a side contract but this amendment will allow a point contract. It necessitates a revised surrender condition to section 16 of the current act which is covered by clause 10 of this bill. Clause 8 allows a more realistic estimate to be made as subsequent expenditure will depend on what has been discovered. Clause 9 will allow part of a block to be granted where boundary conditions dictate; for example, when adjacent to an irregular boundary of an Aboriginal reserve or a mining reserve. Because of this, the amendment in clause 6 is necessary. Because of the preceding amendments, there is a tidying up of reporting conditions which clause 11 covers.

Clause 12 recognises that the area of 200 ha previously mentioned was not adequate and 1000 ha, which is about 2500 acres, is the area now mentioned. Subclause 13(a) ensures that exploration and mining are not carried out whilst the application is under consideration. This is very important. Subclause (b) makes it clear that an applicant can continue exploration activity in an area under application for a mineral lease if he is also the holder of an exploration licence or retention lease. Again, this is also subject to section 61 of the current act.

Clause 14 of the bill provides for a mineral lease to be granted for a lesser term than the former mandatory 25 years. It also provides specifically in subclause (f) for the mining of extractive minerals in connection with the mineral lease. Clause 15 mentions the words 'approval' and 'consent'. By changing 'approval' to 'consent' the wording is more strictly correct as the minister will approve the application subject to the landholder's consent.

Clause 16(b) is the amendment whereby the minister can assume consent if no reply is forthcoming when the landholder cannot be traced. I feel this needs to be watched carefully as someone could be disadvantaged if he is difficult to contact. This is especially relevant in certain remote areas in the Northern Territory.

Clause 17 overcomes a conflict with the regulations where the application has to be lodged within 14 days. It is similar to clause 20. Clause 18 enables the minister to grant a mineral claim for a lesser term than 10 years, which gives greater manoeuvrability. Clause 19 provides for a security to be lodged so as to demonstrate the applicant's bona fides. Mineral claims are intended for the prospectors and there may be a fear that persons will lodge applications indiscriminately. This clause will ensure that they will be able to comply with the act. I think it is a bit rough. Clause 21 has the same intention as clause 19 but clause 21 deals with extractive minerals.

Clause 22 may appear to be much the same as clauses 20 and 17 but there is a subtle difference. Clauses 20 and 17 refer only to Crown land but, in this clause, any land including private land, is mentioned. This represents a major change and it also necessitates changes in clauses 23 and 24.

Clause 24 is amended to cover the need to notify owners of private land that their land is now subject to application for extractive permits by virtue of clause 22 that I have just mentioned. Clause 25(a) specifies that conflict will be avoided with the regulations. Subclause (b) provides for an application to be made to take tailings from private land, but only with the owner's consent.

Clause 26 is no longer required because provision has now been made in the previous clauses. The amendment relating to clause 27 is required because there are now conditions written into mineral lease documents which will have the standing of law.

The amendment to clause 29 is only to spell out the provisions more precisely by using the word 'use'. 'Use' is one step further than 'occupy'. Clause 30 deals with compensation to landholders. This is very important. This amendment now covers private land as well as pastoral leases. Clause 31 deals with obtaining consent. It now provides for 2 months notice for consent. If no reply is received within that time, the consent is deemed to have been given.

Finally, clause 33 covers the very old title of prospecting authority. This will protect the rights of those who still have outstanding applications.

Mr Speaker, although on the surface this bill appears simple, it nevertheless goes into some detail in making amendments to the current Mining Act.

Mr ROBERTSON (Mines and Energy): Mr Speaker, I would like to thank honourable members for their comments on this bill. I have certainly taken note of them. We shall review in Hansard what honourable members have had to say and see if those matters raised cannot be looked after.

I do not know whether this is a confessional or a parliament. The honourable member for Sanderson was saying that she had an apology to offer in respect of strata titling. In fact, she was misled by what I said in answer to a question the other day. It has nothing to do with that subject at all. It is one, nonetheless, that the government is examining to see if it can provide for a more efficient operation of the mining industry. But it certainly is not before us at the moment.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Mines and Energy) (by leave): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

BUILDING BILL
(Serial 299)

Continued from 24 March 1983.

Mr SMITH (Millner): Mr Speaker, I would like to start by thanking the minister for arranging the briefing that I had with officers of the Department of Lands. I think it was most useful in resolving some of the questions that I had. I notice that the amendments include one or two of my suggestions.

Mr Speaker, this is a completely new act to replace the existing act. Basically, it has 3 main aims. First of all, it will replace the present Building Board with the Building Controller inside the Building Branch. Secondly, it will establish the Building Referees Board to allow for appeals against decisions of the Building Controller. Thirdly, it will establish a Building Standards Committee to monitor the operations of the act and regulations and to make recommendations to the minister on building standards, techniques and materials.

In the view of the opposition, all of these are desirable and supportable and should certainly make the new act a much easier piece of legislation to work with both from the political angle, the bureaucratic angle and also from the point of view of people who actually have to seek approvals. Therefore, we support the bill. However, I would like to make some points as I go through the bill.

There has been some concern expressed in the industry about the broadness of the definition of 'building'. For example, it has already been pointed out by the honourable minister in his second-reading speech that a building is classified as a fence more than 1 m in height. We also had definitions of 'building' as an advertising sign or hoarding, a mast, an antenna or an aerial. I raised this matter with departmental officers. They have convinced me that the definition does need to be expressed in those broad terms. In the regulations, common sense will be applied. The regulations will accurately reflect the need to have some control over things like fences, hoardings, masts etc. For example, I understand that a fence will not include chain wire fences whatever their height but will apply to solid construction fences. Certainly, if the code is along those lines, it will have our support.

Mr Speaker, clause 5 deals with the definition of 'building areas'. In his second-reading speech, the minister stated: 'Building areas will be declared as areas where a planning instrument applies under the Planning Act. The intent, with a few exceptions, will be to make the building and planning areas synonymous'. I believe that that is an interpretation of the act. It is an interpretation that, at this stage, we would support. But I do think the act is flexible enough should the minister want to take the other approach and declare the whole of the Northern Territory a building area. Perhaps the Chief Minister agrees with me on this.

Mr Everingham: I think it could be done.

Mr SMITH: I think we are in basic agreement then. Whilst we do support the approach at present, I think in the operation of the act, we will need to have

a fairly close look ...

Mr Everingham: We could call the whole Territory a planning area.

Mr SMITH: ... at the quality of buildings outside the planning area. I think that everybody who has accommodation deserves basic standard accommodation and, if it becomes clear that this is not being supplied in areas outside the building area, we would need to look at it. Certainly, at this stage,we support the broad approach that planning areas should be synonymous with building areas because, obviously, it would make it much easier for everybody to understand.

Clause 7 deals with arrangements with municipalities. It is very difficult to get a common view on this clause. Obviously, the local government people believe that it does not go nearly far enough and the people in the building industry believe that it goes much too far. There is a clear conflict within the community on the powers that local government should have over this area. I am pleased that provision is made within the bill for these powers to be handed across to local government at an appropriate time. I understand that the government does not believe that it is appropriate at present. However, its inclusion in the bill will allow for consideration at some future date.

Clause 10 concerns building inspectors. I would like to pass on the hope of the building industry that building inspectors will have qualifications in the building trade. There is a feeling in the building industry that, from time to time, there is an inconsistency in interpretations. It is believed by the industry that, by using building inspectors with the appropriate trade qualifications, the consistency of interpretations would increase. I pass that on to the minister.

I am intrigued by the name 'Building Referees Board' in clause 13. I have not found it in other Northern Territory legislation. To be consistent with these types of appeal boards in other legislation, another term could have been used.

Clause 14 deals with the composition of the Building Referees Board. It is a technical committee of review and the opposition would support the direct placement of representatives of the industry on it. I think the government is moving an amendment to that effect.

I come to clause 16. The opposition believes that there is a lot of sense in publishing as a matter of public record details of the determinations of the board. We think that would help anybody contemplating an appeal to the board to work out the likely attitude of the board and what it might consider to be important.

At this late stage, I would ask the government to consider taking that amendment on board. It should read something like the following: to publish as a matter of record details of determinations made by the board. I think it would be worth while and could well solve some of the uncertainties as to how the board would make its decisions.

Mr Everingham: Raise it with me in the committee.

Mr SMITH: I certainly will.

Clause 21 deals with the establishment of a Building Standards Committee. We think that is an excellent idea. The major activity of the Building Standards Committee will be to meet for a regular review of acts and regulations. It will

also consider building standards, techniques and materials. However, I believe that the standards committee ought to have wider powers over the approval of new building materials, standards and techniques. As it stands, it will have only an advisory power to the minister. I believe that is an unnecessarily cumbersome way of going about getting new building materials, standards and techniques approved. I understand that that matter is taken up in the amendments proposed by the government.

I find clause 23 confusing. Clause 23(1) says: 'The minister shall appoint a person who is, or is to be, a member of the board to be the chairman of the board and committee and another such person to be the deputy chairman of the board and committee'. I cannot see any reason for the phrase 'or is to be'. I would suggest that a simpler way of saying the same thing would be the following: 'The minister shall appoint a person to be the chairman of the board and committee and another such person to be the deputy chairman of the board and committee'. I would commend that to the government.

Clause 28 is a point that the government has picked up in its proposed amendments: it is essential that the owner's permission be obtained. We are in agreement with the amendment that has been proposed.

Clause 38 could pose some problems. It is quite a widespread practice at present that people, particularly owner builders, move in before the formal completion of their property. Obviously, that is to save some cost in the form of rent that they are outlaying elsewhere. I would hope that, in the administration of this clause, there would be some discretion allowed so that we do not have the situation where, if you have not put the last drop of paint on the last wall, you will not be allowed into your house. I believe that that is contrary to existing practices. I have found no serious problems with existing practices. I would urge that there be discretion in the application of that particular clause.

Clause 50 is probably the most important clause in terms of the smooth operation of this bill. Clause 50 will allow all regulations affecting buildings to be brought together into one code. At present, there are regulations affecting building under a number of different acts. It is a time-consuming and often frustrating exercise to ensure that all the regulations have been followed so that everything is covered. The Building Code will put all these regulations under the one code in the one place. I believe that that is a very important step forward and certainly very welcome. I would hope also that, once the regulations are in the code, similar regulations in other acts will be removed so that the situation will become very clear.

Mr Speaker, with those comments, I reiterate the opposition's support for the bill.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, this bill gives the legislative framework for a building code for the Northern Territory. The Building Code will be introduced by regulation, particularly under the provisions in clause 50 but also in clauses 8, 28 and 30. In his second-reading speech, the Chief Minister made particular reference to the cyclone risk in the Darwin area. He stressed the importance of having a standard of building which will withstand cyclones. It is clear that, even if the majority of houses are constructed to a cyclone standard, the disintegration of one poorly-constructed building could provide material which would damage other houses. It is very important.

However, coming from central Australia, I would particularly ask the committee on building standards to consider the central Australian case. We are

not the Top End. We do not have anything like the cyclone frequency that occurs on the coastal area up here. I have seen maps tracing the paths of cyclones. They look as if a child has been moving a pen over paper. They seem to be completely unpredictable. It is very clear, though, that the central Australian region is by far the least affected. I would ask the committee to consider whether it is totally necessary to impose a costly standard on the central Australian region. Some flexibility in the code is desirable. The extra demands that are made on housing up here can add considerably to the cost of building in the Centre.

Basically, the purpose of this bill is to replace the patchwork of building law which exists at present. It is hoped to reduce delays in obtaining building approvals. It provides for an appeals board to hear complaints against decisions made by the Building Controller. This board should be able to do that more quickly and at far less cost than court proceedings. I know that it has widespread support. Certainly, the principle is accepted by the building industry.

I thank the honourable Chief Minister for making the amendments available to me yesterday in Alice Springs so that I had a chance to study them. The standards committee will review the building legislation and see how well it works. I think that is a very important and useful job. We hope that this new legislation will do the job effectively and that it will serve the Territory well. However, even with the best intention, sometimes things occur which nobody had thought of. To allow this body to review the operation of the legislation and, if necessary, recommend alterations to the minister, is a very useful function. It will monitor building standards and the Australian model for a building code which, no doubt, will be amended from time to time. It will need to look at those amendments and changes as new materials are developed.

There is provision for new methods of building to be assessed. Under the amendment, the standards committee has the power to engage expert advice on new materials. I hope that that might not only lead to advice but also to the opportunity to test the new materials and new methods. Under the amendment, the minister may also direct the committee to investigate certain matters. I believe that is a 2-way flow of information, which will be worth while.

As has been mentioned already, the bill allows for rationalisation between the building law and planning areas. The Building Code, in general, will apply to planning areas. As mentioned by the member for Millner, there may be ministerial exemptions. He was concerned about the quality of building outside planning areas. One need not necessarily assume that, because work may look a little rougher in some of the outlying areas, it is necessarily substandard. That is an assumption which I would not support nor, I am sure, would you, Mr Speaker, having lived in more remote places. I have great faith in people's ability and desire to make their own dwellings safe for their families to live in.

Building inspectors have had a role to play. They have felt that, under the act at present, they have been toothless tigers. They have had to work on bluff. I am pleased to see that this bill will give them certain powers to police the code and see that its requirements are met. I am also pleased to note that the qualifications of building inspectors are to be prescribed. It is reasonable that these people should have considerable experience in building because it will result in better relations with the people with whom they have to work.

It is also pleasing to note that the bill provides that health and fire control aspects of buildings will all be able to be handled at the same place. This has been happening already. A one-stop shop is an advantage. Any reduction in red tape is appreciated.

I am sure the provisions which will allow building inspectors to detect, rectify or have unsafe buildings removed are acceptable in general. I imagine they will be welcomed in the Top End where cyclones occur far more frequently. The bill is aimed at speeding up the decision-making process on applications. A Building Controller effectively replaces the board. The bill allows for deputy building controllers with powers which may be less than those of the Building Controller but determined by what the minister delegates. It is important, as far as I am concerned, that the central Australian region have deputy building controllers. Obviously, the Building Controller will be Darwin-based. But, to expedite the decision-making in the Centre and support the building industry, we need to have a deputy building controller in Alice Springs. I am sure that will eventuate.

The building controllers will appoint building inspectors. It is clear from the definitions that the building controllers will also be building inspectors, therefore the building controllers must have at least similar qualifications to those of the building inspectors. I believe that that is an important point so that jealousies between the 2 need not arise. Under the amendment before us, the qualifications of building controllers shall be those of an architect or a practising civil engineer. I support that. I am pleased to see that, by clause 6, the Crown is bound by this legislation. Government buildings will have to be of a similar standard to private buildings.

In clause 7, the operative word is 'may'. If in the future it is decided that town councils and municipalities should take over some control, that is allowed for. This is fairly common down south. Local councils have the control over building. In time, this power may devolve to them. This bill will allow that to happen without the need to make further amendments.

Clause 11 talks about the liability of a building controller and a building inspector. On first reading, it seems that they carry no responsibility for their actions. However, the words 'in good faith' provide the real protection. Provided a building controller and a building inspector act 'in good faith', then they cannot be held liable. However, if they do not act in good faith and try to be obstructive or malicious, they could be held liable for their actions. I see that as a very useful clause which should prevent heavy-handed actions by these 2 officials.

The referees board allows for 4 members. I note that a quorum will now be 3 instead of 2. I think that is a fair thing. In my discussions with officers of the department, I learnt that on the present levels of complaints, it is expected that this board will not be overtaxed. It is not expected to be used very widely. It will consist of a group of experts in the area. It has been suggested to me that it should be independent of the public service and act as another control over any possible heavy-handedness that may occur.

Clause 18 allows for the creation of the Building Standards Committee and clause 19 determines its composition. The people specifically mentioned are engineers, architects and representatives of the Master Builders Association. I would ask that the minister consider the inclusion of a consumer of the product. At the moment, the committee is to consist only of people involved with building. It is one-sided. The inclusion of a consumer is one possibility and the other is the inclusion of an owner builder. I am sure the honourable minister will consider that before determining the composition of that committee.

The other provisions are basically mechanical. They seem reasonable. I am particularly pleased that all aspects of the bill are to be kept under review by the standards committee.

As far as the code is concerned, I will be very keen to see it. In particular, I am very keen to see that the owner builder is not disadvantaged. I have been assured by officers of the department that it is not the intention that the licensing of builders be contemplated. I have a pet aversion to closed shops.

Like the member for Millner, I would like to thank the Secretary of the Department of Lands, Mr Don Darben, and officers of that department, both in Darwin and Alice Springs, for their time spent in examining the bill and clarifying certain points. I look forward to seeing the bill come into operation and seeing whether the predictions which we have made are fulfilled in practice and with any necessary amendments. I believe the bill will serve the best interests of the Territory. It has my full support.

Mr BELL (MacDonnell): Mr Speaker, I am not sure whether it was the praetors or lictors of ancient Rome who carried sticks as a symbol of their authority. I am a little surprised that the honourable member for Alice Springs did not suggest an amendment that the Building Controller carry a similar symbol of authority.

In rising to address this bill, there are 2 particular points that I want to make that have been mentioned to me by people in the building industry in central Australia. The first relates to the lapse of permits. On a closer reading of the bill after this was raised with me, I believe that this is not a concern. However, I seek the reassurance of the honourable minister when he replies to the debate. The particular concern was that, whereas in the past building approvals could be held subject to future regulations, with this bill a time limit would be imposed on the building approvals. This would mean that approvals or permits would lapse after a particular time. The people who raised this with me suggested that this could make problems in particular cases where the terms of the permits could not be implemented for some time, indeed for as long as 4 or 5 years in some cases. The feeling was that it should be possible for such permits to be held but that they should be subject to any new regulations that are brought into force. My reading of the bill is that no such lapse of permits will actually occur, but I would like reassurance that I could pass on to the people who raised that point with me.

My second point has been raised already by the honourable member for Millner to some extent, and members of the building industry in central Australia also spoke to me about it. It relates to the issue of certificates of occupancy. I understand there have been problems in circumstances where a building inspector has insisted, for example, on the painting of particular rooms before a certificate of occupancy could be granted. This has resulted in problems where the future owner of a house understands that, under the contract, he himself will carry out the painting of the house. This is distinct from the requirements for wet areas. Quite rightly, before a certificate of occupancy can be granted, the wet areas in laundries, bathrooms and so on have to be covered with some sort of impervious substance. However, the example I have given where painting has been required as a condition for the issue of such a certificate has been felt to be a little unnecessary. I would very much appreciate it if the honourable minister could investigate that concern which has been raised with me.

Those are the 2 points that I wished to raise in the context of this bill, Mr Speaker.

Ms LAWRIE (Nightcliff): Mr Speaker, I am waiting with bated breath for the honourable member for Tiwi to rise and say that she supports this bill as long as it does not apply to any section of her electorate. I think I can understand

the reservations expressed by the honourable member for Alice Springs. It seemed implicit in his remarks too: 'This is fine as long as it does not affect my area'.

I am pleased to support this bill. I noted in the Chief Minister's second-reading speech that he again referred to the necessity for an overhaul of the Building Code after Cyclone Tracy and, as he so rightly said, a continuing revision of building codes with the introduction of new techniques, new technology and new concepts of design, particularly of domestic dwellings. Honourable members will be aware that one of the most wasteful industries in Australia, and one which has had the least regard paid to it, has been domestic design. For too long, architects and builders concentrated on highly expensive and, in many cases, unnecessary and inappropriate finishes and design simply because they were considered traditional. I remember the struggles an owner-builder architect had after the cyclone in trying to get approval for a mud-brick house. I think it was the first one built in Darwin and, consequently, seemed to be highly suspect. As the honourable member for Casuarina said, it is in his electorate. That poor young man and his wife had inordinate trouble because it did not fit in with any preconceived pattern acknowledged by the Building Board. It took some time and difficulty before their problems were overcome. In the bill, we see a deliberate acknowledgement that no piece of legislation can encompass all techniques and, where a person wishes to incorporate a new technique, that can be considered individually by the authority and approval given. I particularly welcome that.

The Chief Minister referred to what in fact is the guts of this legislation and that is the regulations - the technical provisions of the code. He stated that they are currently being circulated for comment from the industry. As a member of the Subordinate Legislation and Tabled Papers Committee, I would have liked the code also to have been circulated to that committee. Certainly, I shall ask our chairman if he will obtain the draft regulations so that members of the committee, whose responsibility it is to inquire into them, to research them and to report back to this Assembly, may have some imput which may be relevant and worth while before the decision is taken for gazettal by the Executive Council.

Mr Speaker, the only other issue I wish to raise is the direct reference in the regulation-making power to the standards relating to the transmission of sound: a resistance to the transmission of sound. I am pleased to see recognition in the principal act that this is to be one of the matters looked at by the building authority before the necessary permits are issued, particularly when buildings are being designed and built for public entertainment. One of the greatest nuisances in my electorate, and I believe in other members' electorates, has been caused by buildings used for the purpose of public entertainment where the design is not suited for that purpose because it allows an undue transference of noise causing problems for adjoining leaseholders or land holders.

Mr Speaker, with those few comments, I am quite happy to support the bill. I will raise further detailed comment in the committee stage.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, to avoid disappointment to honourable members on the other side of the Assembly, I will say roughly what they said I would say. It is just as well the honourable member for Millner is not representing people in the rural area because I do not think he would do so for very long. He would do away with all my constituents' building initiatives. He would restrict their free-ranging architectural styles and he would impose undesirable red tape on them. Perhaps I am treating this matter facetiously. It is rather serious. If people had not gone out into the rural area in the

beginning but had stayed in Darwin after the cyclone and in later years, their very presence in Darwin, demanding homes, houses and flats and other buildings for their accommodation, would have imposed impossible burdens on the government in the provision of housing. It should be recognised that the people of the rural area render a great favour to the government by doing things off their own bat. Most of them obtain permits eventually.

Mr Speaker, I applaud the initiative of my constituents in the rural area in doing things for themselves. Just in case people think that Rafferty's rules were applied to the building of our place, I hasten to add that we had the required building permits and building inspectors descended on us in hordes. With a few minor problems, all our sheds and the house came through Cyclone Tracy quite safely. Regardless of what any building inspector or anybody else might say, that was the only test that people could take account of.

Mr Perron: How is your effluent disposal?

Mrs PADGHAM-PURICH: Our effluent disposal is pretty good, Mr Speaker. It is probably better than the honourable minister's because we use it to good advantage in the growing of crops.

I feel that people in the rural area deserve some consideration in regard to the restrictions of the Building Code. They are not living on small blocks in town and they are not in close proximity to their neighbours. Many are on 5-acre blocks and many, perhaps half of them, are on 20-acre blocks. These blocks have much more bush and shrubbery on them. In the case of cyclonic disturbances, this helps to prevent neighbouring houses being damaged by debris to the extent that would apply in town. Block sizes are greater than in town and I think a bit of common sense has to be used with the enforcement of a rigid code in the rural area.

Perhaps there was an increase in the number of building inspectors or perhaps they just did not have anything to do in town, but a couple of years ago they descended on the rural area and issued stop-work notices everywhere. There was a rash of them on chook sheds, gates, fences and all sorts of things. I made representations to the honourable minister responsible at the time and a bit of common sense was applied. Most people do not resent sensible restrictions on their behaviour if they can see the reason for it. But any regulations coming from legislation have to be applied with common sense.

The first thing that caught my eye when I read through the bill has also been mentioned by the honourable member for Millner. It would apply to people in my electorate more than to people in his electorate. I refer to fences. I found out that the Building Code will restrict the application of the definition of 'building' as it relates to fences. I know also that legislation and regulations phrased in a negative way are much easier to interpret and enforce. If the legislation is restricted to heavy structural fences in the definition of 'buildings', I do not have any disagreement with that. However, at first reading, I could envisage an army of building inspectors coming out to the rural area to oversee the repair of 5-strand fences which need maintenance from time to time.

When I read this bill, I related it to the Fire Services Bill which is before the Assembly at this time. When I read the Fire Services Bill, I was rather concerned to see no mention of inspection of proposed buildings and plans by fire service personnel. I could find reference only to inspection of current buildings and buildings that were in need of repair or demolition. That was one of my main concerns because I have a great fear of fire. I think that it would be to the benefit of the community if a few more people had a fear of fire. Only by

having a healthy fear of fire can proper care be taken in building suitable buildings, especially for public use. The new Building Code will take account of fire service personnel inspecting plans of buildings whilst they are being built. I do not mean by that that the fire service personnel will be inspecting the buildings as they are being built. It will be done through the Building Controller. The bill specifies that all the permits can be obtained in one application. It is called a one-stop-shop operation. It will only be after the building is erected to the satisfaction of the Building Controller that the fire service personnel will carry out follow-up inspections.

Contrary to what the honourable member for Alice Springs has heard regarding restrictions being put on home builders - I think he said it - I have heard that the Master Builders Association may recommend that all builders be registered. Whilst on the surface I can see the reason for this, it is the old story of protecting people from themselves. There could be reasons for it; for example, a little old lady may want to build a house or have additions made to a house and she has no knowledge of building work and is unable to form her own opinion of a builder's credibility. If he were registered perhaps her interests would be protected. However, one of the great problems I see in a case like this would be that it would greatly inhibit self-help home builders. It would even inhibit people who specialised in renovation work. It would be very hard to register home builders. I would consider registering small builders only after it was clear that people were doing the right thing in the community and would not be hindered unnecessarily.

I support this legislation with the provisos that I have mentioned. I know it was asked for by the industry and that the industry has had great input. Nevertheless, the interests of my constituents come before the interests of the building industry. I hope that, whilst I support it, my constituents will not be unnecessarily harried and hassled by it.

Ms D'ROZARIO (Sanderson): Mr Speaker, I always enjoy without exception the contributions of the honourable member for Tiwi in matters of this sort. I must say that, whilst I appreciate that the honourable member for Tiwi has a highly-developed sense of the martyr, the Building Bill before us is not there to put the interests of the building industry ahead of the interests of ordinary residents. It is there to meet a very fundamental desire that goes back very many millenia. I am told that, in old Roman days, if a tile fell off a building and injured a passer by, then the builder of that building was brought to book in a very serious way indeed.

Mr Speaker, this bill addresses and provides the administrative apparatus for a very simple objective; that is, to make sure that buildings that are erected in the Northern Territory can be expected to stand up. It is as simple as that. It is not a question of people being unnecessarily harrassed. If people think that these things have become more complicated by just that fundamental objective, that of course is because the techniques of building have come a long way and people expect more of their elected members and their legislature than simply allowing things to take their normal course.

Looking at the schedule of acts which are to be repealed, which appears at the back of this bill, it is quite clear that this legislature has not had any concern for amendment of the Building Act since 1977. Again, it is necessary to say here that building methods, techniques and materials have come a long way even since 1977. The rate of innovation in building methods is quite obvious when one sees the inability of some other jurisdictions in Australia to accommodate these different methods.

In the Territory, we are a little more fortunate than people in many other places in Australia because, in 1974 we had the proof of the inadequacy of our buildings. One supposes that we have learnt something from that event. Of course, any codes which are now adopted will take into account the probability of a similar occurrence and the expectations of the community that buildings ought to be able to withstand those climatic occurrences.

I am interested to see that this bill addresses the matter of the length of time that it normally takes to obtain a building approval. The objective in setting up the Building Referees Board is to shorten the procedures that are required in order to obtain a permit. At the moment, we have a situation where, if an owner or a person making an application on his behalf to erect a building is not satisfied, there really is no simple and effective appeals mechanism. The Building Referees Board is an appeals body.

Mr Speaker, we have also the establishment of the Building Standards Committee. I heartily commend this particular innovation. I must say that I did wonder about the necessity of members of this committee being ordinarily residents in the Territory. But upon looking more closely at the powers of this committee - especially amended clause 21 - I must say that I am prepared to set aside any objection. Basically, the powers of this committee are to monitor the operations of the act and regulations and to consider new standards, techniques, products and materials.

The reason that I previously thought that it was not really necessary that every member be resident in the Territory is the same as reasons that the honourable member for Nightcliff alluded to earlier. In 1975, a young engineer attempted to erect a pise house. I knew that gentleman. I know very well the problem that he had to get the Building Board to approve his application. The reason was that there was nobody locally available who had either the experience or the expertise in pise buildings. So the onus was on this particular person to actually prove the integrity of his building technique. Some of the lengths to which he had to go were quite incredible. It took over 2 days to prove that there would be no pitting on the surface of the building from the heavy rain that we normally experience in the wet season. This person had to have compression hoses running for something like 48 hours. He then had to measure the degree of pitting that took place on the surface of the wall. Since that time, to my knowledge, there have been 3 very well-constructed and engineered pise or adobe buildings built in the Darwin area.

Mr Speaker, another example also comes to mind. I hark back to my statement earlier on the inability of other jurisdictions to cope with innovative techniques. That was in New South Wales where a young architect put up a proposal to construct a series of houses using the terraset method. Members will realise that that is an energy-conserving method of building which involves earth cover on the shell of the building. This technique would be accepted almost anywhere in North America but this person could not erect his buildings anywhere in Australia because there was no jurisdiction which allowed habitable parts of buildings to be either wholly or partly under the earth. I believe that, at Cooper Pedy, that is the normal way of construction. But like the honourable member for Tiwi's constituents, those people have never bothered about such things as building regulations. They are happy to live under the ground.

Nevertheless, as an innovative technique, this one is well worth considering. Indeed, there are numerous domestic and public buildings which are constructed after the terraset method in North America. Of course, the major purpose is not only aesthetics but also conservation of energy.

Mr Speaker, one hopes that the Building Standards Committee will be able to address itself to these particular techniques which are being considered by other jurisdictions. One imagines that the major part of this committee's time would be spent in monitoring the operation of the act and the regulations. I must say that this is a very commendable objective because the innovation in this area of activity has been quite rapid even in the last few years.

Mr Speaker, other members made reference to the question of building and planning areas having the same boundaries. The honourable Chief Minister said that it would not be such a bad thing to declare the whole of the Northern Territory as a planning area. This is exactly what happens in other parts of the world. Unlike the member for Tiwi, I have never seen the logic of saying that a building in Darwin city should be expected to comply with the Building Act but the occupants of a building outside Darwin city should not have the same confidence in their building. Quite clearly, what we are talking about is public safety. When we are talking about public safety, the arguments about where the act should apply really are quite silly.

In order to overcome any particular circumstances that could arise in the unique Territory context, we have the provision to exempt an area from the provisions of this Building Bill and, on the other hand, to declare special building areas if they are not covered by planning areas, which is the majority of the Northern Territory.

Mr Speaker, I would like to turn to the question of the regulations. Clause 50 is an extremely interesting clause because it sets out all the matters about which regulations can be made; they are quite extensive. A large number of these matters are already covered by codes of practice and by standards. Presumably those same codes will apply, particularly if we are to avail ourselves of the uniform code. However, and I read the honourable Chief Minister's remarks about this, there are some matters which I think could cause conflict with other acts, notably the Planning Act. The honourable Chief Minister said that he hoped to remove any duplication in the legislation by providing that the Building Act should address some matters which are currently addressed in the Planning Act. These matters are listed in clause 50 which is the regulation-making power. I think that some of these matters may give rise to conflict. Indeed, they are not, strictly speaking, building matters; they are matters related to the use of land.

If I might illustrate this by an example, clause 50(q) provides that regulations may be made regulating or prohibiting the construction of buildings on land liable to flooding or storm surge. I would have thought that the only building issue which would have been relevant would be the implications of inundation of the building itself and not whether or not a building could be built in areas subject to flooding or storm surge. The reason I picked this one is because this particular matter has had much discussion. I remember as though it were only yesterday the very heated arguments that took place about regulating land use in storm surge areas. These arguments all occurred in the early part of 1975 when it was being decided whether or not buildings should be constructed in any storm surge zone. This was later modified to be the primary storm surge zones. Since then, we have seen that policy abandoned altogether. I attended several meetings and I heard some very vocal residents of Kahlin, Rapid Creek and Nightcliff saying what they thought about whether or not buildings should be allowed to be reconstructed or built within the storm surge zones.

More recently, this matter of building on land prone to inundation has been a hot topic of conversation in the Katherine area, Mr Speaker. I think that this particular paragraph is more properly a matter for the Planning Act than it is

for a building act. The only matter which would concern a building act is the effect of inundation upon certain elements of the building, such as the footings.

Another paragraph caused a lot of comment from residents in the Northern Territory: the one relating to the development of medium-density housing. I think that all members of this Assembly would agree that there is hardly a topic that the general public responds to more readily, as far as town planning is concerned, than the question of medium-density housing. Many of the arguments are about whether or not the building types are acceptable aesthetically, climatically or next door to the people making the comments. In subclauses 50(m) and (n) it is provided that regulations may be made with respect to the siting of buildings, including their height, location, proportion of open space to be provided around them and the minimum area of land on which buildings may be constructed. These 2 paragraphs are the indices by which people measure whether or not residential developments are medium density, low density or high density. Of course, it is impossible to define where the thresholds of these particular descriptions should occur. Planning authorities have, by tradition, measured these thresholds by reference to such things as the area of land upon which a building can be built and the height of the building, which determines the number of people that can occupy it. Also, it determines building density. When we talk about the proportion of open space, we are talking about the plot ratio. So these are indices of the density of development and at the moment are addressed by the Planning Act through the various planning instruments. Again, I think what should be talked about in a building act is the structural sufficiency of the buildings themselves.

Clause 50(s) permits regulations to regulate or prohibit the construction of advertising signs and hoardings, and restrict the size and construction of such signs and hoardings. I am certainly prepared to concede that the construction of such signs and hoardings is properly the business of a building act but, at the moment, this matter is taken up by the Planning Act. Again, it is a matter in which the community has a great deal of interest. There is a lot of interest in whether there should be hoardings at all. Indeed, I have sat through many speeches made by the honourable member for Tiwi on the question of the erection of signs - who may allow them and what type of signs they were to be.

It does seem as if there are some areas within the regulation-making powers which are not strictly appropriate to a Building Bill. Whilst I appreciate that the Chief Minister is attempting to avoid duplication, I think that they are matters which would cause intense community interest whenever such a question arises.

Of course, what we are saying in the regulation-making clause is that the regulations could address these matters, which are currently addressed by the Planning Act. Once regulations are made, they are then in force until they are disallowed by this Assembly. And herein lies the major conflict. At the moment these matters are enclosed within planning instruments or amendments to planning instruments. I think there have been several amendments to the Darwin Town Plan, which deal specifically with the question of medium-density housing. In fact, the Planning Authority has a code for medium-density housing which is part of the Darwin Town Plan which, in turn, is a planning instrument. Similarly, I believe it also has codes relating to industrial and commercial development. Incidentally, I believe it is preparing one for advertising signs.

Mr Speaker, the thing about planning instruments or draft planning instruments is that there is a period of exhibition during which people can

respond and, of course, very many people do respond when it comes to things like medium-density housing. One has only to ask the honourable member for Fannie Bay. At the moment, these matters are resolved by the provision of an exhibition period during which people can object or submit positive suggestions. By this clause, we will place these matters under regulations and then, if people do not like them, it will be up to them to get their individually-elected members in the Assembly to disallow the regulations. As we know, Mr Speaker, disallowance of regulations is not an automatic thing nor should it be applied lightly. To my knowledge, in the 5½ years that I have been in this Assembly, very few regulations have been disallowed, and mainly they have been disallowed on legal grounds and not on the ground that members did not like their content. I think this is the major area where conflict could arise and I would ask the honourable minister to consider the points that I have raised.

Mr Speaker, there is one other matter which I would like to take up. It struck me as being worthy of comment. It is contained in clause 27 of the bill. Clause 27(2) reads: 'Where building work is commenced or carried out in contravention of subsection (1), the owner of the land on which the building work is commenced or carried out and a person who commences or carries out the building work are each guilty of an offence'. I am prepared to concede that the owner of the land should be deemed guilty of an offence but what we are doing here is extending complicity to the people who carry out the work. I envisage that there may be cases in which contractors who have relied upon the owner, as indeed they should to obtain a building permit, would be subject to prosecution as a result of that particular subclause. What we are really asking contractors to do is to ensure that the requirements of subclause (1) are met. Of course, it is not normal practice for a contractor to ensure that a proposed building will not be contrary to the covenant or conditionsof a lease or contravene a planning instrument, or that it conforms with an instrument of determination. These are matters more properly for the owner of the land or his agent. They are not matters which should concern a person who merely has a contract to erect a building. I would ask the honourable Chief Minister to give some thought to that particular matter.

The other matter that was of some interest is the question of arrangements with municipalities. Here I think that this legislation has struck a very good balance indeed. As the honourable member for Millner said in his second-reading speech, the community is split on the issue of whether building powers ought to be handed over to councils. People in the building industry are resisting this trend and people in local government are making representations encouraging it. What we have here is a provision for devolution of powers to local government which may take place by arrangement with the minister. I think that this could overcome a lot of the objections that people have to this particular question of whether or not local government should have power over building.

People in the industry say that some local governments may not have the in-house expertise or that there would be a duplication of effort. This particular provision strikes a good balance in that, if a local municipality badly wants this power and is able to show that it has the expertise and can discharge the functions of the act then, of course, by arrangement with the minister, it could take over the control of building within its own area. Once again, this particular provision recognises the varying degrees of expertise in local governments in the Territory and I think, from that point of view, it accords very well with policy on the development of local government.

Mr LEO (Nhulunbuy): Mr Speaker, there are 2 matters I would like to address. One is not specifically written into the bill. While the bill

certainly does provide for safe building practices, and the Building Standards Committee will take up the role of making sure that structures are safely built, I think most members in the Assembly, at one stage or another, have addressed themselves to the appropriateness or otherwise of actual building designs for tropical conditions.

I live in a Housing Commission home and, while I appreciate that the unit cost of a commission home would be greatly increased if it were designed to meet all requirements of tropical conditions, a greater effort could be made to make public buildings more appropriate for tropical living. Unfortunately, we have here in Darwin, in the main business district, buildings which would be uninhabitable but for the air-conditioning. That air-conditioning and the power it consumes is an enormous cost to the community generally. Certainly, it lifts consumer prices within the Territory. It seems to me that the design of most of our buildings in the Northern Territory has been inherited from more temperate climates. In the tropics, generally - say, north of the Tropic of Capricorn - most of the buildings have inherited designs that have been developed in more temperate climates for which they are much more suitable. They are in no way suitable for a tropical climate.

The honourable member for Sanderson pointed out quite correctly that the Building Standards Committee should involve itself in the safe design and structure of buildings with perhaps some broader knowledge of contemporary building design and structures. This would allow for people with perhaps more revolutionary ideas on building design and structure. If the committee had more knowledge, then these designs could be approved a bit more readily. I would suggest to the honourable minister that perhaps the Building Standards Committee might be a little more positive in its role regarding tropical building design and structure. Perhaps we need to address that very real problem within the Northern Territory. Certainly, the design of buildings, both public and private, by and large, is not anywhere near suitable for tropical living.

The other question I would pose to the honourable minister concerns the application of this bill in planning areas. I would ask if Nhulunbuy would be considered a planning area - I imagine there would be some difficulty there, given the peculiar nature of the lease. Perhaps the minister could answer that question in his reply.

Mr EVERINGHAM (Lands): Mr Speaker, what an enjoyable talkfest we have had. It has been most interesting for me to listen to all these various suggestions, especially as I have no ambition to raise one brick upon another. I will answer some of the questions that have been raised. I think there are only about 3 questions that have been raised that I can really answer in reply. I think most of the matters that have been raised are matters of speculation - people raising doubts within themselves that only time and practice will prove to be right or wrong.

I can assure all honourable members that, as far as the Minister for Lands at this time is concerned, I would want the building authorities to exercise the greatest possible flexibility, consistent with the requirements of safety. As far as this government is concerned, and it has been acknowledged by the other side of the Assembly during the course of the debate, this area of Australia is progressive in terms of consideration of building techniques and modes. We hope that that progressive attitude will continue. The appointments to the building committee and the other bodies to be constituted under this act will be advertised. We will try to obtain suitable people and put them in a position where they can ensure that a progressive approach to building standards continues to apply.

I think the honourable member for Alice Springs said that he hoped the Darwin cyclone code would not apply to central Australia. I can assure him that that will not be the case.

One member was worried about permits. I think it was the honourable member for MacDonnell. Permits will expire after 2 years but the Building Controller can extend them. There will be no problems at all if work is progressing. I think that is fair.

The honourable member for Millner asked a question to which clause 38 applies. A certificate of occupancy will be issued in respect of houses and outbuildings prior to completion where the authorities are satisfied that they are fit for occupation. The buildings coming within other categories will be required to be completed before a certificate of occupancy is issued.

Whilst I noted some of the concerns of the honourable member for Sanderson, the honourable member for Nhulunbuy and others, I do not think that they are matters that I can give any assurance on here today. The honourable member for Sanderson thinks that there will be some clash between the Building Code, regulations made under the legislation and planning legislation of one sort or another. I do not believe that would be the case. But should it be the case, obviously we will have to act to rectify it. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr EVERINGHAM: I move amendment 151.1.

This amendment is proposed to be inserted to place control over structured pools that may be of potential hazard due to faulty structural design or bad siting where a breach may endanger adjoining property. Many of the popular above-ground pools would be exempt; for example, 4 feet by 12 feet diameter above-ground pools contain only 8.8 kL. That is bad form to still be using imperial measurements. It is expected that the design criteria for larger above-ground pools would be examined and cleared by Building Branch staff so that individual pool owners would not require design approval.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 151.2.

Mr Chairman, these 2 new definitions are inserted by this amendment because it is necessary to define this type of notice.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 151.3.

This amendment is for much the same reason - definition.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 7 agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 151.4.

Mr Chairman, this puts a qualification on the sort of person who may be appointed. Comment on the bill by the building industry indicated that 'a person' may not necessarily ensure that the Building Controller would have the skills and qualifications necessary to administer the industry. This amendment ensures that a qualified person will be selected for this responsible position.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 13 agreed to.

Clause 14:

Mr EVERINGHAM: I move amendment 151.5.

This will provide that qualifications should be held by at least 2 members of the board - architectural or engineering qualifications.

Mr SMITH: I agree with this but I am intrigued by the fact that one must be a practising structural engineer and not a practising architect. Is there any reason for that?

Mr EVERINGHAM: Mr Chairman, I am told that the architects have to be registered in the Territory but, for some reason, structural engineers do not have to be registered. That is why the term 'practising' is inserted. Perhaps there should be some provision for registering engineers, although there is a professional engineers institute. Of course, there is an architects institute as well.

Mr SMITH: Mr Chairman, the way I read the proposed amendments, and certainly the recommendation from industry is the same, people who are presently active in the building game should be on the board so that they can bring with them the latest expertise and knowledge of what is going on. I think that can only be achieved by inserting the word 'practising' before architect. Otherwise, we could have the situation where an architect is registered but is operating a fishing charter and has not been involved in the game for the last 5 or 10 years. I would urge the minister to put in the word 'practising'.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15:

Mr EVERINGHAM: I move amendment 151.6.

Mr Chairman, this amendment is to increase the quorum from 2 to 3, and it is in response to a suggestion from the industry.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clause 16:

Mr SMITH: Mr Chairman, in my second-reading speech, I made reference to the possibility of inserting something that would give effect to the publication of the details of determinations made by the board. It would serve as a body of knowledge on how the board operates and would give an insight into the types of matters it is prepared to accept or not accept. Over a period of time, that would make it much easier for the industry to understand what steps are involved and whether it is, in fact, worth while proceeding with an appeal to the board if something is rejected by the Building Controller. I urge the minister to accept such an amendment.

Mr EVERINGHAM: Mr Chairman, I undertake to take that suggestion on board for consideration. I do not think it is necessary to amend the bill to achieve the honourable member's suggestion. It would be possible to provide for these decisions to be published in terms of the regulations. We will consider that. I think that the suggestion to me, as an untutored layman, has some merit. However, I do not know enough to be definite. I have no antipathy to the suggestion and I will ask my departmental advisers to advise me as to whether the suggestion has merit. I will examine that advice and be in touch with the honourable member for Millner within the next 2 or 3 weeks on the matter.

Clause 16 agreed to.

Clauses 17 to 19 agreed to.

Clause 20:

Mr EVERINGHAM: I move amendment 151.7.

The reason for the amendment is to insert provision for the deputy chairman to be able to call a meeting of the committee. I think that is quite reasonable.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21:

Mr EVERINGHAM: I invite the defeat of clause 21.

Clause 21 negatived.

New clause 21:

Mr EVERINGHAM: I move amendment 151.8.

The honourable member for Millner suggested some remodelling of this clause. It has been remodelled, at least in part, in accordance with his recommendation. I was asked why all matters dealt with by the committee need to be referred to the minister and eventually to the Executive Council. The question was asked in the framework of the committee approving new products

or construction techniques rather than changing the code. The original intention was that the committee should be able to do this but advice from Parliamentary Counsel was that the clause as drafted did not allow for it. Of course if the product or technique contravenes a provision of the regulations, then the legislation will have to be amended.

New clause 21 agreed to.

Clauses 22 to 27 agreed to.

Clause 28:

Mr EVERINGHAM: I move amendment 151.9.

The building industry requested that the Building Controller be satisfied, by consultation with the appropriate authorities, that the standards prescribed in the Building Code are adequately provided for in the building application.

Amendment agreed to.

Clause 28, as amended, agreed to.

Clause 29:

Mr EVERINGHAM: I move amendment 151.10.

Its believed that 'grant' more aptly expresses the meaning.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clauses 30 and 31:

Mr EVERINGHAM: I invite defeat of clauses 30 and 31.

Clauses 30 and 31 negatived.

New clauses 30, 30A, 30B, 30C and 31:

Mr EVERINGHAM: Mr Chairman, there is quite an enormous amount of explanation relating to the new clauses but it appears that it is important that building work being carried out contrary to the bill be stopped either in whole or in part before it proceeds too far and becomes a major problem. If, for exmaple, it was finished to completion, it could involve action where a building is being erected contrary to the siting requirements or even on the wrong site. These particular clauses relate to the enforced cessation of work and so on.

Ms LAWRIE: Mr Chairman, it does a little more than that. I would point out to the committee that, by abandoning the original clause 30 and adopting the proposed new clause 30, we are transferring, from the regulation-making power to the principal act, the service of stop-work notices and the Building Controller's authority. I can only say that I am pleased to see this change in attitude. I think such an important provision should be embodied in the act and not covered by way of a regulation-making power. That, in fact, is the big difference between the clause which we have just disallowed and the clause we are proposing to insert.

New clauses agreed to.

Clause 32 agreed to.

Clause 33:

Mr EVERINGHAM: I move amendment 151.12.

Mr Chairman, the bill did not provide for the Building Controller to lodge an appeal to the Supreme Court against an order made by the Building Referees Board. It may well be that he will need the power to do that.

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 42 agreed to.

Clause 43:

Mr EVERINGHAM: I invite defeat of clause 43.

Clause 43 negatived.

New clause 43:

Mr EVERINGHAM: I move amendment 151.13.

Mr Chairman, this covers an omission from the earlier bill. It must be made quite clear that a person, authorised by the owner of the land, who makes an application is not liable for any action that may be initiated by the act.

Ms Lawrie: Initiated by whom?

Mr EVERINGHAM: By the act.

New clause 43 agreed to.

Clauses 44 and 45 agreed to.

Clause 46:

Mr EVERINGHAM: I move amendment 151.14.

Mr Chairman, 'which' was a drafting error.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 151.15.

It is for the same reason, Mr Chairman.

Amendment be agreed to.

Clause 46, as amended, agreed to.

Clause 47:

Mr EVERINGHAM: I move amendment 151.16.

This is also to correct a drafting error.

Amendment agreed to.

Clause 47, as amended, agreed to.

Clause 48 agreed to.

Clause 49:

Mr EVERINGHAM: I move amendment 151.17.

This also is to correct a drafting error.

Amendment agreed to.

Clause 49, as amended, agreed to.

Clause 50:

Mr EVERINGHAM: I move amendment 151.18.

It is proposed that these 3 paragraphs be omitted because new clauses inserted by amendment bring what were originally regulation-making powers into the act as provisions.

Ms LAWRIE: Mr Chairman, I have no problem with proposed amendment 151.18; it is consequential. I would ask if, in consideration of clause 50, the honourable minister would indicate whether he will make available to the subordinate legislation committee, as a matter of some urgency, the draft regulations which he has given to industry.

Mr EVERINGHAM: Mr Chairman, I have no objection to draft regulations which are already in the hands of industry being made available to all honourable members. As far as I am concerned, they can be distributed tomorrow to all members of this Assembly for their perusal. But I would like to make the point that I am not making them specially available to members of the subordinate legislation committee. I am not here at the moment briefed to discuss the role of that committee but I rather think its role is more of form and style than substance. I do not see that it will have the policy-type input into the subordinate legislation that industry might expect to have. The area where the members of the subordinate legislation committee have their input into policy is in this Assembly, not in the committee. They check the legislation to see whether it fits with the particular legal requirements to be approved as regulations.

Ms LAWRIE: Mr Chairman, that is exactly the point I have been trying to make over the last 6 months. Until we see subordinate legislation, we can hardly make comment upon it within the Assembly. If, as members of this subordinate legislation committee, we are bound by such narrow terms of reference, then the public interest will not be safeguarded in the way it would be if the regulations were in the principal act and were not simply subordinate legislation.

Amendment agreed to.

Clause 50, as amended, agreed to.

The remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

ABSCONDING DEBTORS AMENDMENT BILL
(Serial 301)

Continued from 24 March 1983.

Mr B. COLLINS (Opposition Leader): Mr Speaker, these amendments introduce powers of detention which are very wide. If a police officer believes on reasonable grounds that a warrant has been issued against an absconding debtor and it is not practicable to get a copy of the warrant, he may still proceed to execute the warrant and arrest the alleged debtor. That is all very well but consider the situation that a person could be put in if there were a mistake. What if the police officer was misled into believing, on what might be quite reasonable grounds, that there was a warrant when there was not one? A person could spend the night in jail. He and his family might be embarrassed and perhaps their movement or travel arrangements might be disrupted. He would have no redress.

Our legal system has already established, and we supported it, a system for issuing warrants even by telephone to ensure that, while the interests of justice are served, every individual has adequate protection from an unjustified denial of freedom. We are talking about a situation where a person could be deprived of his liberty. After instituting this system of telephone warrants, which the opposition supported, we have then had, by amendments such as this, a progressive undermining of the system to protect those rights. As it is, there is already provision in the Absconding Debtors Act for a police officer to execute a warrant without having it in his possession.

Section 10(a) only specified that the warrant must be served on the debtor as soon as practicable after the execution. If there are difficulties in obtaining a copy of the warrant within a reasonable time, then the appropriate approach is to permit the police officer to obtain a copy of the warrant by telephone. This is consistent with other Territory legislation which provides for the issuing of a warrant by telephone. In fact, it is a natural extension of that approach. With whatever disadvantages or problems it might have, it is certainly far preferable to the proposed amendments in this bill which represent a significant infringement of civil rights. In addition, it places the police officer in a better position by removing the onus of having to establish that he had reasonable grounds for believing a warrant existed.

Mr Speaker, we would recommend that the proposed new section be amended to provide that, where it is not practicable for a police officer to obtain a copy of a warrant under the principal act, he may obtain one by telephone from a justice. This will solve the problems raised by the government and avoid delays due to lack of access to a copy of the warrant.

The other amendment in this bill, relating to the jurisdiction of a magistrate to grant a restraining order on the removal of a debtor's property, is not opposed by the opposition.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, the purpose of this bill, as I see it, is to allow for the arrest of an absconding debtor without the police officer whose duty it is to carry out the arrest actually having a copy

of that warrant on him. I doubt very much that a police officer would attempt that without being very certain in his own mind that such a warrant did exist, even if he did not have it in his possession. In his position, I would want that assurance and the telephone would be one way in which I would get that assurance.

This is a serious matter. Civil liberties are involved. A policeman would not want to arrest somebody by mistake. He would find it extremely embarrassing which would be no help to the person who had been wrongfully arrested. On the other hand, there are other people to be considered in this. If somebody is trying to avoid paying debts, I believe that the interests of the people who are owed the money must be considered. It is one of those cases where we have to weigh up the 2 matters.

In practical terms, a policeman, who has ascertained that such and such a person is arriving in Alice Springs, and he knows that there is a warrant out for his arrest as an absconding debtor, would do his duty and arrest that person. I would say that he would check up as soon as he arrived back at the police station that indeed the warrant did exist. He should check it a second time because the freedom of an individual is important.

I do not have the concern that a person is likely to be wrongfully detained for any length of time. I believe it is important that a police officer is as certain as he can be. I am sure he would not jump in without being absolutely certain. But mistakes can happen. It would be rare.

I believe that a policeman, who believes on reasonable grounds that he is doing the right thing but who actually arrests someone wrongfully, should be protected. Otherwise he might say: 'Well gosh, I am not 100% absolutely sure; I am only 99% sure. I will let the bloke go'. That person then disappears without trace and some other citizen of the Territory suffers as a result. I believe that what the honourable the Leader of the Opposition is on about would occur in practice. I do not have the problem that he has with this.

The other matters of restraining orders and the magistrates and judges having varying powers depending upon their jurisdiction over the amount of money involved, certainly has my support.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this bill may only be the result of the simple desire to get debtors to pay their legitimate debts but I think the outcome of this legislation will be more far-reaching. Unfortunately, over the few years that I have been in the Legislative Assembly, I have had several people come to me with a problem of being owed money by people who have absconded from the Northern Territory. The existing legislation made it rather difficult in most cases to apprehend the people who had run up the debts. The honest, trusting people left behind in the Northern Territory were at a grave disadvantage because of the existing legislation.

The Northern Territory is the home of many travellers. There are many temporary residents. They are here on business, on holidays or to work. Quite a few are here with ulterior motives: to get in, get rich and get out quick. They are not the sort of people that we want in the Territory. I hope this legislation will go a long way towards catching these people and bringing them to justice.

There are still many people in the Darwin area and the rural area who are old-fashioned and conservative, and who have trusting views of life. It is usually these people who are taken for a ride. If this were a more stable,

developed and closely-settled community, there would be more chance of catching these absconding debtors. But up here these debtors shoot through like Bondi trams and the police must be pretty nifty to catch them and bring them to justice.

If this legislation aids in any way - and I feel that it will - in bringing justice to the people who have been taken in by these villains, it has my full support.

Mr ROBERTSON (Attorney-General): Mr Speaker, may I say at the outset that I am not unsympathetic at all to what the honourable Leader of the Opposition has said in relation to this bill. Indeed, I fully appreciate the motives that led him to comment and to circulate amendments. I really do not know whether to deal with those in detail here. I am looking for an indication from the Leader of the Opposition. I would assume that the Leader of the Opposition would want to proceed with his amendments no matter what I say now. Any discussion on them might be better left to the committee stage.

I have said many times in this Assembly that I am careful of the responsibility we have in relation to the civil liberties of the citizens for whom we legislate. As I say, I have an understanding of what the honourable Leader of the Opposition was saying. I have looked at this matter in some depth and have tried to work out a way to accommodate the concerns of the Leader of the Opposition. One could drive a bus through the only possibility that the opposition was able to come up with.

The logical solution to this problem, from the opposition's point of view and, indeed, as far as I can see, is to permit a police officer to obtain a copy of verification of the warrant. At the same time, if the police officer cannot do that because of any difficulty beyond his control, then that police officer loses the protection of the act for any action taken by him in good faith. It seems to me to be an insurmountable problem. I think the best way to accommodate the wishes of both sides - that is, those who wish civil liberties to be protected and those who wish to prevent people absconding when they run up debts - is to rely upon the good judgment and sense of the Commissioner of Police and the good judgment and sense of the police officers who have to work with it.

It is quite impossible for me to say that a person may verify the existence of a warrant by telephone and, on the other hand, provide that, if he cannot, he has no protection under the law for actions taken in good faith. I appreciate what the Leader of the Opposition is trying to get to, but it seems to me to be a little too difficult to legislate for. Rather, it is a matter for the application of common sense. The standing orders of the police in these matters are that they make a phone call, if a phone call is possible. If it is impossible, then any amendment along the lines suggested by the opposition would be meaningless anyway because, of course, the police officer would not carry out the warrant unless he could confirm it by way of a phone call because he would lose his protection. Mr Speaker, I have been assured that the practice in these matters is to confirm by phone, which is provided for, as was pointed out by the Leader of the Opposition, in other legislation. The police officer would not only want to do that, he would want to satisfy himself beyond any reasonable, logical doubt in his own mind that the person he was apprehending under that warrant - on grounds he believed to exist - was the person named in the warrant. Of course, there are many ways of obtaining the information that the person you are apprehending or talking to is the person named in a warrant or named in any document. There are very few people today who cannot very rapidly establish their identity.

I would hope, and indeed trust, that the normal operational procedures of the police would prevent any possibility, in so far as it is humanly possible, of their trampling upon people's civil liberties. I do not disregard what the Leader of the Opposition has said. I believe that there is no other way to overcome the problem under discussion than to go along with the legislation which is before the Assembly at the moment. If there were, certainly I would be party to such an amendment or to such a legislative provision. I indicated earlier to the Leader of the Opposition, when he circulated the amendment this afternoon, that on the face of it his amendment seemed acceptable. Certainly it did, until one read into it and realised all the difficulties involved.

In the amendment which has been circulated, if one cross-references subclause (7) of amendment 152.1 under clause 3 with subclause (3) of the same schedule of amendments, what we have in proposed clause 8A at subclause (2) is that where an application under subsection (1) is made to a justice, 'he', being the police officer, may verify the existence of the warrant. Subclause (7) of the same amendment schedule completely removes any protection that police officer has if he arrests that person in good faith and it is proven he has been wrongfully arrested. We cannot have the Police Force in the position where its members are completely terrified to act, no matter how confident they may be, when the law affords them no protection for acting in good faith.

What I would suggest to honourable members and yourself, Sir, is that we accept and adopt the provisions which are before us. I will give an undertaking to this Assembly, in conjunction with my colleague, the Chief Minister, in his capacity as minister responsible for police, to liaise with the Commissioner of Police over the months ahead in respect of this legislation and we will see how it works out in practice. I can indicate to you, Sir, and honourable members that, at the first hint of the provision going off the rails, I will be the first one to come back here, either to repeal it as it is now presented or, hopefully, to come up with a workable amendment.

At this stage I am entirely unable to do so. I thank the honourable Leader of the Opposition quite frankly for taking the time and effort to try and come up with an answer to a difficult problem. I do not have the answer. Quite clearly, the proposition put forward by the opposition is not workable either.

Motion agreed to; bill read a second time.

In committee:

Mr B. COLLINS: Mr Chairman, as the honourable Attorney-General has indicated, we had a disucssion about this matter earlier today and I indicated to him that, on reflection, I was not all that happy with some aspects of the amendment myself. I accept the honourable Attorney-General's assurances as to the way in which this act will operate. I am quite sure that, the first time the act is improperly applied, we will hear the screams from 100 miles away. I accept the honourable Attorney-General's assurance that, if this does happen, the act will be looked at again. I wish to advise the committee it is my intention to withdraw the schedule and not proceed with the amendments.

Bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

TRAFFIC AMENDMENT BILL
(Serial 275)

Continued from 25 May 1983.

Mr STEELE (Transport and Works): Mr Speaker, I would like to touch on a number of points raised by members in the Assembly last week. The opposition foreshadowed an amendment which would give a chance to persons convicted for a first time for drink-driving with an 0.8% to 0.15% blood-alcohol content. The provisos were that they incurred the compulsory 2-month suspension and they drove for a living.

Mr Speaker, the government does not support this proposition. We are looking at a deterrent for drink-driving. It was said that magistrates had it in their own hands to remove any abuse of the system. This point was raised by the honourable member for Nightcliff and the Chief Minister pointed out that magistrates were bound to act according to the law. In particular, there was the Supreme Court ruling that made it very difficult for magistrates to reject many applications. The point was also made that those who drove for a living would be more seriously affected than the casual driver. This was effectively answered by the honourable member for Alice Springs who pointed out that the same people were likely to be on the road a lot more than the average citizen and should, therefore, be expected to demonstrate at all times a higher level of responsibility in their driving. Any apparent small inequity, in my view, is more than justified by the benefits of reduced risk to the general public arising from a tougher stance on drink-driving.

Mr Speaker, the Leader of the Opposition stated that jail was not the answer for serious multiple offences but much longer licence suspensions should be applied. The government generally accepts that view. It has always been intended to examine the Northern Territory drink-driving penalties more closely once the main thrust of the current work on the Traffic Act overhaul is in hand, having particular regard to greater consistency with other parts of Australia. Driving rehabilitation is a very important matter that needs to be addressed and there are no simple answers. The immediate priority is to emphasise that drink-driving cannot, and will not, be condoned by this government. The amendment, as proposed, will not be included in light of my party's policy.

In respect of the other amendment, the honourable member for Nightcliff has suggested that speed-measuring instruments, particularly radar, are still not sufficiently reliable. The legislation provides protection in terms of certifying requirements for the machines. It does not prevent persons from seeking to defend themselves on the grounds that machines were not used correctly or even that they were faulty. It is clear that police are well aware of situations where readings could be affected by outside influence and their instructions forbid their use in such situations. The scenario painted by the honourable member for Nightcliff is unlikely to arise.

Mr Speaker, I support the legislation.

Motion agreed to; bill be read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr SMITH: Mr Chairman, we cannot invite defeat of clause 4 because the defeat of clause 4 would take away our opportunity to move amendment 150.1.

Mr STEELE: Mr Chairman, obviously, the member for Millner wants to speak to his amendment but, before he can do so, it appears that he wants us to defeat clauses 4 and 5 which we are not prepared to do.

Mr SMITH: Mr Chairman, I do not believe in flogging dead horses so I will not go through the reasons for our amendments that we argued in the second-reading debate. However, for the record, I do want to spell out what our amendments would provide for. Firstly, amendment 150.1 would provide that a special driving licence cannot be applied for before 28 days has elapsed. That is a reduction from 56 days and would ensure that special driving licences are meaningful to people who have been suspended for the first time for 3 months. Secondly, a special driving licence could not be applied for if the person had previously been disqualified. Thirdly, a special driving licence could not be applied for if the conviction had not been a first offence under the Traffic Act. Fourthly, a special driving licence could not be applied for if the conviction had been a first offence for drink-driving where the alcohol level was about 0.15%. In effect, special licences would only be granted where it was a first offence under the Traffic Act, where the alcohol level was not above 0.15% and where there had been no previous disqualification.

Mr Chairman, we believe that that is the appropriate step to take. It would overcome the problems that the government had in adequately focusing its legislation. We do not accept the point that the existing legislation is being abused. We suggest that it is badly focused and this proposal was an attempt to refocus it.

Clause 4 agreed to.

Clauses 5 and 6 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I wish to raise 2 issues in the adjournment debate this afternoon. One of them is quite trivial. In fact, it impinges upon your office, Sir, and I do not hesitate to raise it because I think it has reached the point where it needs to be stopped. Mr Speaker, as all members are aware, the first floor of the Nelson Building is part of the precincts of this Assembly and under your control. I would call this the case of the phantom sign poster, Mr Speaker. On the first day of this sittings, a sign appeared on the wall of the first floor of the Nelson Building directly opposite my office. The sign was urging people to vote for the Australian Labor Party. The displaying of party political material within the Assembly or its precincts is not permitted. Whilst I applaud the efforts of whoever is urging people to vote for the ALP, it is not that particular aspect of the sign posting that I find annoying. The sign contains some detail of the Labor Party's election platform and a circle has been drawn around that section of it dealing with the railway. Mr Speaker, the posters have been

affixed to the wall - and this gets to the nub of what I am annoyed about - by drawing pins. I understand a considerable amount of money - from memory, about $0.5m - was spent in redecorating the first floor of the Nelson Building. Indeed, that work, as I mentioned at the time it was finished, was of an extremely high standard. The first floor of the Nelson Building, which contains my office, offices of other members of the opposition, the offices of the independent member for Nightcliff and some government backbenchers, is practical, useful and extremely attractive. When a member of your staff removed this notice, I was extremely annoyed to find 2 very large pin holes which damaged the wall. After the sign had been quite properly removed under instructions from the Clerk because it was party political material, the following day, this sign was reaffixed to the wall and another 2 holes appeared in the wall. There were 4holes in the wall. A considerable amount of taxpayers' money has been spent on those offices.

The Clerk again instructed a member of his staff to remove the offending sign and, once again, more holes appeared in the wall. The following day, the sign was back up again. I understand there are now 6 pin holes damaging the wall. On this occasion, not wanting the Clerk or his staff to be troubled, I decided to take the sign down myself. Whilst taking this particular notice down, I was accosted by a member of the government backbench. My removal of this sign seemed to be affording him considerable amusement. Indeed, he said to me: 'That sign is annoying you, is it Bob?' I said to this member: 'No, it is not. It is far too juvenile to annoy me. What is annoying me is the way in which this wall is being damaged by drawing pin holes. It is not a notice board and it is damaging the wall. The next thing that this person will be doing will be drawing on the wall in texta colours or crayons. I wish that he would stop driving holes in this wall'. The honourable member engaged me in further conversation and the fact that I was expressing some annoyance at this sign was providing him with considerable amusement. I thereupon advised the honourable member that I would be very anxious to find out who was damaging the wall and affixing this material to it. I further described to him in some detail what I would do with the sign and the drawing pins if I found out who it was.

I might add that the sign was up yet again this morning and, on taking the sign down again, I found another set of holes in the wall. It is becoming ridiculous. In fact, it is the kind of stupid, childish damage that my 3-year-old son would get into a fair bit of trouble over. I am assured by the Clerk that no member of his staff is responsible for it. I am assured that members on my side of the Assembly are not responsible. I must say that I am quite intrigued by the particular attention that was paid to this sign. Perhaps I will have to divert my attention to another honourable member if it continues to afford the honourable member for Stuart such amusement. But the particular attention that was paid by the honourable member opposite is really a childish pursuit. It is damaging the wall in the Nelson building, within the precincts of the Assembly. I simply say to this honourable member: if you are preoccupied with continuing this childish behaviour and want to continue to get whatever sort of secret, subliminal pleasure you can from flitting about in the dark hours and fixing signs on the wall in the Nelson building, please restrict yourself to the use of sticky tape, masking tape or some other method that will not damage the wall opposite the reception area of the Nelson building any further. As I said, $0.5m was spent on redecorating that building. It is very attractive and has been nicely finished. I think that this ridiculous, juvenile behaviour must stop. Perhaps if the member could use sticky tape, or something else, to stick these signs up in future, it would stop annoying me at least. I do not like to see property damaged in such a fashion.

Mr Speaker, I turn to something more positive which will give me great pleasure to discuss. I attended - as did other members of this Assembly last night - an annual presentation of awards. It was graduation night at the Darwin Community College. The night afforded me a great deal of pleasure as I am sure it did other members who were there. Once again, the college demonstrated the extraordinary effectiveness with which it operates within this community. It was with considerable pride that I sat in the audience. Of course, the honourable Minister for Education was present. We watched a parade of 90 people receiving awards in office management, dressmaking and other trades, right up to and including people receiving their bachelor degrees in business accounting and education. It was with considerable pleasure that I saw last night our very first graduate receive his award of Bachelor of Arts from the Darwin Community College. It is a record of which that college can be proud. The guest speaker who delivered the Occasional Address last night, one of the planners of the Darwin Community College, said that it provides a service to this community which is unique in Australia in the breadth and quality of courses it offers. Of course, he made the point that the graduates can be proud of the qualifications they receive at the college because those accredited degrees have national standing. It really was a tremendous experience to watch those graduates receive their awards, particularly the bachelor degrees and the very first graduate in a Bachelor of Arts degree.

Mr Speaker, I do want to mention one thing, and I hope that the press will take it up. Last night the Administrator's Medal was presented to a young man who had accomplished a significant achievement which I think at some future time is going to bring considerable credit to the Northern Territory and put the Territory on the map internationally. This young man is Tony Pearce and, although this may have received some press attention previously, I certainly did not read it.

Ms Lawrie: About 3 weeks ago.

Mr B. COLLINS: Is that right? I am sorry but I missed it. Perhaps I could continue and say that I think this young man's achievement deserves some recognition in this Assembly, if not elsewhere. He received the Administrator's Medal last night. I will read the citation that went with it.

> *The electrical fitting mechanic's course is one of the most demanding trade courses in terms of academic and manual ability. Students need to have high motivation, a willingness to do extra study and an inquiring mind in order to succeed in this technological trade. Tony's application and performance in both theoretical and practical subjects has been oustanding with his overall maximum being well above class averages. He obtained an average of 88% in his 3 years of study. His practical ability is attested to by his success in the local prize for the industrial wiring section in the Work Skills Australia Competition. He recently represented the Northern Territory in the national competition where Tony was placed first and will now represent Australia at the international competition to be held in Austria later this year. Tony's diligence and application to his work have earned him high regard and respect in the Darwin and Northern Territory electrical industry.*

The point I want to make is that the Administrator, other members of this Assembly and I attended the work skills courses that were held in Darwin earlier this year. It is a tremendous enterprise which I hope will flourish and succeed in future years. The practicality of people in trade courses being allowed to demonstrate their skills in a very real way can only be of benefit to everyone. Having won the local awards, this young man went off and

brought back a gold medal for the Northern Territory at the Australian awards and is now in the very happy position of representing Australia at the Work Skills Olympics, as they will now be called, in Austria. I am sure that all Territorians will wish him the best and hope that he can bring home the bacon from Austria. Certainly the success he has already achieved, and his receiving the Administrator's Medal last night, deserve some recognition in the Legislative Assembly. I am prepared to accept the honourable member for Nightcliff's interjection that the press had picked this up. I am glad they had. I missed it. But I think the achievement of this young man is so significant it deserves some commendation in this Assembly.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to touch on 2 topics this afternoon in the adjournment debate. The first is that of head lice which was touched on briefly the other week by the honourable member for Sanderson. I must say here that I am very pleased to see that the government also recognises that this is a problem and is advertising to inform the public on methods of detection and treatment of head lice.

I am aware of the cost of treatment to which the honourable member for Sanderson referred the other week. The problem, however, is that, unless everyone - and it does not only relate to the family - is able to carry out that treatment, then it is a waste of time and effort. It only takes one infected head to get into a school of several hundred children for the head lice to spread. Perhaps the only way to address the problem is to have parents treat their children's heads on a regular basis then, when they go to school, the teachers, the staff or some of the parents could assist in inspecting the children's heads. If any head lice are found, those children could be sent home to have their hair treated.

Mr Speaker, it is a serious problem. I take the point the honourable member for Sanderson made about the cost but I believe it is important that the government continue that program to get across to the public the importance of detection and treatment. I suggest that the government extend its advertising campaign to make clear that it only requires one infected head to get into a school of several hundred children for the head lice to spread.

Mr Speaker, the main reason I rose in the adjournment debate today is to talk about gas reticulation. Some time ago a proposal was put forward to government to reticulate gas from the existing storage facility situated below Government House and this Assembly, along the Esplanade and certain sections of Mitchell Street, with provision to be made to extend gas reticulation down to the old hospital site, and possibly to the casino. This proposal was put forward some time ago now. It appears that the proposal is at risk.

Over a period of time we have commented on the need to encourage the use of alternative energy sources. We continually stress to the public the part it has to play in conserving energy. We all realise how expensive electricity is. I must say here that I commend the Northern Territory Electricity Commission on its latest method of billing. It indicates to the consumers just how much electricity costs them per day. I think this brings home in a very real fashion the high cost of electricity to the consumer. Therefore, any area that deals with alternative energy sources - and it is something that this government has been continually pushing for - should be looked at and encouraged to go ahead if at all possible.

Mr Speaker, the proposal to reticulate gas from the existing installation can only go ahead if another 500 t of gas is stored in that particular area. At the present time there are some 330 t. The proposal was to install 2

additional tanks of some 250 t capacity each, which would bring the total storage capacity in that installation to some 830 t. However, because the installation is below Government House and this Assembly, and there is some fear that, if there were an explosion, we would all disappear from the face of the earth, it appears that this proposal is at risk. I understand that the departments concerned with this particular area - the Port Authority, the Department of Transport and Works and the Department of Mines and Energy - are reasonably happy with the proposal. I would like to say here that, if there were any danger that this place could be wiped out or that Government House could be wiped out, I would be the first one to back off from supporting such a proposal. If the people who understand safety factors and the use of gas are prepared to clear this proposal as far as safety is concerned, then I can see no reason why it should not be supported. Gas is cheaper than electricity and the reticulation of gas along the Esplanade and to other areas of the central business district may help to reduce the overall cost of energy to the consumer. I believe it should be followed up.

The matter is rather urgent at this stage because there are a number of large developments which would like to connect with reticulated gas. One in particular is the Darwin Centre. I know that other developments are also very keen to take up this offer and are looking to use reticulated gas. As far as safety is concerned, the removal of some of the large storage gas tanks behind some of these premises may be of benefit to the community. It is important that a decision be made at this time.

I will ask the company concerned to write to the Minister for Lands in relation to granting a lease for an extension to that particular facility. I hope that ministers take to heart what I have said tonight. We have always encouraged looking at alternative energy sources. This is an alternate energy source and I believe that the reticulation of gas in the central business district, if it is not of any danger to you, Sir, or anyone else, should be supported.

Mr BELL (MacDonnell): Mr Speaker, to my mind, this morning's behaviour in question time threatens the viability of this Assembly as a forum for discussion. It threatens considerably the extent to which the people of the Northern Territory are afforded adequate scrutiny of government activity by Her Majesty's loyal opposition. That a minister of the Crown - as happened this morning - can refuse to answer legitimate questions and, judging by this afternoon's newspaper, and the reaction of his ministerial colleagues, can refuse to answer those questions with impunity, certainly does threaten the viability of this Assembly.

Mr Everingham: Have you read Standing Orders?

Mr BELL: Yes, I have indeed read Standing Orders on the issue of frivolous questions. I am glad you brought that up because both the questions that were raised this morning could never have been described as frivolous. I am deeply concerned that, at the very central point of parliamentary scrutiny, namely question time, a minister of the Crown in this Assembly can behave in what can only be described as a contemptuous fashion.

However, Mr Speaker, at least perhaps the honourable minister concerned in that bit of disreputable conduct was acting with a little more honesty than his leader who has questions put to him time and time again and chooses only to answer part of them. He wastes plenty of time with them. I particularly refer to the series of questions that I put to the honourable Chief Minister about the negotiations that have surrounded the service station site at Yulara.

I do not propose to rehearse those issues this evening but I do propose to make the point that there are a number of questions that need to be answered. They will not go away. They surround the behaviour of the government in those negotiations. Whether they are answered in these sittings or whether they are answered in 6 months, they will arise again. The Chief Minister is responsible for serious shortcomings in those negotiations and I think he is fairly fortunate ...

Mr Everingham: I am not even the minister.

Mr BELL: I think it is very interesting that the honourable Chief Minister has decided that he no longer has responsibility for these negotiations even though he has been standing up defending them for the last week and a half.

Mr Everingham: Only because you've been asking.

Mr BELL: Well, if I am making any mistakes in that regard, perhaps you can redirect me, because you obviously do not know what is going on. I am quite sure that those questions will arise at some future time. I will not rehearse them now. I will put them on notice. They will be there for the Chief Minister. I hope that, at some stage, satisfactory answers are given to them.

Before I pass on from this particular issue, there is one point that relates to the Chief Minister's answering of questions in relation to this matter last Thursday. He decided to ignore the bulk of the questions that I raised and zeroed in on one little area that he thought was vaguely defensible. I find it rather disappointing that he does not respond specifically to particular questions when they are placed to him fairly carefully and he has been given considerable written notice of them, in spite of his protestations. However, that I can cope with.

What I cannot cope with is the Chief Minister, under the cloak of parliamentary privilege, ripping into officers of any organisations. In this particular case during question time last week, the Chief Minister just slid off his tongue a few random criticisms of people who were representing the Malpa Trading Company. They were quite gratuitous insults that do no credit either to the Chief Minister or to this Assembly. I would like to make the point that the Chief Minister frequently criticises Aboriginal organisations and the people who work for them. I would like to say to him that people working for Aboriginal organisations, particularly solicitors - and it is an area that I would expect the Chief Minister to know a bit about - have to take all comers. Solicitors have to take everybody who turns up who wants legal advice on a whole range of issues. They have to take them drunk or sober, day or night, regardless of what happens. They do not have the option, as may have been the Chief Minister's experience, of being able to take cases - lucrative compensation cases or whatever - whenever they want to. They do not have the opportunity to measure their work in quite the way that I think the Chief Minister has become accustomed to. What I suggest is that, when he leaves this Assembly, the honourable Chief Minister try working as a solicitor for one of those Aboriginal organisations. I imagine he would be qualified for it. I suggest he take it on because he will probably find out that it is not quite the bed of roses that he suggested.

Mr Speaker, I would like to turn to a more pleasant subject. I wish to make a few final points about the Commonwealth Parliamentary Association seminar that I was fortunate enough to attend. I think that, in giving my

report to the Assembly last week, I finished off by commenting on committees and suggesting that more consideration could be given to them.

Other issues that were raised in the context of the Assembly were the viability of a second chamberandthe value of a second chamber. The issue of useful second chambers versus strong second chambers raised a considerable amount of debate. There was, of course, the suggestion that perhaps the phrase 'a strong second chamber' may mean an undemocratic second chamber.

It was of interest to me to find out that the House of Lords in the United Kingdom has far fewer powers than the Australian Senate. That is not of relevance perhaps to our Assembly but, to anybody interested in good government in Australia, I think it is of some value.

Further issues that came to my attention in the context of the seminar were very ably put by the Clerk of the overseas office who was intimately involved in the organisation of the seminar. I think that the session that Mr Michael Ryle led to some extent encapsulated the issues that were of importance. I will just briefly run through them.

He gave 8 parameters for the consideration of the various legislatures that make up the Commonwealth Parliamentary Association. There was the size of the legislature. There was mention of assemblies smaller than our own: the legislature of St Helens which has 6 members and the Falkland Islands which also has only 6 members. The other parameters were the length of sittings, the number of sitting days and the value of the committee system. The question was raised as to whether such committee systems were to be used for the purpose of scrutinising legislation or whether they were to be used for studying and providing information on specific subjects to the legislature. There was also consideration of the different question procedures in the different legislatures and, in that context, I found the behaviour in the House of Commons of great interest - quite a different style of questioning from our own, as others have remarked before. Another parameter that was considered was the review of expenditure which, of course, differs from house to house. Another parameter was the role of the Speaker and the method of his selection, which of course differs from house to house. Finally, Mr Speaker, there was the parameter of single versus multi-member electorates. Of course, we in the Territory have single-member electorates and there was considerable discussion and interesting points were raised about the pros and cons of multi-member electorates.

When I commenced my report on the Commonwealth Parliamentary Association seminar, I proposed to deal firstly with the people who were involved, and I did that, and, secondly, some of the information, or a precis thereof, that I derived from the seminar. It is impossible to give a full report on the seminar without mentioning the United Kingdom, and London in particular, where the seminar was held. It was my first trip to London and I found it of great interest. I am quite sure that the history that confronts one at every step, within the Palace of Westminster and within the City of London itself and, indeed, throughout the United Kingdom, was very much a part of what, to me, was a very valuable learning experience.

Mr SPEAKER: Honourable members, I might explain about questions. Nowhere in any legislature is there any compulsion for any minister to answer a question. He may answer, he may decline to answer or he may request that the question be placed on notice. There is no compulsion in any legislature for him to answer.

Mr VALE (Stuart): Mr Speaker, I would like to make a statement that I am innocent of pinning up any posters in the building opposite. However, I never cease to be amazed by the holier-than-thou attitude or the I-am-so-concerned attitude of the Leader of the Opposition when he is trying to push a particular point to distract the public from another comment. In this matter I believe that the Leader of the Opposition was nothing but embarrassed by the political sign that was posted in the other building, Mr Speaker. He was at pains to make sure that it came down almost as quickly as it went up so that the ALP's false promises of train lines and south roads would not be exposed to any more members of the public than was necessary.

Mr Speaker, the honourable Leader of the Opposition was at pains to point out that, when he started out over there, there were 2 pin holes in the wall. If he had left the sign alone, none would have been apparent because there would have been 2 holes with a pin in each of them. But, not pleased with that, the Leader of the Oppostion started to tear down the poster, and someone else kept putting it up again. When the Leader of the Opposition had finished, there were not 2 holes, but 8.

Mr Deputy Speaker, I wondered why the Leader of the Opposition has looked so tired and bedraggled during the last week. I guess he exposed the reason for that this afternoon. For the last week he has been crouched in a passageway in an attempt to detect who the phantom poster pinner could be.

Mr SMITH (Millner): Mr Deputy Speaker, in the March sittings we passed the Plumbers and Drainers Licensing Act. The result of that act, when it is implemented, will be that only operators with a journeyman's certificate or an advanced plumber's certificate will be able to work on specified plumbing and drainage work in the proclaimed areas.

It has been brought to my attention that there is a problem for 15 to 20 people who have been working in Darwin in the plumbing and draining area for quite a long time. The periods of time seem to vary between 10 and 20 years. They are highly-skilled people and have the confidence of people in the industry. There is some concern about their future once the act is implemented. Different stories have been going around. They come from different people in the relevant departments. Some say that, once the act is introduced, those people are finished and will not be able to practise, if 'practise' is the right word. Others say that, if they agree to undertake courses at the community college to gain their journeyman's certificate, they will be given some form of interim certificate. I understand from my conversation that most of those in that situation are prepared to go to the college to get the interim certificate.

I would just ask the minister, either in this Assembly or privately, if he could give me a statement on what his department's attitude will be to this matter. As I said, it affects a small number of people but they are long-standing residents and well regarded in the industry. I think that some recognition should be given of their service and experience and that, at the minimum, they should be allowed to continue to operate in the industry if they are prepared to undertake those upgrading courses at the college.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, today I would like to air an injustice perpetrated against one of my constituents by one and perhaps two or three government departments. He came to see me late yesterday afternoon and I believe that an injustice has been done to him.

He lives at Howard Springs, but also has a farm in the Batchelor area. I will go through the notes that I have taken from him. I feel that the case is very serious and that, if this person was not so easy-going, it would have gone to court long ago. I think he has reached the end of his patience now and he is probably considering going to court to seek legal redress.

In about 1972, when the powerline was extended to Batchelor, it went through this particular property. At the time, it was owned by someone else. When the powerline was taken through, no easement was asked for or granted. In fact, there was no discussion with the then owner regarding an easement for this powerline.

In a planning determination of February 1983, the current owner of the land, who is my constituent, wished to make a subdivision of two 150-acre blocks on this land because his main property was over on the east side of the highway and he had approximately 300 acres on the west side of the highway. He is not a very wealthy young man although he works hard. He felt that, to develop the property to its fullest extent, it would be in the best interests of he and his wife to sell the 300 acres on the west side of the highway. When he made application to subdivide into two 150-acre blocks, he was told that he had to survey the powerline taken through the property in 1972, he had to prepare the drawings, he had to grant an easement, and he had to pay all the legal expenses connected with this high-voltage powerline which had been taken through the land 10 years previously, and without any consultation with the then owner. I might add that it is of no benefit to the present owner. Now, if that is not injustice, I do not know what is. This high-voltage line was laid by the government in 1972. Now, to make it all legal, the current owner has to pay all the expenses.

In 1977, the Department of Lands surveyed the easement and this showed on drawings but was never discussed with the current owner. He bought this block of land in 1977 and, at that time, no easement showed on the title. The owner was told that he cannot use these survey drawings or, if he does, he has to accept full responsibility for them and for their accuracy. He was told he had to get a new survey. He is pretty hot under the collar about this. It is now 1983 and, since 1977, a lot of correspondence has gone backwards and forwards. Within the last couple of weeks he was told that, after all this time, NTEC will survey the line for an easement. As I understand it, NTEC will only do the survey. In order to effect the grant of the easement, it must still be determined who is to pay for it, what is to happen about the property and who is to pay the further legal expenses if it necessitates a change in title.

If that was not enough for this particular land-owner, Mr Deputy Speaker, about 3 years ago on this particular section in the Hundred of Howard, a road was built. The road took up an area of about 50 acres. There was no consultation with the owner of this land. The road was just put through his land and an offer of payment was made to him of $110 which he rejected. He rejected it because he felt that there was more than money involved; a principle was involved. The government at that time took 50 acres of his land. As I see it, and as he sees it, the government had no legal reason for doing it. As the government had taken this 50 acres in order to give him better access to his block further down near Adelaide River, he asked whether the government could give him an easement into his place over a neighbour's property. The neighbour had freehold land at the time. As he expected, the government said that it could not put a road over a person's private property. When he pointed out the inequality of the situation in that the government had put

a road over his property and taken 5 acres from him and yet the converse could not apply, the Department of Lands could not see justice of his remarks at the time. That is 2 injustices that have been perpetrated against this landholder. He is a young man, trying to make a go of it and trying to develop his property. He is a very hard worker. I think that, given time and some legal redress by the government, he might be a landholder of whom we can be proud of in a few years' time.

This particular land-owner bought his farm in 1977 and, in 1978, he gave the government 50 acres for a road that had been put through his place 6 years before that. If that is not bending over backwards to help the course of government, I do not know what is. He did not ask payment for it. In giving this 50 acres, all he asked for was 10 acres of the part of the Stuart Highway which was closed when the highway was realigned. He asked that this 10 acres be given to him without encumbrances and he felt that was a fair bargain.

Correspondence has continued for 4 years on this particular matter. In order to subdivide into these two 150-acre blocks of land, it is imperative that he have this 10 acres of closed highway, and that there be no easements. He has had several consultations but has not been able to get any redress for his complaint. He has been told that, in order to get this 10 acres, he has to accept it with the easements on it. That will necessitate a consolidation of titles which will cost him about $700. The Surveyor-General insists on this consolidation. I feel that those 3 instances of injustice perpetrated against one of my constituents must be examined. I will be pursuing the matter actively.

Although he is not in my electorate, I have been approached by another landholder in this area about an injustice against him. This landholder did some subdivisional work on his property. In order to do this, he had to obtain approval from the Department of Transport and Works that his subdivisional roads were up to standard. This he did and he also lodged a sum of $20 000 with the relevant authorities to maintain those roads for a certain time. At his own expense, he also had a neighbour, who had the requisite heavy road mending equipment, standing by to repair these roads where and when it became necessary. He went ahead with the subdivision and some blocks were sold. He could not have gone ahead with the subdivision unless his roads were up to standard. I have the name of the person who gave permission for the subdivision to go ahead because the roads were up to standard. I also have the name of a second engineer in the Department of Transport and Works who says now that the roads are not up to standard and the $20 000 will be used to upgrade the roads to a further standard.

Mr Deputy Speaker, I believe that this particular person has had an injustice perpetrated against him. He left that $20 000 in the fund to effect repairs to the road to the previous standard. He is now being told that he has to upgrade his roads to a yet higher standard which he does not believe is necessary. I do not believe that it is necessary. That money will not be used for the purpose for which it was intended.

I wish to comment on 2 more subdivisions in the Batchelor area and the inconsistency of the Planning Authority in requiring different standards for different subdivisions. I will not mention any names; I do not have an axe to grind against one person or the other. I know all the people involved. In one subdivision, the drains from the roads were running down the hills along the fence lines. That is undesirable if the roads are to stand up to any sort of traffic at all. We can compare the low-standard work that was acceptable in that particular subdivision with the excellent roadworks that were done in another subdivision in the same area.

If members look at those 2 cases and the case of the landholder who was told to upgrade his roads to a further high standard, they will agree that this inconsistency on the part of government departments has to be stopped because otherwise we will not have justice administered to ordinary members in the community.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I have had correspondence with the present Minister for Health, the former Minister for Health and the present Minister for Community Development relating to a matter that very much concerns my electorate: government funding for vector control. I have asked a few questions in the Assembly and I have spoken about it. For those members who may not be familiar with the term, the vectors in this case are mosquitoes. In the build-up to the wet and at the end of the wet, the mosquitoes at Nhulunbuy reach plague proportions. The Department of Community Development funded vector control for some 10 years but it was felt by the department that it should no longer continue that funding.

I certainly do not want to be an alarmist, but a number of mosquito-borne diseases such as encephalitis have come to light in northern Queensland over the last 6 months. The climate and the type of mosquito found here are not dissimilar to those in northern Queensland. Quite a few minor diseases and illnesses can be transmitted by mosquitoes but the potential for very serious illness and disease to be spread by mosquitoes is a very real problem in the northern part of Australia. At the moment, this vector control is undertaken by the Nhulunbuy corporation. It receives no financial reimbursement or assistance for this undertaking. As members would be aware, very little financial assistance is given by this government to the Nhulunbuy Corporation because of its peculiar nature.

I believe the decision was taken not just in relation to Nhulunbuy but also in relation to Darwin. I would urge the government to consider this vector control in the light of public health. It is certainly an environmental health issue; it is something to be considered when living in the northern part of Australia. The diseases could be potentially quite disastrous for major populations. I would urge the government and the Minister for Health to consider refunding that program in the 1983-84 budget.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I rise this afternoon in the adjournment debate because of an extraordinary answer given to a question in the Senate this afternoon by the Minister for Resources and Energy, Senator Walsh. I would advise that the question was asked by none other than our Territory watchdog, the good Senator Robertson, who we usually do not hear from from one year to the next and who stayed away from the Territory the weekend after the government brought down its mini-budget advising that it would not fund the construction of the railway. This is a portion of the transcript of the minister's answer:

> *Mr President, with respect to the latter part of Senator Robertson's question, where he mentions the Northern Territory was dependent upon Commonwealth revenue, I was aware of the fact. Indeed, I have noted from time to time that nobody has a more voracious appetite for Commonwealth money than the present Northern Territory Chief Minister although, incongruously, no one is a more vocal critic of the Commonwealth taxes which raised the revenue which he so voraciously consumes.*

Mr Deputy Speaker, I am anxious to be told where I have criticised Commonwealth taxes. I have criticised the system of tax and said it should be more equitably distributed, but not tax.

For example, he has a proposal now, at an alleged time of financial stringency, to increase the size of the Northern Territory parliament by 6 members to the point where there would be one member of parliament plus lavish staff provisions for every 2000 people.

Mr Deputy Speaker, obviously the opposition will reconsider the 15 or so staff that it has. I have no doubt that I will be hearing from them in the next few days offering their staff back - all in the interests of restraint.

I am also aware of the other matter to which Senator Robertson has drawn attention - that Darwin has been used, or the offices of accounting firms in Darwin have been used, on a very wide scale to assist tax avoidance and tax evasion and presumably that matter must have been known to the Northern Territory government and the Northern Territory Chief Minister. Indeed, one may even wonder whether it was done with that deliberate intent so that, although the Northern Territory Chief Minister has a heavy demand on Commonwealth revenue, he has been, simultaneously, through the provision of charges of stamp duties which facilitated tax evasion, helping to erode the Commonwealth taxation base. I myself, Mr President, whilst searching documents in the Perth Corporate Affairs Office in respect to a former minister in the Liberal government, Mr Garland, have noted that the transactions which were documented there - the shuffle of assets of ownership over two states and one territory - was facilitated by the office of Peat, Marwick and Mitchell in Darwin. As noted, that firm of accountants and many other firms of accountants in Darwin have facilitated tax avoidance and evasion for a vast number of transactions. I also, of course, understand that not all, certainly, but nearly all, members of Darwin firms - accountancy firms ...

He made a slip there. 'Nearly all members of Darwin firms', he almost said.

... which facilitated those activities are deeply involved in the Country Liberal Party of the Northern Territory.

I am pleased, and almost all members of every accountancy firm in Darwin will be pleased, to hear that they are members of the CLP. I will advise our Treasurer to send them statements tonight seeking payment of their back fees for the period of their residence in the Northern Territory.

Mr Deputy Speaker, it is obvious that Senator Walsh does not know what he is talking about concerning tax. He knows as little about tax as he knows about the uranium industry on which he has made some extraordinarily bad mistakes in statements to the press - mistakes which show his complete naivety in dealing with a most complex industry. Just let me tell you about the so-called tax avoidance that the Territory assists by having a lower stamp duty than elsewhere.

Each state and the Territory has the right to set its own level of stamp duty on instruments evidencing commercial transactions. In respect of share transactions, the states have applied a uniform level of duty for many years now. In the Territory, there was no duty at all prior to self-government. We have introduced such a duty but, in the absence of locally-listed companies and to keep the administrative costs of our small taxation office down to a reasonable level, we applied it at a relatively low level and at a flat rate. If we had to create a share valuation capacity in the same way as the states, a very sophisticated bureaucratic structure would be required. This is not warranted in our circumstances. The cost of collection would have exceeded the returns.

For those reasons, it is not true to say that the lower level of duty in the Territory inflated our demand for residual Commonwealth funding.

Higher rates of duty in the states did make it profitable for certain share transactions to be carried out in the Northern Territory rather than in the states where the company to which the shares related was situated. The so-called 'Darwin shuffle' was the means adopted by many such companies to avoid payment of duty in their home state. The mechanics of the scheme involved the opening of a branch share register in the Northern Territory. When shares were to be transferred, the transaction would be registered in the Darwin register, Northern Territory stamp duty would be paid and the register closed and returned to the relevant state. Duty was not payable in the home state because the liable instrument was at no relevant time in the home state. Stamp duty, being a tax on instruments, requires an instrument in the jurisdication at the relevant time to attract the tax.

It was the state, not the Commonwealth, tax base which was eroded each time such a branch register was opened and used in this way. Each state had the power to stop the practice simply by declaring transactions on branch registers of companies incorporated in their state to be liable to duty as though the transaction had been processed through the principal register. All states have now legislated in this way and the practice has ceased.

The Territory has cooperated with the states in ensuring that avoidance by choice of jurisdiction is minimised. The Treasurer met with the Commonwealth Treasurer and the Treasurers of all states last year and subscribed to the joint approach for common action to combat this and other forms of avoidance. It is expected that more detailed plans for translation of this accord into state and Commonwealth legislation will be formulated at further meetings to be held later this year. Of course, the Minister for Resources and Energy was inferring that the Northern Territory is generously funded or over-funded - embarrassed by funding from the Commonwealth, to use the Leader of the Opposition's words.

I cannot do better than read into the record the letter I handed the Prime Minister last Friday.

Prime Minister,

I felt it was imperative that I see you since I believe you have been misinformed about the Territory's financial capacity. Your government's proposal on the railway makes that clear. Both you and Mr Keating have referred during the last week to the fact that the Territory receives 5 times the state average per capita in federal funding. Your Treasurer stated publicly last Thursday that this funding level is very generous and your letter to me implied that you share that belief.

The overall level of federal assistance to the Northern Territory for recurrent purposes has been tested every year since self-government by the Commonwealth Grants Commission. Its most recent report, for 1980-81, determined that the Territory warranted additional assistance of $11.8m over and above other Commonwealth grants in order to enable Territorians to receive a level and quality of services no more and no less than those enjoyed in New South Wales and Victoria. It reached that judgment after surveying Territory revenue sources and calculating what could be raised by the Territory government exerting the same revenue effort as in those states.

There is no reason to doubt that this position has changed significantly in the last 2 years, except that the need for supplementary federal assistance has almost certainly grown. The fact that our overall federal funding is 5 times as great per head is because it costs that much more to treat Territorians like other Australians. You must have seen in your own visits to the Territory why this is so: isolation, distance, diseconomies of small scale and the high proportion of Aboriginals in the population - the list sometimes seems endless.

Your government's requirement on railway funding could only be met, therefore, by a combination of: (a) lowering the standard and quality of NT government services to a level further below those of the southern states, just when we are starting to make progress towards achieving those standards; and (b) raising the Territory's taxation effort to a level above that of the southern states. I despair at the difficulty I have in getting that simple fact through.

We are not overfunded. It just costs a hell of a lot more to do normal government business in the Northern Territory. We are not undertaxing our population because the Grants Commission procedures ensure that the Commonwealth would not contribute an additional cost to balancing our budget. I am not prepared to tax Territorians to fund a national asset. They meet their full share already through Commonwealth taxation. Likewise, I am not prepared to sacrifice Territory schools, medical services, Aboriginal essential services and other government services that Australians elsewhere enjoy.

The Northern Territory accepted self-government only with an assurance that the Commonwealth would provide a sufficient level of financial assistance to enable state-type services to be provided by the Territory government at a level, and to a standard, commensurate with the states. This assurance was provided through the Memorandum of Understanding and supported by the extension of the purview of the Grants Commission to include the Territory.

There is, consequently, no need for you to accept my assurance that the Territory is not overfunded and that it does not have the capacity to fund even part of a national railway. Ask your own independent authority - the Grants Commission. It will lay to rest, once and for all, the mischievous misuses of statistics regarding the Northern Territory's true financial position.

Of course, there was the slander by the Senator - which I bet he is not game to repeat outside the House - of accountants in Darwin. He mentioned particularly the firm of Peat, Marwick and Mitchell. We know why he did that. It is because Peat, Marwick and Mitchell is a firm in which the Northern Territory CLP's president, Mr Graham Lewis, is a partner. It acted for Sir Victor Garland in Perth. I am told that what was done in 1977, apparently in accordance with Sir Victor Garland's instructions, was to divest him of private interests after he was elected to the national parliament, and that whatever steps were taken were perfectly in accord with the law. We might wonder why all this sort of garbage is coming out in the Senate at the moment. I want to tell you why, Mr Deputy Speaker. It is because the Senator and the federal government are trying to soften up Territorians for another blow below the belt.

During my visit to Canberra last Friday to see the Prime Minister regarding the railway, I sought an appointment with the Minister for Resources and Energy, Senator Walsh. The purpose of my visit was to determine what progress had been

made by the Commonwealth government towards endorsing the arrangements under which the Commonwealth will continue to subsidise public electricity supply in the Territory and contribute towards the cost of the Channel Island power-station. I am sure no member of this Assembly will need to be reminded how crucial these arrangements are to the economic viability of the Territory.

In broad terms, users will pay $50m this financial year for their electricity according to tariffs which are already amongst the highest in Australia. The subsidy from the Commonwealth will provide the remaining $58m that NTEC needs to meet its fuel bills, other operating expenses and debt charges for the year. It takes no great skill in arithmetic to work out that, without the Commonwealth subsidy, electricity consumers would be paying more than double the amount that they pay at present. This comes about because we are isolated and dispersed across one-sixth of Australia and is compounded by the fact that we were lumbered at self-government with an expensive, unreliable, oil-fired power system to meet our needs.

In recognition of those inescapable facts, the Memorandum of Understanding provided for an on-going subsidy together with Commonwealth funding assistance towards the replacement of Stokes Hill by a coal-fired station. The memorandum specified that, following some years of interim subsidy arrangements and identification of the replacement power-station, more permanent arrangements would be put in place. That is what we negotiated with the Commonwealth government last year. I regret to advise the Assembly that I came away from last week's meeting with Senator Walsh with the gravest apprehension that this could be yet another area in which the new Commonwealth government is preparing to welsh on a firm commitment to Territorians.

The now familiar signs are there. In a letter of 17 May this year, acknowledging a recent reminder letter from me, Senator Walsh stated: 'Cabinet will be reviewing the proposals made to you by the former government'. Senator Walsh knows full well that negotiations with the former government had gone far beyond the stage of unilateral Commonwealth proposals by the time of the federal election. Indeed, all essential principles were agreed to between the former Prime Minister, Mr Fraser, and myself here in Darwin almost a year ago. Let there be no illusions about the existence of an agreement long before the Hawke government came to power.

On 16 March 1982, Mr Fraser began his letter to me in the following terms: 'I am pleased to advise you that decisions have been taken to assist the Northern Territory in the proposed coal-fired power-station and in providing continuing subsidy support for the operations of the Northern Territory Electricity Commission in the period to 1986-87'. We differed on a couple of aspects of the arrangements as proposed and, after further consideration, the Prime Minister wrote to me again on 28 June modifying his proposal in a fashion acceptable to both governments. He concluded his letter as follows: 'Subject to your concurrence with these conditions, I propose that Sir John Carrick and Mr Perron finalise the terms of the ministerial agreement covering the electricity subsidy arrangements'. I provided my concurrence in my letter of 30 June 1982.

Only the fine details of the formula and administrative arrangements then remained to be settled between officers of the 2 governments. Most were in place, I am advised, by early November and the last was settled in February. They have been paying us the subsidy, in accordance with those arrangements, since the Hawke government came to power. The Treasurer, Mr Perron, approved the detailed formula and administrative arrangements on 17 February and wrote

immediately to Senator Carrick suggesting that he formally endorse them thus concluding the process agreed between the Chief Minister and the Prime Minister. The federal election intervened before that formality took place.

Despite all the correspondence, ministerial meetings and confirmations repeatedly provided, the new minister has chosen to put the arrangements up for grabs as if no agreement existed. As I understand it, he has done this solely on the ground that the Commonwealth government has a big deficit problem in the coming financial year. Honourable members will recognise an all-too-familiar theme. Another long-term arrangement, which is crucial to the viability of the Northern Territory, is being threatened because of the Commonwealth's immediate budgetary problem. After the tax share and capital grants, the electricity subsidy is the largest component of our Commonwealth funding. Senator Walsh assured me that some sort of subsidy would continue but is clearly looking for a means of cutting it back as from next financial year.

May I remind honourable members again of the consequences if he should succeed. Every dollar held back by the Commonwealth would have to be replaced through higher electricity tariffs. Without the subsidy, electricity charges would be more than double what they are today. That is unthinkable. Any tinkering with the agreed arrangements to reduce the level of subsidy would be turning a blind eye yet again to equitable and binding arrangements reached with the previous government. New governments which do that within our democratic system cannot hope to retain any credibility at all. I hope that common sense and honour will prevail and that my fears will prove groundless.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

DISTINGUISHED VISITORS

Indonesian Diplomats

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of distinguished visitors to the Assembly, Mr Soedhoro, Consul for the Republic of Indonesia to the Northern Territory and the Vice-consul, Mr Samodra. On your behalf, I offer them a warm welcome.

Members: Hear, hear!

PETITIONS

Extension of Katherine Town Boundary

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I present a petition on behalf of the member for Elsey from 9 residents of Gorge Road, Katherine, relating to extension of the Katherine town boundary. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned residents of the Gorge Road, Katherine, respectfully showeth that they believe the proposed extension of the Katherine town boundary to include the above stated area at the same rating as the town residences to be unjustified and wish that: (a) a minimum rating apply; or (b) that the proposed area be known as a shire and rated as such. The town council is not in the position to offer adequate benefits as listed below: (1) garbage collection; (2) parkland establishment and maintenance; (3) footpaths, kerbing and drive entrances; (4) street cleaning; and (5) sewerage. Your petitioners therefore request that the Northern Territory government publicly declare whether its policy in relation to the extension of the Katherine town boundary will meet the wishes of the people of the area set out in this petition, and your petitioners, as in duty bound, will ever pray.

Ambulance Station in Fred's Pass Area

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I present a petition from 764 citizens of the Northern Territory relating to an ambulance station in the Fred's Pass area. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that an ambulance station in the Fred's Pass area is essential, taking into consideration the fact that: (1) 33 groups presently use this reserve for various pursuits including polocrosse, BMX racing, netball, football, and

little athletics; (2) there is a Howard Springs St John division; (3) the population of the Darwin rural area has escalated over recent years and at present is without ambulance services. Your petitioners therefore humbly pray that the Health Department will provide facilities for the establishment of an ambulance station in the Fred's Pass area, and your petitioners, as in duty bound, will ever pray.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that so much of Standing Orders be suspended as would otherwise prevent debate on a motion relating to the Port of Darwin proposed by the honourable member for Millner.

Motion agreed to.

MOTION

Inquiry into Operation and Development of Port of Darwin

Mr SMITH (Millner): Mr Speaker, I move that this Assembly resolve that a board of inquiry be appointed under section 4A of the Inquiries Act to inquire into and report to the Administrator on the operation and development of the Port of Darwin with particular reference to: (a) the design and construction of the Fort Hill Wharf and the circumstances in which the original design was varied and the ways in which those variations affected the structure and capacities of the wharf; (b) whether those variations have led to the bringing forward, in time and priority, of the proposed extension to the wharf and whether those variations will lead to additional costs in the construction of the proposed extension; (c) the financial and contractual arrangements for the construction and installation of the roll-on roll-off facility, whether these followed normal commercial practice, whether they were in the best interests of the Northern Territory, whether they led to additional cost to the Northern Territory government, whether they caused delays in the completion of the contract; (d) the financial and contractual arrangements for the construction and the installation of the proposed container crane, whether they follow normal commercial practice, whether they are in the best interests of the Northern Territory; (e) the use of consultants by or on behalf of the Northern Territory Port Authority or the Department of Transport and Works in any aspect of the development of the wharf, its proposed extension, the roll-on roll-off facility and the proposed container crane, the cost involved therein and any circumstances in which consultants were used where their advice might not have been objective since it required evaluation of their previous involvement; and (f) how the present operation and development of the port are administered and whether and in what ways these should be altered to best serve future operations and development.

Mr Speaker, the reasons why the opposition has moved that this Assembly resolve that a board of inquiry be set up under section 4A of the Inquiries Act should be obvious. Over the past 2 weeks, we have seen concern expressed about the circumstances that surround the development of the Fort Hill Wharf complex, including the Ro-Ro facility. In the last fortnight, there has been a major story on the ABC television news, a call for an inquiry into wharf matters by the Northern Territory Professional Engineers Association, a call for an inquiry into wharf matters by the Northern Territory News and major debates in this Assembly on the Ro-Ro issue. The Professional Engineers Association wants an inquiry because it believes the wharf is substandard and dangerous to carry the crane in cyclonic conditions.

A newspaper report on Tuesday 24 March said that some engineers stated

the wharf was tampered with to such an extent that its strength was reduced by half. These are serious allegations indeed. In the editorial of 25 March, the NT News stated: 'The tale of the new Darwin wharf has a fishy ring to it'. The NT News nominated a number of areas of concern: the suspension of the Port Engineer on vague and unspecified charges relating to dereliction of duty; the takeover of the Port Authority by the Department of Transport and Works; the role of consultants in the wharf development and whether they were necessary; and the fact that a wharf has been built that is unable to bear the transport of a loading crane with safety in cyclonic conditions.

Mr Speaker, in the last few days, the government has had ample time to make a comprehensive statement on the wharf. There have been 4 sitting days of this Assembly yet it has remained silent on the questions that have been concerning the community over the last few weeks. The only comment from the minister has been in response to the Professional Engineers Association's call for an inquiry. He said, as quoted in the NT News: 'We are aware of the allegations and, through our department, we are considering our own investigations'.

Mr Speaker, I submit that the matter has gone beyond an internal inquiry and the only way that the truth will come out in this matter is by an independent inquiry under the Inquiries Act. The allegations are sufficiently serious to warrant such an inquiry under this act, with the power under this act to subpoena witnesses and all relevant documents. Only in that way will we get to the bottom of the matter, and also to the bottom of the minister. What the opposition is saying is that there is sufficient concern about the way matters have developed on the wharf to warrant a full inquiry. We do not believe that we understand the full story but we do believe that we have sufficient grounds for concern to press for this inquiry.

As we understand it, the original design for the Fort Hill Wharf was let as a consultancy to Cameron McNamara. Cameron McNamara developed the design and submitted it to the Department of Transport and Works which supervised the construction. Before that, it approved the design that Cameron McNamara submitted. During the course of the construction, the contractors, Barclay Bros, sought a variation in the design. My understanding is that the variation that it sought was to reduce the number of raker piles from a 3 m gap to a 6 m gap. Mr Speaker, the raker piles are the piles that link the seabed and the wharf at an angle. There are 2 sorts of piles that go into the wharf: vertical piles and raker piles. I understand that the job of the raker piles is to distribute some of the weight of the wharf in a horizontal direction whereas the vertical piles quite obviously bear the weight in a vertical direction. Barclay Bros, because of the problems it was having with its pile drivers and other technical problems, sought to reduce the number of raker piles by a substantial amount so that they appeared every 6 m along the wharf rather than every 3 m. Barclay Bros made that request to the Department of Transport and Works which sought the advice of Cameron McNamara on those variations. Cameron McNamara agreed to those variations, the Department of Transport and Works approved the variations and the wharf was constructed under those variations.

I understand that there was no consultation by the Department of Transport and Works or Cameron McNamara with the Port Authority. I think that that is a most unusual situation. The Port Authority did and does have the expertise in those matters within its ranks and it seems very strange to me that the Port Authority was not consulted when these changes were contemplated. Subsequently, concern was expressed that the variations had lowered the wharf's capacity to such an extent that it cannot cope with the proposed container crane in cyclonic conditions. These concerns are based

on 2 factors: that the reduction in the number of raker piles has reduced the strength of the wharf and that there has been an allegation that some of the vertical piles have not been filled with sand. Mr Speaker, I have no knowledge of whether, in fact, all the vertical piles have been filled with sand or not. The allegation came from the Professional Engineers Association and, certainly, it should be investigated under this inquiry.

The effect of reducing the number of raker piles, in technical terms, is to increase what is called the 'bending moments'. Put in layman's language, 'bending moments' describe the flexibility that the wharf has to move. By reducing the number of raker piles, the flexibility that the wharf has to move is increased and this has a significant effect on the strength of the wharf. I understand that the concern about the reduction in the strength of the wharf has been subsequently acknowledged by Cameron McNamara which agreed that the variations have significantly weakened the load-bearing capacities of the wharf. In other words, Cameron McNamara has changed its mind.

Mr Speaker, it now appears that we have a lot less than what we paid for, as laid out in the original specifications when matched with the original intention of the government when it sent those specifications out for tender. It is now accepted that the wharf is not strong enough to support the proposed container crane in a cyclone situation. I can give 2 examples of the concerns that are held about the strength of that wharf. You will be aware that presently a temporary mobile crane is on the wharf and will remain in place until the container crane arrives and is in operation. White lines have been painted on the wharf and very strict instructions given to the operators of the crane that it shall not move outside those lines because, if it does so, there is concern that further damage will be done to the wharf or that the crane may, in fact, lose its balance. Secondly, I understand that last week the crane was being manoeuvred across the wharf to position it between the white lines and caused a serious break in the water pipes leading to the amenities building which resulted in the flooding of that building. The people who worked on the repair of the amenities building stated that the reason for the damage was that the vibrations caused by the crane moving across the wharf had the effect of shattering the pipes.

It was agreed, after a long time and after a lengthy cover-up period, that the wharf was not strong enough and a number of proposals were placed before the Department of Transport and Works and the government as to how the wharf could be strengthened. I understand that these proposals ranged in cost between $200 000 and $700 000. The $200 000 proposal was an estimate from the Port Engineer on the cost of strengthening the wharf by strengthening the abutments. The $500 000 proposal was an estimate from Cameron McNamara about what it would cost to fix up its own mistakes by placing additional raker piles under the wharf. The third submission, for $700 000, went to Cabinet from the Department of Transport and Works. I do not know what the basis of that submission was.

As a result, it was decided to expedite the construction of the proposed stage 2 of the wharf as an alternative means of solving the problem. Originally, stage 2 of the wharf was on the design list for 1983-84. It certainly was not proposed to spend any money in actual construction before 1984. However, my understanding is that, because of the problems with stage 1 of the wharf, it was decided to bring stage 2 forward. It must be asked whether there is an additional cost to the Northern Territory government in bringing forward stage 2 of the wharf. I am aware that there is considerable concern amongst contractors who have been asked to express an interest in tendering that the contract period for the first stage of stage 2 is so

tight that it would make it very difficult for them to operate within that period. The contract period, as I understand it, is 12 weeks. Obviously, that period is so tight to enable sufficient of stage 2 to be constructed before the cyclone season so that we will have somewhere to put the container crane. The advice of people whom I have spoken to in the construction industry is that such a tight contract will increase quite significantly the cost of building the wharf as opposed to the cost of the original proposal to build it in 1984-85. That is not an insignificant matter. The cost of building the wharf under this new timetable ought to be a matter for the inquiry that we are proposing because we are talking about taxpayers' money.

Mr Speaker, it is significant that the original consultants, Cameron McNamara, were not invited to consult on stage 2. It would be interesting indeed to hear from the government the reasons why they had not been invited. It would seem that, quite clearly, the government has not been satisfied with their work. It is quite possible that the government has been contemplating legal action against them.

One of the other factors that has resulted from bringing forward stage 2 is that the strengthening of the dolphin on the iron ore wharf has been deferred. This is important because the dolphin needs to be strengthened to enable ships with a starboard Ro-Ro ramp to be able to use the Ro-Ro facility. This was mentioned briefly yesterday. For those who do not understand the term, the dolphin is a large wharf which ships use to tie up to. At present, it is not strong enough to support ships of the size that the Ro-Ro would accommodate and it needs to be strengthened before ships with a starboard ramp can use the Ro-Ro facility. That has been deferred and will significantly limit the extent to which the Ro-Ro facility can be used.

Mr Speaker, we have discussed extensively the unusual arrangements with the Ro-Ro and I do not want to spend much time on those this morning. However, I want to reiterate the main points. There was an unusual financial arrangement entered into whereby the Port Authority was involved in all aspects of the leverage leasing arrangements. We stated on a number of occasions that this is most unusual. Usually, leverage leasing arrangements are left to the experts employed by the financial institutions who arrange the finance. We had a situation whereby the subcontractor had power of veto over the loan funds. We found that the government was involved in a situation whereby the Port Authority was involved in disputes between the primary contractor and subcontractors.

We had a situation where significant sums had to be paid out over and above that in the fixed-price contract. There were significant delays in the installation of the pontoon when it arrived in Darwin, and that is a point that has not yet been picked up. My understanding is that it was expected that it would take only 1 or 2 weeks to properly install the Ro-Ro facility once it arrived in Darwin. In fact, it took 8 weeks. There are serious questions for the inquiry to address as to what additional costs were involved in that. There are serious questions to address as to why that was necessary. As we were told yesterday, there have also been significant doubts over aspects of its design. They were mentioned yesterday. There have been problems with gear boxes and clutches. Why wasn't the pontoon painted in Singapore before it came to Darwin? What corrosion has developed on the Ro-Ro as a result of its being used unpainted? There are questions that need to be answered about the Ro-Ro deal. Again, I would submit that the only way these can be answered is through an independent inquiry conducted under the Inquiries Act.

That brings us to the crane. We heard yesterday of the confusion in the mind of the former Minister for Transport and Works about the financial arrangements for the Ro-Ro facility and for the crane. It is quite clear now, and the government has admitted it, that it was in fact the container crane that was caught up in the change by the then Treasurer, Mr Howard, of leverage leasing arrangements and government approval for them. My understanding is that this government was quite well down the track in terms of arranging finance for the crane under the leverage leasing arrangements and it then had to alter those arrangements. I believe that there is considerable doubt about the arrangements that were subsequently made about the crane. It certainly is a matter that deserves public comment and ought to be a term of reference for this inquiry.

Mr Speaker, we have also been aware of what could be termed a minor matter concerning the crane and that is that the track specifications allow unusually large variations, resulting in the crane needing very wide runners with consequent extra stress and wear. As I understand it, it is normal in specifications to specify tracks of about 3 mm in width. The tender in this situation provides for tracks of up to 11 mm. Obviously, that is most unusual and creates the possibility of extra stress and wear being caused.

Part (e) of our motion concerns consultants. Cameron McNamara did the original design work on the wharf and approved the variations which resulted in a lower capacity to bear loads in high winds. It was hardly appropriate to ask Cameron McNamara to evaluate whether its work had resulted in a design fault. It would be difficult for it to be objective because it would be interested in covering up its errors. That is a perfectly normal human reaction. Yet in May 1982, Cameron McNamara was asked to prepare a fee proposal for a design check. Later, as a result of questions asked, independent contractors were engaged to do the design checks. However, it raises the question of why Cameron McNamara was approached in the first place and the very general question of the role of Cameron McNamara in the whole exercise from the original design, to its approval for variations, to its reasons for then changing its approval and to the government's reaction to all of that. We have heard none of that so far.

The last term of reference deals with the present operations in the development of the port and how they are administered and whether and in what ways they should be altered to best serve future operations and development. Four questions have arisen from the recent events which started with the action taken against the Port Engineer and going all the way through this exercise. Firstly, has the Department of Transport and Works the necessary expertise to oversee development in the port? All that I have outlined must indicate that there is considerable doubt about that. Certainly, it is something which should be taken up by this inquiry. Secondly, why has the Department of Transport and Works failed to heed the expert advice available to it within the Port Authority? That expert advice is acknowledged by seemingly everybody except the government, particularly the Department of Transport and Works. I think a strong argument can be made that, if the Department of Transport and Works had heeded the expert advice within the Port Authority, some of the problems that it has encountered might not have happened. Thirdly, why did the Department of Transport and Works not consult the Port Authority on the variation to the wharf design? Fourthly, why has no action been taken against Cameron McNamara for approving variations to the wharf design which significantly lowered the wharf's capacity?

Mr Speaker, we freely admit that we do not have all the answers. If we had the answers to all these questions, we would be raising a censure motion and not a motion for an inquiry. What we are saying is that there is

widespread concern within the community and within this Assembly. There are a large number of unanswered questions concerning a whole range of matters relating to the wharf and these need to be answered. The opposition believes that the terms of reference it has proposed provide the basis for a thorough inquiry into the concerns that have been expressed, both inside and outside this Assembly. Basically, there are 3 groups of people who would be involved in this inquiry: the consultants who provided the plans and the variations to the plans; the contractors who actually carried out the work; and the public servants who administered and supervised the work. All these people would be involved in an inquiry. An inquiry would need expert assistance from people with technical and engineering skills in the marine area, and from people with expertise in the financial area.

Mr Speaker, we submit that the proposal expressed so far by the minister, for an internal inquiry, does not go far enough. Certainly, the expertise in those technical and engineering areas and in the financial area will not be available to get to the bottom of this. I would submit that this government has no choice but to agree to a full inquiry under the Inquiries Act.

Mr STEELE (Transport and Works): Mr Speaker, in response to the motion proposed by the opposition today, I would like to recap on the details of various events relating to the port, government decisions and the dates those government decisions were taken, the dates that consultants were commissioned and all the information that the honourable member for Millner has requested in his list of points to the motion.

Cabinet first endorsed construction of a general cargo wharf at Fort Hill on 15 August 1978, just 6 weeks after self-government. The Northern Territory Port Authority and the Department of Transport and Works were directed to proceed, as a priority measure, to detailed design for the wharf and immediately to call and let contracts for the first stage. On 18 September 1978, consultant engineers, Cameron McNamara, accepted instruction for a design brief based on load data supplied by the Northern Territory Port Authority. The data included deck-lighting requirements, assessed working load for a container crane and a port control building. No figures were included for the Ro-Ro as this facility was not contemplated at that time. Wind loadings for a 23 t capacity crane were calculated by the consultant from the best information available.

Tenders were called for the completed design and a contract was let to the successful tenderers, Barclay Bros, on 22 June 1979. On 29 November 1979, the Department of Transport and Works, which was in charge of the contract as part of the government decision, wrote to the designers, Cameron McNamara, and asked for checks to be carried out as a result of construction variations requested by the contractor. Cameron McNamara replied by letter on 14 December 1979 providing an alternative raker pile layout which was adopted and confirmed. Verbal advice was given that omission of sandfill from the piles would not affect design criteria as long as other minor compensatory works were undertaken. These were subsequently included in the construction of the wharf.

The decision taken in December 1979 to rearrange the raker piles was agreed to as a result of advice from Cameron McNamara that this would not be detrimental to the wharf's capability to meet the design criteria. The decision did not alter the total number of piles and we did not get less than what we paid for. It did not alter the total number of piles provided for in the design but did change the configurational positioning of the piles under the wharf decking. Requests by contractors to make changes of this nature during the course of construction to suit materials and methods

available are common practice.

Construction of stage 1, the existing Fort Hill Wharf, was certified complete on 24 April 1981. As part of the government's on-going plan for modernisation of the port, approval in principle was given on 21 November 1980 for installation of a suitable container crane and the Ro-Ro facility. At this time, the Department of Transport and Works, in consultation with the Northern Territory Port Authority and Treasury, was directed to undertake a detailed study of the type of facilities appropriate to the requirements of the Port of Darwin. The government asked for that assessment to be completed by March 1981.

On 8 April 1981, Cabinet approved the provision of a container crane and a Ro-Ro facility of a style and capacity conceived to meet present and future needs of the Port of Darwin. Based on these assessed needs, the size of the crane was substantially increased over that used for the design brief for the Fort Hill Wharf in 1978. Its lifting capacity was increased from 23 t to 35 t. The crane, when constructed, will be the highest structure in Darwin at 50 m high and 70 m when fully extended. The original proposed 23 t capacity container crane would have been restricted to handling 6 m containers. It would have been quickly outdated because of the international trend in the use of 12 m containers. Already more than half of all containers in the world are this size. Even at the moment, 12 m containers can only be handled at the Darwin port with some difficulty and heavy lifts must be trans-shipped through Townsville. In addition to the capacity to lift the 12 m containers, the 35 t crane will have a 10 m^3 bulk grab for moving cargo such as sulphur, limestone etc and a heavy lift capacity of 70 t so that it can be used on loads such as bulldozers or large components for the power-station or the mining industry. Additionally, the port control building which was originally envisaged as the waterside workers amenities building was increased in size to incorporate port control facilities, customs, quarantine etc. The building, which was completed in May 1981, has increased the potential loadings on the wharf structure.

There were delays but the Ro-Ro arrived in time and it did not affect the ANL and the government's contractual arrangements with shippers. The costs have been explored in other debates. The Ro-Ro, which is now operating and providing facilities vital to ANL and other shipping services, has also imposed some additional loads on the Fort Hill Wharf. These 3 factors - the larger container crane, the larger port control building and the Ro-Ro facility - are additional to the complex of factors taken into account in the design brief of stage 1 of Fort Hill Wharf.

The Northern Territory Port Authority recommended and the government agreed in April 1982 to accept the crane tender of Sumitomo Australia Ltd for $5.56m. This meant additional loads would be imposed on the wharf and a component of approximately $200 000 was set aside in the Port Authority for possible wharf upgrading. The financing of this crane was being undertaken by Bain of Sydney. It is Australian money arranged by Treasury and subjected to close Department of Law scrutiny. We insist that this is normal commercial practice of the government.

The decision to purchase a larger crane was made on the basis of planned development projects in the Northern Territory and the need to ensure that funds were spent on a facility which would meet future perceived requirements and which would not become obsolete in the near future. Bridging finance was required. In June 1982, a commercial leverage lease-type loan had been negotiated by Treasury and the Northern Territory Port Authority but this could not be proceeded with following the Commonwealth

government's change of policy of 24 June on leverage leasing involving statutory authorities. On 12 July, a formal agreement between the Northern Territory Port Authority and Sumitomo was signed. Between October 1982 and April 1983, once Commonwealth government guidelines were clear, negotiations to obtain finance were resumed by Treasury resulting in the acceptance of the offer from Bain which I have just mentioned. This agreement was for a maximum of $6.116m to cover a contract sum of $5.56m plus allowance for rise and fall and variation. An interest rate of 15.263% on a progress draw-down was part of the contract.

Mr Speaker, details of these developments were referred to the consultants, Cameron McNamara, on 5 October 1982. A report by them on 9 November 1982 indicated that the wharf, as originally designed, would be overstressed by the loads imposed by the crane and other facilities, but only under excessive storm or cyclonic conditions. The design consultants agreed with previous assumptions that upgrading would be required to meet these extreme demands but provided estimates significantly in excess of the previous allowances made by the Port Authority. Rather than meet this additional cost to upgrade the existing wharf to take account of possible extreme circumstances, on 14 December 1983, the government decided to approve the staging and construction of extensions to the Fort Hill Wharf to allow a second berth to handle expected increases in the through-put of bulk cargoes, to increase port efficiency and to provide a cyclone-proof anchorage for the 35 t container crane which would be able to work the full length of the wharf. At that time the project was already on the design list for 1982-83 and would, therefore, have been destined for the 1983-84 capital works program.

The matter of fendering of the dolphin was raised in debate yesterday. That is to proceed and, as far as we are aware, at that time all starboard ramp vessels will be included for unloading.

Honourable members will be aware that the Port Authority has greatly stepped up its marketing activities. We should not lose sight of the fact that some urgency was attached to the provision of port infrastructure for reasons which included pressure applied by ANL due to the declining viability of its east coast shipping service. Some $600 000 has been invested in a temporary mobile crane to accommodate ANL until the container crane is eventually commissioned. In addition, due to delay in the supply of large steel orders, it was unnecessary to advance stage 1 of the wharf extension project to ensure that the cyclone anchorage would be ready in time for on-site erection of the container crane scheduled to be commissioned in January 1984.

A tender from Steelmains Pty Ltd for stage 1 of the wharf extension project was accepted on 18 March 1983. The decision to provide a special purpose section for a cyclone-proof anchorage means that the remainder of the wharf need not be designed to meet crane loadings under cyclonic conditions. The issues presently under contention and well-aired in the media are, essentially, whether the original design was correct and whether the subsequent piling changes have affected the capacity of the wharf to meet the standards for which it was originally designed. The main emphasis is on longitudinal stresses and whether there is a consequential requirement for more strengthening of the wharf and extensions than otherwise would have been necessary. Differences of opinion on the computations has produced argument between professional engineers.

Mr Speaker, in response to the honourable member for Millner's statement that professional engineers have called for an inquiry, my brief is as follows. The APEA has sought the support of the Institute of

Engineers Australia in this action. However, the institute has written to me, in my capacity as minister, advising that it will not consider the matter until such time as it has been given access to all relevant technical documentation. In calling for the inquiry, the APEA is questioning the ability of its own members within the Department of Transport and Works. Engineers within that department have drawn up a petition which is currently circulating. It is worded as follows:

> *We, the undersigned engineers, strongly object to the action taken by APEA in releasing one-sided statements to the media suggesting that the Department of Transport and Works is not a competent authority to superintend Port Authority works, and thereby questioning the competence, ability and integrity of engineers within the Public Works Division of the department. We request that APEA publicly state that in no way does APEA doubt the competence, ability and integrity of engineers within the Department of Transport and Works.*

The APEA has subsequently put out a newsletter to its members denying that it instigated the ABC news item although stating that it knew of its existence before it went to air. We understand that the APEA was to hold a meeting yesterday to discuss the issue. I understand that the meeting has now been put back. I have been told that there has been no formal representation from the APEA for a public inquiry. We wonder where the opposition got its advice that there should be a public inquiry. The government did indeed accept that allegations were made and, as part of normal events, it decided immediately to process those allegations by an investigation through the department which is a normal course of action that a responsible government would undertake.

As I indicated, the difference of opinion on the computations has produced arguments between professional engineers. This is a highly technical matter and was taken up with the design consultants by the Department of Transport and Works. The consultants have replied to the department advising of their belief that the approved changes have not reduced the effectiveness of the wharf below the original design criteria. They have indicated their willingness to submit the design and calculations for independent professional review. The Department of Transport and Works is presently arranging for this independent professional review to be carried out by a firm of engineers and consultants, McDonald, Wagner and Priddle. If allegations should be substantiated, the government will seek redress at law in the normal way.

Mr Speaker, I want to make 3 points in relation to the Fort Hill Wharf. Contrary to media reports, the existing wharf is safe and, even without strengthening, will provide a safe platform when the new container crane is operating, except in cyclonic conditions when the crane will be tied down at the anchorage point. The extension of the wharf is a necessary and vital part of the expansion of port facilities needed to make present and future use of the port. The intricate and very technical arguments about design calculations and capacities of the existing wharf will be resolved as quickly as possible. I undertake to advise honourable members of the results.

The honourable member for Millner referred to consultants and I will obtain for him and table a list of all consultants involved with all the contracts to do with the wharf, the Ro-Ro and the crane, together with all the costs involved.

The Northern Territory Port Authority is a statutory authority of the government. It is controlled by a board of 3 members appointed by the government. At present, 2 are public service employees and the third is from

the private sector in Darwin. The chairman of the board does not hold an executive function. The port is administered by a director who is also Director of Marine. He is assisted by an operations manager, an administration manager and a marketing manager. The matters of port operation, including repair and maintenance of facilities and engineering liaison of new construction, is carried out through the area controlled by the operations manager. Finance is directed through the administration manager. All aspects of port promotion are the responsibility of the marketing manager. The Department of Transport and Works provides assistance in the formulation of development projects and the design and construction supervision of major projects. This latter function is carried out by Public Works Division which acts as superintendent on behalf of the Northern Territory Port Authority. In fact, in 1979, I issued an instruction to the Port Authority that the Department of Transport and Works would have that role.

Mr Speaker, the honourable member for Millner indicated that the government has had 4 days to make a statement. We have now made that statement. We were waiting for him to produce his notice of motion which he indicated on Monday that he would produce. He said that the basis for his introducing this motion in the Assembly is a major story in the ABC, a call by the Professional Engineers Association and an article in the NT News which said that the wharf tale had a fishy ring to it. If that is the only basis on which he can bring forward a motion of this nature to the Assembly, he should quit his job and get another job back in the teaching profession.

Mr B. COLLINS (Opposition Leader): Mr Speaker, as a result of another sparkling contribution to debates of the Legislative Assembly, the Northern Territory government certainly does have some questions to answer. Yesterday, in what was the most pathetic contribution of all to the debate, the Chief Minister delivered a predictable statement on why the government was rejecting a move by the opposition. He said that all of these matters were simply a diversion by the opposition to distract people's attention away from the Northern Territory railway. Only a fool would suggest for a minute that that was the case. Let me assure the Chief Minister and anyone else that the matters of the intervention of government ministers in the sale of pastoral leases, the interference of ministers in the Northern Territory Public Service, the mess that has surrounded the operations of the Port Authority, the construction of the Ro-Ro facility and the wharf were well and truly in hand by this opposition. It would be a derelict opposition indeed if it did not raise these issues in the Assembly. I can assure the Chief Minister and all other honourable members that these matters would have come before the Assembly in precisely the same way whether the railway matter existed or not. If the Chief Minister contributes to this debate, as I suspect that he might, I do not think that he should insult anyone's intelligence by running that particular line again.

Mr Speaker, it was an interesting contribution by the Minister for Transport and Works because what we heard was that the crane will be the highest structure in Darwin. Last week, we heard that we had the biggest Ro-Ro in the world. Such statements and the Chief Minister's contribution to the debate yesterday indicate one thing: the egocentric nature of the Northern Territory's Chief Minister and the total complacency into which his government has slipped. How can anyone suggest seriously that such important issues are simply to be brushed aside as a diversionary tactic by the opposition to distract people's attention away from something else that is happening. We all know that the Chief Minister thinks that the Northern Territory revolves around him and that he does not like the sittings of the Legislative Assembly. He is nodding his head, Mr Speaker.

Mr Everingham: I have to listen to you. That's why.

Mr B. COLLINS: He considers this to be an unnecessary diversion from the business of government. We all know that he does not like to be questioned and that he thinks that this is an almighty bore.

Could I ask the Chief Minister a question in response to the contribution of the Minister for Transport and Works. 'All this was normal', said the Minister for Transport and Works. These were the expressions that he made all the way through his speech: 'the Port Authority has stepped up its marketing facilities', 'the wharf need not be designed to take extra loads in cyclonic conditions' and 'all of this problem is simply being caused by a minor difference of opinion between engineers'. He used the terms 'normal events' and 'normal course of action'. This is 'a highly technical matter'. He said: 'The changes have not reduced the capacity of the wharf under normal conditions'. He said: 'The existing wharf is safe and can take the crane. In cyclonic conditions, the crane will be tied down'. So we had a constant theme all through the minister's speech that things were normal, things were proper, nothing needed to be questioned, it was simply a difference of opinion between engineers, the crane could simply be tied down in cyclonic conditions and they had received advice that everything was okay.

I then ask the government to explain why it shipped the Chairman of the Port Authority out of town and why it tried to hang the Port Authority's engineer. What an amazing contribution: things are normal, natural, everything is safe and nothing is wrong. In fact, the only reason put forward by the minister was that this was all being caused by 'a difference of opinion between engineers'. We all know that Mr Hardy resigned. We all know that the Chief Minister told him that he should not take more than 2 weeks to do it. We all know the disgraceful way in which the government handled the Port Authority engineer's particular matter. I might add, for the benefit of all honourable members that, guilty or innocent, we will be discussing that in some detail.

As the honourable member for Millner made very clear, the opposition has no axe to grind in this matter. We do not know the answers and we freely admit it. What we do know is that there is an enormous number of unanswered questions. The honourable member for Millner said that number one on the list was the suspension of the Port Engineer on vague and unspecified charges relating to dereliction of duty. That did not even get a mention in the responsible minister's speech. I dare say that the Chief Minister will try and extricate him once more from that. The other matter was the takeover of the Port Authority by the Department of Transport and Works. That did not even rate a mention.

Mr Speaker, by trying to seal off this debate, by trying to close it down and by obviously refusing to have an inquiry, the Minister for Transport and Works has quite successfully opened up an entirely new can of worms. If things are so normal - the wharf need 'not be designed to take extra loads in cyclonic conditions', this was 'a normal course of action', these were 'normal events', the changes have not reduced the capacity of the wharf under normal conditions and the existing wharf is safe etc - why then was the Chairman of the Port Authority treated in the way he was and had to leave town in a dreadful hurry? Why was the Port Engineer suspended from duty for months and forced to undertake $25 000 worth of expenses in defending himself? It was a botched up job. There is no doubt about that. However, guilty or innocent, the government or whoever handled it, handled it abominably. That man's career has been substantially destroyed, if not

entirely destroyed, by the way in which the government handled this matter.

I am very familiar - I must admit that I smile a bit - when I hear the Chief Minister's pious defence of poor old David Combe who has been totally destroyed by the federal government. I have indicated publicly on a number of occasions that I do not disagree with the Chief Minister in those sentiments. But, isn't it interesting that, while he is so concerned about David Combe's reputation being destroyed in Canberra, he can aid and abet the total destruction of a Territorian's career? This man has worked here for years. Every charge that was made about him was thrown out on the grounds that the man did not even have a case to answer. The government, by the contribution it has made to this debate this morning, has a whole new set of questions to answer as well as the ones we have already put.

We would like to hear why it was necessary to suspend the Port Engineer if everything was so normal and proper. Why was it necessary for the Chairman of the Port Authority to be removed? Let us have no nonsense from the Chief Minister about his resigning. It is the old case of whether he jumped or was pushed. We all know he was pushed. We all know that the Chief Minister gave him a fortnight to make his arrangements to leave. Why was that done? Why was the Port Authority taken over by the Department of Transport and Works? Why weren't those original consultants used again? Will there be any action taken against those original consultants? Mr Speaker, there are a whole host of questions put this morning by the honourable member for Millner that did not even rate a mention by the honourable Minister for Transport and Works, the responsible minister, the man who is paid to have all the answers on this matter.

Mr Speaker, these are no diversionary tactics by the opposition, as I think anyone with half a brain would be aware, and that, of course, eliminates most of the people on the other side of the Assembly.

Mr Robertson: It includes each one of you.

Mr B. COLLINS: Mr Speaker, these matters are serious. Once again, the responsible minister has failed to address himself to them. His speech has simply reinforced the need for an inquiry. His performance last week has amply demonstrated to anyone who witnessed it that his statements in this Assembly cannot be relied upon at all. He puts out statements that he himself has to correct in the press 30 hours later. He makes statements that are internally contradictory. That has been pointed out. The only excuse that has been offered is that he is under pressure. I ask the honourable minister whether he is under pressure today. Is he feeling the heat this morning? Is everything he has said this morning to be taken as gospel because he is calm, cool and collected?

Mr Steele: Why don't you relax?

Mr B. COLLINS: I am always relaxed. I am simply asking this on the basis of the reasons put forward for his pathetic performance last week and his misleading statement to the Assembly. That is the crux of the matter. He reacts that way when he is under pressure and when he is under stress. Therefore, we have to ask the honourable minister, whenever he makes a statement, if he is under stress so that we know what strength to place on the statements that he makes.

Mr Steele: You are digging a big hole for yourself, Bob.

Mr B. COLLINS: We are certainly not digging a hole for anybody and I

am suggesting once again to the honourable Minister for Transport and Works that we simply cannot accept what is said by him. The opposition does not have any axe to grind whatever for the simple reason that we do not know the answers. But we know the questions that need to be asked and we know that the government has not answered them. That is all the evidence that is required to insist that an inquiry be undertaken. We know the responsible minister cannot be relied upon to make reliable statements in this Assembly. He demonstrated that. That is also on the record. What other recourse is there? If we cannot believe what the minister says - and we know we cannot because we are not sure whether he is under pressure or not when he makes statements - the only recourse is for a cool, calm, collected inquiry that is not placed under stress by the opposition and cracks under the strain like the minister. That was the government's own admission.

Mr Speaker, the government has legislation which we support: the Inquiries Act. That is what it is there for. The government is able to appoint a board of inquiry. It is entirely in its hands. Indeed, we seek no part in it. It has the option of appointing a person or persons to constitute the board. The important part is that, whomever it appoints, it will be available for everyone to see. People can make their own judgments as to whether the people whomthe government appoints for the inquiry are beyond reproach and have integrity and impartiality. That decision could be made by every Territorian. But, internal inquiries are just that: internal inquiries. The government decides what it will lay before this Assembly and what it will not. That is exactly what it will do. It will commission its consultants' reports. It will commission all sorts of reports. We will hear exactly what it wants us to hear in this Legislative Assembly and be expected to take as sacred writ any statements made by the ministers. The government has failed, demonstrably, to answer the questions put this morning. It has even failed to address some of them. The government has said that everything is okay down at the wharf, which we know is not so. Just by saying that, it has exposed itself to questions as to why it acted as it did in respect to certain employees of the Northern Territory Public Service and others.

Mr Speaker, in conclusion, I hope that somebody on the government side will answer the charges that have been laid and support the call for an inquiry. As we all know, internal inquiries by this government are not satisfactory and statements made by ministers in this Assembly are not satisfactory. Once again, the responsible minister has failed to provide the answers. Perhaps we can look to the honourable Chief Minister to do so. Despite the yawns of the honourable Chief Minister, I think that the government has still a great deal to answer, and I suggest that a proper course of action would be for the government to support this call for an inquiry. I urge it to do so.

Mr ROBERTSON (Mines and Energy): Mr Speaker, normally, I would have expected my part in this debate to be devoted to rebuttal of whatever the Leader of the Opposition had to say. After all, one would expect that to be the case considering that the statements made by the member for Millner were more than adequately handled by the Minister for Transport and Works. Mr Speaker, I find some difficulty in confining myself to the comments of the Leader of the Opposition because he said very little that can be answered. What was the sum total of his contribution? He started off, in his usual style, with an attempt to malign the Chief Minister and the endeavours of the Chief Minister ...

Mr B. Collins: Oh! poor old Chief Minister ...

Mr SPEAKER: Order! I draw honourable members' attention to Standing Order 60 which says that no member speaking may be interrupted.

Mr ROBERTSON: Mr Speaker, perhaps it may be of assistance to you and the Assembly if I remain silent for 30 seconds and the Leader of the Opposition can get all his rattling done at once and then we will not be bothered with him again in the course of this speech.

Mr B. Collins: The problem is that I don't think you could wait.

Mr ROBERTSON: All right, I will wait for you to finish.

Mr B. Collins: This is going to be a lengthy debate.

Mr ROBERTSON: Have you finished?

Mr B. Collins: No.

Mr SPEAKER: I draw honourable members' attention again to Standing Orders 60 and 205. I will have no compunction at all in exercising my right to use those Standing Orders.

Mr ROBERTSON: One admires your patience, Mr Speaker. As I said, the thrust of the Leader of the Opposition's speech this morning was to malign the government and the Chief Minister because, as he put it, we are on an ego trip in respect of both the crane and the Ro-Ro facility. I indicated yesterday, and as was indicated for a third time last week, each matter which has been raised by the opposition has been answered effectively. The difficulty we have on this side of the Assembly - and I dare say the Territory public has it also - is that the opposition either cannot or will not understand what is put to it. I guess it is 'will not' because it does not suit its political purposes to do so.

It was very carefully explained in a previous debate that the Ro-Ro's size had a relationship to the job it had to do and nothing else. The Leader of the Opposition heard the reasons for the Ro-Ro being the largest of its type in the world. It is simply because we have the largest rise and fall of tide in the world and certain engineering requirements necessitate the Ro-Ro being that size. He heard that but it suits his purpose, of course, to distort it completely. He refuses to relate it back to the Chief Minister's and this government's aim of seeing not only that we have equipment of the highest standard but equipment which will last the Territory for many years to come.

Then, the Leader of the Opposition, in his attempt to demonstrate to us that the Minister for Transport and Works had not answered certain questions, raised for the very first time the question of a former employee of the Port Authority and action taken under the Public Service Act in respect of a public servant. Those are not matters in which the government is directly involved. I am talking about the Public Service Act. If it became involved, the Leader of the Opposition would be the first to criticise it for that.

Mr B. Collins: Just wait.

Mr ROBERTSON: Mr Speaker, we are going to wait an awful long time for any common sense from members opposite.

Mr Speaker, the only other point I can recall that came out of the

Leader of the Opposition's statement was the question of why Cameron McNamara was not given the consultancy for the second stage of the wharf. That is not in the motion before us. Once again, had that been done, the opposition would have been the first to scream that we did so to provide for a cover-up. Really, we cannot win. On the one hand, we are criticised for not giving that firm the consultancy and it is implied that there is some sinister motive behind our not giving it to it. On the other hand, had we given it to that firm, we would have been exposed to criticism for doing that as well. The Leader of the Opposition added nothing to justify the call for this inquiry which was not already put by his colleague, the member for Millner, and has not already been refuted effectively by the Minister for Transport and Works.

Given that, Mr Speaker, perhaps I ought to turn to what the practical and financial realities of the motion before us are. In our view, and in any sensible observer's view, I would submit that there is no necessity for such an inquiry. Let us look at what it would involve if we were foolish enough to allow it to go forward. What the motion before us means to me is that we would be required to go back to the very genesis of the Port of Darwin, to study all the design briefs ever put forward in respect to the Port of Darwin, its financial arrangements, its staffing, its structuring and its operations and management. Worse still, we would have to determine how it is to be administered in the future, what design requirements will be needed in the future and how those things ought to be put in train by any government of the Northern Territory. Of course those matters have been examined by governments over many years. That involved, as you will know, consultancy fees of many hundreds of thousands of dollars.

What would be necessary to establish an inquiry of this nature? It calls for an examination of sophisticated engineering design work and capital works programs over decades past and decades into the future. It calls for an examination of the financial arrangements entered into by this government, based upon the best advice available to any government in this country by the most reputable banking institutions in the world and certainly, the biggest banking institution in this country, Westpac. It involves the questioning of the advice of pre-eminent legal firms and commercial lawyers of the highest standing in Britain. We are asked to institute an inquiry which will examine the advice they have given, the manner in which that advice was tendered, and the manner in which that advice was carried out or not carried out by government.

Given the document tabled by the Minister for Transport and Works earlier, let me point out to the Assembly what is involved in these types of consultancies. What we are asked to do here, Sir, is vastly beyond the scope of the consultancies which have already been issued and which relate purely to this matter and this matter alone. Cameron McNamara, for the design and documentation of Fort Hill Wharf stage 1, was paid $176 650. I might add that, if we are talking about this type of inquiry, we must also look at the timespan which will be required to carry it out. The basic design work for stage 1, to accommodate the wharf and to attach a Ro-Ro to it, took 9 months for a top firm of consultants. Can you envisage what timespan would be necessary for this inquiry? Not just one firm would be needed. It would require the greatest battery of engineers, lawyers, accountants and financial advisers that could possibly be assembled by any government in this country. That is what would be required if there were to be any prospect at all of even carrying out the practical ramifications of this motion.

Gutteridge, Haskins and Davey was paid $112 000 for extensions to the

Fort Hill Wharf. Merz McLellan was paid approximately $115 000. The opposition is not only asking for an inquiry into the advice of one consultant and how that was interpreted by government; it is asking for an inquiry into the competence and activities of some of Australia's finest firms of engineering consultants whose services are available to any government. Merz McLellan was involved in the supervision of manufacture, erection and commissioning of a container crane. Their side of it involved $34 850. The consultancy fees in relation to commissions paid for this work, if my arithmetic is correct, adds up to about $521 150. The activities of the Northern Territory Port Authority are infinitesimal compared with the ramifications and implications contained within this motion so far as expenditure of Northern Territory taxpayers' money is concerned. Those commissions amounted to $679 150. We have in excess of about $1.2m just to do what has led to this debate. To go into the full ramifications of this motion, one could conservatively certainly multiply that by 5 and it would take at least 2, if not 3 or 5, years to conclude such an inquiry.

We are told that the reason why the opposition has introduced such a motion is to protect the taxpayers' money. A cursory examination of the real implications and ramifications of the document would indicate that the opposition has no such desire whatsoever. Having regard to the fact that all the queries that could reasonably be answered have been answered - we cannot answer for the difference of opinion between 2 consulting engineers - no responsible government or Assembly would initiate such an inquiry. What is the motive behind this motion? As I have demonstrated, it is absolutely untenable to suspect that the motivation behind it could possibly be the saving of Territory taxpayers' money or the best utilisation of taxpayers' money.

Mr Speaker, there can only be one other conclusion: it is for political purposes. We heard the Leader of the Opposition say this morning that it had nothing to do with political masters in Canberra - nothing to do with that whatsoever. I would ask anyone to check Parliamentary Records over the last 5 years and look at the number of times during any fortnight's sittings of this Assembly that matters of public importance have been raised. It was a rare animal for the first 4 years. Two sittings ago, there was an outbreak of them. Incidentally, they were so puerile in content that generally they rated a column on page 14 of the NT News in between the girlie ads. Yesterday there was a dramatic move in the Assembly to have 2 ministers removed from office. The radio and television reporters did not mention it at all. It rated a little box column on page 3 of the NT News. Not even the media is taking the opposition seriously. Members of the media listened to the debate, Sir. They are impartial in this matter - or one hopes that they are - and, clearly, they have come to the conclusion that there is no substance in the allegations levelled by the opposition.

Notwithstanding all of that, this morning we have this absurd proposition. In my experience, not so much in this place but looking at terms of reference in other parliaments, it would be the most detailed, complicated and useless motion to come before any parliament. Good heavens, Mr Speaker, it is nothing but a tissue-thin sham of political grandstanding - and to hell with the expenditure caused to the Northern Territory public, to hell with the difficulties and the effect on morale both in the private and public sector that such an extensive and prolonged inquiry would involve, and to hell with the probable $5m it would cost in the process. We reject it.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I rise to answer a couple of matters raised by the Leader of the Opposition in his tirade against me. I notice that, in his contribution to the debate this morning, he did not

address the terms of the motion at any stage. As usual, he engaged in a muck-raking exercise. In fact, he had nothing of substance to say. He alleged that I had sacked the Chairman of the Port Authority and that the government has damaged the reputation of the Port Engineer. The Leader of the Opposition, by making these totally unfounded allegations against Mr Hardy, the former Chairman of the Port Authority, is damaging that man's reputation. Mr Hardy resigned from the public service voluntarily, at his own wish and instigation. I state that categorically. If I recall the exact circumstances, his wife had been absent from Darwin for some months, apparently for family reasons. The family was not prepared to accept living in Darwin. Mr Hardy indicated to me that he wished to sever his connection with the Northern Territory Port Authority and we agreed on a date for him to leave. That is the sum total of my contact with the man in relation to his employment or the termination of his employment. The Leader of the Opposition's inference that the Northern Territory government sought to get rid of him or to dismiss him is totally false. The Leader of the Opposition has once more slandered the character and marketability in professional terms of a man of the highest - as far as I am concerned - probity.

In relation to the Port Engineer, Mr Jacob, the government had nothing to do with the laying of charges. What the Leader of the Opposition seems to be saying is that the government brought disciplinary charges against Mr Jacob. That is what they were - charges of a disciplinary nature - instigated, I understand, by Mr Hardy, through the Department of Transport and Works and the Public Service Commissioner. The facts are quite different from those alleged by the Leader of the Opposition. The only involvement that I or any minister ever had in this matter was when the Public Service Commissioner brought Mr Jacob and Mr Hardy before me in an attempt to settle the dispute that appeared to exist between them in relation to Mr Jacob carrying out Mr Hardy's orders. I asked them to try to get on with the business of the Northern Territory. They appeared even then not to be able to do so and they left. I had nothing further to do with the matter other than to receive reports on it from time to time from the office of the Public Service Commissioner.

The Leader of the Opposition alleged that the Port Authority had been taken over by the Department of Transport and Works. That is quite incorrect. The Port Authority remains a separate statutory authority. It is true that the Director of Transport is the Chairman of the Port Authority but it seemed to the government that that was a logical and reasonable appointment to make in view of the importance of the port to the Northern Territory's overall transport communications.

The Leader of the Opposition said that the Port Engineer, Mr Jacob, had incurred in his defence a legal bill of $25 000. The Public Service Disciplinary Tribunal has no insistence that one be represented by legal counsel whatsoever. It is a practice that has been adopted from time to time by persons who wish to have legal representation. I understand that Mr Jacob, as well as having legal counsel, had an engineer adviser. He hired a Queen's Counsel and the government therefore retained legal counsel as well. If Mr Jacob hired a Queen's Counsel, obviously it would run him into a lot of money, probably in the order of $1000 a day. It could go as high as $1500 a day. No doubt, the other expert advice cost considerable funds as well. The government has agreed to pay reasonable costs to be assessed by the Solicitor-General. If there is a default of agreement on what are reasonable costs, they can be taxed by the Supreme Court. The matter of costs was one where Mr Jacob himself decided to incur the expense of a Queen's Counsel. At a cost of $25 000 for a Queen's Counsel, it seems to me that he probably got out of it pretty cheaply.

Mr Speaker, I really do not need to go through the matters raised by the honourable member for Millner because I thought that the Minister for Transport and Works answered the vague allegations very satisfactorily. I would like to comment on one point relating to the consultants. The honourable member asked why the government changed horses in midstream from one firm to another. That shows how deeply the honourable member for Millner has investigated this matter. The Attorney-General read out 1 or 2 consultants who had been involved. In fact, the Department of Transport and Works, under government policy, has a practice of equitable distribution of work amongst consultants. Let me just run through the list of consultants who have been involved in the wharf project and Ro-Ro: Cameron McNamara, Gutteridge Haskins and Davey, Merz McLellan - they received 2 commissions - Victorian Welding Supervision Pty Ltd, Cameron McNamara again, McDonald Wagner and Priddle, Cullen and Rowe, Merz McLellan again and Cameron McNamara. There has been quite a spread of consultancies in the whole matter. There is absolutely nothing sinister or suspicious as the honourable member for Millner tries to paint.

The Leader of the Opposition did not seem to grasp the fact which the honourable Minister for Transport and Works was making, namely, that the wharf was commissioned in 1978. I do not want to discuss the Ro-Ro because we have canvassed that ad nauseam. We have acknowledged that there is a cost overrun and we have pointed out that this is not uncommon. The wharf was commissioned in 1978 and, along the road, various changes were made that certainly were not contemplated at the time the design specifications were originally given to Cameron McNamara. The Minister for Transport and Works pointed out the port control building, the Ro-Ro itself and the change from a 23 t crane to a 35 t crane. The Minister for Transport and Works dilated on that at length and answered the allegations of the honourable member for Millner.

In terms of wharf loadings, changes to design concept have the following magnitudes. The original wharf design was for a 23 t crane. The changes to wharf and building included: additional 400 kilonewtons, the Ro-Ro which was not part of the original concept, an additional 700 kilonewtons, loadings for 35 t crane over that previously allowed and 1500 kilonewtons. The total increase was 2600 kilonewtons. It has been acknowledged by the government that it will be necessary to shift and moor the crane on part of the new wharf in cyclonic conditions. That is the only time that the wharf will have any problems with this crane at all. We were told this morning something about a crane that is being used at the moment.

The number of raker piles was not reduced; the piles were rearranged. There was consultation on the raker pile variation with the Port Authority, but the approval of the Port Authority was not sought. The wharf was never designed to take the container crane in its present form. Cameron McNamara, the consultants at that stage, agreed to the omission of the sand in the piles, provided other compensatory works were carried out. This was done, and it involved more steel and concrete. Cameron McNamara steadfastly deny that the wharf fails to comply with the original design requirements. Comments were made about the temporary crane. The wharf was not designed for that type of crane. The crane that is being used on the wharf at the moment has caterpillar tracks. The container crane will move on rails. The gap between the places where the rails will run has only been designed for normal wharf traffic such as front-end loaders. If the honourable member for Millner had these concerns and, no doubt, he is being well briefed by the Port Engineer, surely he could have addressed correspondence to the minister beforehand and been satisfied on these particular matters. When the allegations were made, they were quite easily satisfied.

Mr Speaker, there are absolutely no grounds for such an expensive inquiry into what has been a satisfactory exercise in all the circumstances that have been made to accommodate changes approved by the government in the interests of upgrading the port.

Mr SMITH (Millner): Mr Speaker, I hope the Chief Minister is right about one thing: the reduction in the number of raker piles underneath the wharf. That is certainly not the information that I have. In fact, there has been a specific figure mentioned of about 36 raker piles that are missing and need replacing. Certainly, the gap in the original contract between the raker piles was supposedly 3 m and now items are at 6 m intervals. I think there is some inconsistency in the Chief Minister's argument.

The Chief Minister talked about the Department of Transport and Works' policy of equitable distribution of work between consultants. Certainly, that is an admirable policy and one that we do not have any problem with. The point we were trying to make concerning the consultants was that Cameron McNamara were not even invited to make a proposal for stage 2 of the Fort Hill Wharf development. That is a bit different from not getting the contract. That is a point that we were making on that.

Mr Speaker, the Attorney-General, in his quite amazing and vacuous statement, said that satisfactory answers have been given by this government to every reasonable person and there is no point in doing anything else. If we have satisfactory answers at present, why has the Minister for Transport and Works engaged an independent firm of consulting engineers to check out the sorts of things that we have been saying? That does not make sense. Again, we have a contradiction between 2 members of the government when they address this matter.

This is one of the major concerns we have had right through the whole exercise. It has been riddled with internal contradictions between government ministers; they cannot get their story straight. They are trying to snow us all the time. That is why we want an independent inquiry. As the Leader of the Opposition said, we cannot rely on the story that we are getting because it changes from time to time. They give out as much as they think they need to. It is a bit like peeling an onion, as I said outside this Assembly on one occasion. Each time you take off a layer, there is something else underneath. You only get there by prodding and pushing the government. The government would not be in this situation if it had made a clear statement about what it was doing when these matters were first raised. However, these things have to be dragged out of it bit by bit. It wonders why the opposition becomes upset and why the public is concerned about what is going on.

The Minister for Transport and Works said that matters had been referred to an independent consultancy firm. I support that. The point is that it is in fact halfway towards our proposal of an independent inquiry under the Inquiries Act. It would have been very easy for it to hold an inquiry under the Inquiries Act to make sure that everybody has access to it and it does not go back to Cabinet so that the government can determine what bits, if any, it will make public and what bits it will keep hidden to save embarrassment. The government has a crisis of confidence on this issue. It would have been very simple for it to make that an independent and open inquiry. Again, it is to be an in-house inquiry. That is not good enough.

Mr Speaker, we heard from the Attorney-General a most ingenious excuse for not having an inquiry. He did not address himself to issues. He said that we cannot do it because it is complex ...

Mr Robertson: I did not say that at all.

Mr SMITH: ... and because it is too expensive. If it is too complex, how will the generalists in the Department of Transport and Works and the Port Authority be able to assess these claims? How will they be able to make decisions? It is hard, complex and detailed because it is that sort of area. To be sorted out, it has to be done properly. You cannot do it in-house and on the cheap because you will not get to the bottom of it. That is the point we have been making.

Mr Speaker, I will take up another matter raised by the honourable Attorney-General: his comments about our being extremely active in the last fortnight of the sittings. He called it pure coincidence. I think the Attorney-General might ask himself what is happening to this government. We have a situation where the opposition is consistently able to raise these important matters that the public ought to be concerned about. What is happening with this government? Why are so many things going wrong? For the first time since I have been in the Assembly, we have had trouble fitting in all the matters that we want to raise in the sittings. If the government wants the sittings to continue next week, we will certainly serve them up.

Mr Speaker, this is a carefully-designed motion. We could have taken the easy way out and come up with a couple of general, all-embracing clauses which would have enabled an independent board of inquiry to hare off in any direction it wanted to. We did not do that. We acted responsibly. We assessed what the complaints were and what the dissatisfactions and uncertainties for the public were. We have attempted to come up with specific terms of reference addressed to those complaints. It is not a witch hunt. It is an attempt to get to the bottom of specific complaints that we have heard and that the public has heard. This has been pitched in those terms. It may be unusual to the honourable Attorney-General, who is used to dealing with the broad sweep and the broad brush, but we are attempting to get down to specifics because there are specific things worrying the community. There are specific things that are worrying the opposition. They are the things that we want to take up. They are the things that have been clearly outlined in this motion and they have not been addressed by the government at all.

There are serious concerns about the treatment of the Port Engineer. The Port Engineer's case is not specifically listed in the terms of this motion, but anyone who knows anything about this matter realises that the Port Engineer and his operations are deeply involved in most of these criteria. There are serious concerns about the design of the wharf, changes to the design of the wharf, the role of consultants in those changes, the responsibility for those changes and what they have done to the safety of the wharf. Those concerns were accepted by the honourable Minister for Transport and Works when he told us that he sponsored an independent inquiry. I will make the point again: he could have made that independent inquiry under the Inquiries Act and we all would have been much better off. If the government is to do the job properly, according to the honourable Attorney-General, it will have to spend considerable sums of money to get to the bottom of it. That is unless the Attorney-General is telling us that it will not do the job properly, that it will be an internal job, that the government will not sufficiently fund the inquiry to get to the bottom of the issues. Is the Attorney-General telling us that? No, he is not. It is clearly in the government's and the Territory's interests to get to the bottom of this matter.

There is a crisis of confidence amongst the public on the government's

handling of these issues. I believe that the only way the government can get itself out of this position in an honourable way is to take this matter to an independent inquiry under the Inquiries Act so that everybody who wants to can participate in the inquiry and then everybody will be able to see what the findings of the inquiry are. This inquiry would extend to technical, engineering and financial areas. Therefore, the findings that come out of it could well have valuable lessons for government activities in other areas. As the government has quite often pointed out, the port venture was a new one for this government. It is a very complicated one. We accept that. The lessons that could be learned from this independent inquiry could be used and could prove valuable for other activities that this government and future governments attempt in the future. Mr Speaker, I commend the motion to the Assembly.

The Assembly divided:

Ayes 7	Noes 11
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Dondas
Ms D'Rozario	Mr Everingham
Ms Lawrie	Mr Harris
Mr Leo	Mr MacFarlane
Mrs O'Neil	Mrs Padgham-Purich
Mr Smith	Mr Perron
	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

MINISTERIAL STATEMENT
Darwin Workers' Club Inc

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, in view of the concerns expressed by a number of members and organisations, I consider it appropriate that I make a statement to this Assembly on the situation concerning the Darwin Workers' Club Incorporated.

Honourable members will recall the old workers' club premises in Cavenagh Street that encompassed club and retail facilities. For a number of years, redevelopment proposals were put forward. In 1980, the club employed consultants to fully evaluate the future of the club and its premises. Out of this evaluation, a redevelopment proposal was prepared involving the construction of club facilities for the workers' club itself, the Public Service Club, recreational facilities - squash courts, gym, spa and sauna - and office, retail and car parking facilities. The expectations of the club and its consultants, in the economic climate of 1980, were bright and the proposal looked feasible. The club then proceeded, in conjuncion with its consultants, to interest financiers in the project. Merchant bankers expressed interest in the proposal but, in view of the history of club development in Australia, were reluctant to become involved unless supporting additional security could be provided. It was at this stage that the workers' club approached the Northern Territory government and the Northern Territory Development Corporation for support with its proposals.

Initially, it was envisaged that $2.5m would be required but, finally, support was sought by way of a residual guarantee to back borrowings of $3.75m for the project construction. In considering the request for assistance, the government was conscious of the importance of the club to

the working people of the community and its historic background. The development was envisaged to provide facilities for many public servants and workers' club members and a worthy redevelopment of a valuable inner city property. Agreement was given by the board of the NTDC for a residual guarantee to be provided in January 1981. Negotiations then proceeded with the proposed financier, BT Australia Ltd, to document the guarantee, supporting security and terms and conditions. The final guarantee was agreed to in August 1981 and terms were as follows: the borrower - Darwin Workers' Club Incorporated; the lender - BT Australia Ltd; the amount - $3.75m principal, plus interest, to a maximum commitment of $650 000, to a total of $4.4m. The guarantor was the Northern Territory Development Corporation backed by a letter of comfort from the Treasurer to the lender. The term was for 10 years and security held by the Northern Territory Development Corporation was a registered second mortgage over the land and buildings at 21 Cavenagh Street, Darwin, and a charge over the assets of the club.

On finalisation of financial arrangements, the club entered a design-and-construct contract with Leighton Contractors Pty Ltd to undertake the redevelopment. The club alleges that poor workmanship and long delays in completion of the building have occurred and have seriously affected the financial position of the club and have been a major contributor to the club's deteriorating position. I understand the legal remedies open to the club are being examined by its legal advisers. It seems possible that action will be taken against the contractors.

Coupled with these time delays were the rapid increases in interest rates experienced at that time. The result was disastrous for the club as the accrued interest met the ceiling of guarantee of $4.4m and subsequently increased beyond that level of commitment. The club had applied to the Liquor Commission to put its planned activities into operation. The decision of the Liquor Commission, handed down after hearings in October and November 1982, are now public record but the licences provided fell well short of the club's expectations. A number of hoteliers opposed the issue of licences and it is stated by the club that the restricted licences issued have resulted in the club being unable to generate the income projected in its original feasibility studies. I can appreciate the hoteliers' claim that the club's expectations were unreasonable. In effect, what was sought was broad public trading, almost without restriction, but operating in the somewhat protected position of a club. It was certainly not a position the club enjoyed in its former premises.

The delays in construction had a major effect on the accruing interest to BT Australia Ltd on its loan facility. Coupled with a reduced cash flow, the club's position deteriorated to one approaching insolvency. Over several months, the club has been negotiating with BT Australia Ltd and the NTDC to alleviate its liquidity difficulties and to restructure its financial affairs. Considerable moneys were owed to trade creditors and the collapse of the club became inevitable unless further Northern Territory Development Corporation financial help was provided. Due to interest rate increases, funds owed to BT Australia Ltd have now reached the level of being unserviceable by the club.

In March this year, the development corporation assisted the workers' club to engage a competent financial adviser to prepare a detailed report on the financial state of the club. That report has since formed the basis of frank discussions between the club, the NTDC and BT Australia Ltd. The report indicates some prospect for the club's affairs to be restructured by a mix of BT Australia Ltd, NTDC loan funds and self-help from the club. The specialised nature of the building is such that, in a forced sale under

mortgagee or creditor action, it would not realise sufficient funds to meet commitments. In fact, it is doubtful that there would be a purchaser for such an establishment. Given these circumstances, the NTDC is exposed to considerable risk and a substantial loss would be incurred by the government and the taxpayer. Restructuring becomes the logical course of action. As I have already stated publicly, it is not the government's wish to see the club collapse and, while there is a prospect for restructuring, this is the preferred commercial realism for the NTDC.

I understand that negotiations between the NTDC and BT Australia Ltd are in the final stages and that financial restructuring arrangements are proposed to be concluded by the end of this week. The board of the NTDC is meeting next week. In fact, I believe it is meeting today and tomorrow. It will give final consideration to a proposal. Proposed financial restructuring envisages all parties making concessions to allow the club to continue trading. The club is to raise some moneys by its own means amongst its members. This self-help is seen as an important element in the restructuring. BT Australia Ltd has indicated its willingness to forgo some interest payments in the proposed restructuring. NTDC will provide a long-term, low-interest loan for the workers' club to enable the restructuring to be undertaken. That loan will partially reduce the BT Australia Ltd loan to a serviceable level and provide working capital to allow operations to continue. The proposal to be put to the NTDC board this week involves a loan of $1.4m to reduce the BT Australia Ltd debt to $3m and further advances of up to $0.6m for working capital. The corporation will be looking to improve its security by taking first mortgage and first ranking charges over the assets and will continue to guarantee the balance of the BT Australia Ltd loan facility.

The working capital advance will be spread over some time and will not pay out all creditors of the workers' club but will enable a program of creditor reductions to be implemented. The provision of assistance by the NTDC will be subject to stringent conditions. Not only will the club be required to raise moneys of its own, but tight financial and management oversight will be required. The club will be required to employ a financial controller agreed to by the NTDC to oversee future operations. He will report to the workers' club committee but will be advised by a committee of users of the complex. Regular financial reporting will be required by the NTDC and strict controls will be placed on further capital expenditure. Management and staffing will be reviewed and effective budgetary restraints will be implemented.

Mr Speaker, I have endeavoured to outline to members the very delicate position of the workers' club and the reasons for government involvement through the NTDC. The position is one that none of us likes but, in the commercial realities of the position, financial restructuring is the best alternative.

MINISTERIAL STATEMENT
Exotic Disease Alert

Mr TUXWORTH (Primary Production)(by leave): Mr Speaker, on the morning of Friday 27 May, Mr J. Maggs of Arnhem Highway, Humpty Doo, advised the Department of Primary Production that 2 pigs on his farm were showing disease symptoms. After learning of the symptoms, the departmental veterinary pathologist visited the farm and, at 10.30 am that day, phoned the Chief Veterinary Officer to describe the presence of ulcers and eroded areas on the snout and feet of pigs. The Chief Veterinary Officer and 2 other veterinarians immediately proceeded to the site. One of those persons is an

officer with the Australian Bureau of Animal Health in Canberra and has had experience with vesicular diseases overseas. He entered the property to assist the on-site pathologist with the examination of the 2 pigs. They ordered the destruction of the suspect animals.

Tissue and blood samples were taken immediately and placed into special high-security containers. These containers are maintained at the Berrimah Research Farm for eventualities such as this. The pigs were destroyed and the property immediately placed in quarantine. The decision to place the property in quarantine was made as the symptoms being exhibited by the pigs were similar to those of a number of exotic vesicular diseases of pigs which include vesicular stomatitis, vesicular exanthema, swine vesicular disease, and foot and mouth disease.

The Chief Veterinary Officer of the department immediately notified the secretary and, in turn, I was made aware of the potential exotic disease outbreak. I advised my federal counterpart, the Hon John Kerin, that actions were being taken in the Northern Territory to implement the vesicular diseases contingency plan. The Chief Veterinary Officer also notified the federal Bureau of Animal Health in Canberra, the body charged with the overall responsibility of notifying the states and also notifying Australia's overseas trading partners as well as L'Office International Des Epizooties in Paris. The OIE is the international body responsible for coordinating and monitoring a number of major livestock diseases throughout the world. The president of that organisation is Dr Bill Gee. He was formerly Chief Veterinary Officer in the NT and is currently Director of the Australian Bureau of Animal Health.

As soon as I had my discussion with John Kerin, I briefed His Honour the Administrator and, following that, I asked the honourable Leader of the Opposition to come to my office where he was given a briefing on the events that occurred that day. As a complete diagnosis could not be undertaken in Australia, the special high-security container, containing the tissue and the blood samples, was sterilised externally, transported to Darwin and placed on the TNT courier jet to Sydney at 5 pm on Friday 27 May. Arrangements were also made for the container to be immediately trans-shipped to a UK bound aircraft. It was necessary to dispatch these samples to the United Kingdom so they could be tested at the World Reference Centre for Vesicular Diseases at Pirbright in Surrey. It should be noted that these tests cannot be undertaken in Australia.

Also on the afternoon of Friday 27 May, a telephone conference of the Chief Veterinary Officers of each state Department of Agriculture was called. The contingency plan for a potential exotic disease outbreak involves a meeting of the Consultative Committee on Exotic Diseases. In addition, this committee includes representatives from the federal Department of Health, CSIRO and the Bureau of Animal Health.

Members of the consultative committee were advised of the history of the pigs and of the farm. The 2 pigs were given to the farmer as piglets in January. They were believed to be feral pigs and were immediately placed in a secure enclosure on the farm and fed on a diet of vegetable wastes and, on occasion, prepared pig pellets. At no stage, to the knowledge of the farmer, were they fed swill or meat scrap. In addition, the farm is securely fenced with pig netting in good condition on the boundary so it is considered most unlikely that feral pigs that are occasionally seen in the Humpty Doo area would have had close contact with the 2 animals in question.

The Chief Veterinary Officer from the Queensland Department of Primary

Industry raised the possibility that the symptoms could have been a plant allergy arising from a diet of green pawpaw that was being fed to the 2 pigs. Because genuine doubt existed about the nature of the symptoms, the full contingency plan for a vesicular disease was set in operation. The police and the NT Emergency Services were advised and the Director of the Northern Territory Emergency Service came immediately to the office of the Department of Primary Production.

At a meeting to discuss procedures, it was agreed that a forward headquarters be established in the Humpty Doo area but that the main headquarters for the operation be sited at the NT Emergency Services facilities at Winnellie. The Chief Veterinary Officer took overall control of the field and operational aspects of the emergency while the secretary of the department attended to all media contact and handling of the non-technical aspects of the emergency. Experience with the exotic disease scare in Tasmania in 1979 had highlighted the necessity of keeping the general public well informed through the media. It was also recognised that statements had to be factual so as to avoid speculation and hysteria. As I was contacted by the Northern Territory News inquiring about activity at the site, and in view of the enormous implications of speculative press reporting, the secretary of the department and myself called on the editor and asked him to hold any story until a press briefing had been held. This occurred at 4 o'clock and the government is greatly appreciative of the cooperation of the NT News on this matter.

The press briefing was held in my office and representatives of all media sources were present. The situation was explained to them with the promise of a detailed press conference at 2 am and the request that the information already given be embargoed until that time. This gave officers of the Department of Primary Production adequate time to consult with their federal colleagues, for myself again to talk to the federal Minister for Primary Industry, Mr Kerin, and for some preliminary testing to be carried out. A detailed written statement on the emergency was also prepared. Again, the cooperation of the press is appreciated. I believe that this aspect of the emergency was handled in a most responsible and competent manner and contributed substantially to the relatively low-key approach adopted by the media throughout Australia.

On the evening of Friday 27 May, the departmental officers organised field operations to commence first thing on Saturday morning. A briefing of police, Emergency Service personnel and departmental officers occurred at the Emergency Service headquarters on Saturday morning and that led to a forward base with communications being established on the property of Mr C. White at Humpty Doo. The support given by Telecom in arranging additional communications and officers of the Department of Lands in arranging for maps of the Humpty Doo area at short notice is also recognised.

With the dispatch of field teams in the area, an immediate inventory was taken of all livestock on farms adjacent to the suspect farm, each team consisting of an experienced animal health officer plus a supporter. These teams were coordinated in the field by senior veterinary officers of the Department of Primary Production. By midday on Saturday, all the farms within a 3 km^2 region had been inspected and no further disease symptoms were found. The search area was immediately expanded to approximately 50 km^2 around the suspect farm and the teams continued to record and inspect livestock on these farms.

Also, from early Saturday morning, police road blocks were established on all surrounding roads on the Arnhem Highway to make the public aware of

the situation. Routine announcements were made over 3 local radio stations in Darwin. Members of the public were requested to phone the department or the NT Emergency Service to advise of the presence of pigs on farms in the area. The public response was particularly good and this greatly assisted in identifying those farms with piggeries.

As I have indicated, there was suspicion that the symptoms observed in the 2 pigs could have been caused by a plant, chemical or caustic agent. A senior veterinarian from the Department of Primary Production started a feeding trial at Berrimah Research Farm to see if it was possible to reproduce such symptoms in pigs. This consisted of feeding green pawpaw, a suggested possible cause of the lesions observed on the 2 pigs in question. To date, the results of these trials have been inconclusive. A further update of the overall situation was released to the media on Sunday afternoon and senior officers of the department continued to discuss the matter with the federal Bureau of Animal Health and Chief Veterinary Officers in the states. Despite press comments to the contrary, all state borders have remained open throughout this period. Several truck loads of meat dispatched from the Territory last week were traced interstate and are temporarily being held in quarantine.

Throughout Saturday and Sunday, Northern Territory abattoirs were advised that stock movements would be permitted but monitored. However, cattle going to Point Stuart and Mudginberri abattoirs were not permitted to move on the Arnhem Highway through the quarantine area. By Saturday evening, the farms inspected recorded a total of 97 pigs, 23 cattle, 59 horses, 32 goats, 5 donkeys and some feral buffalo. A media release updating the situation was dispatched on Saturday evening.

On Sunday 29 May, further teams were brought into the area, again drawing on staff of the Department of Primary Production. By Sunday evening, 269 pigs, 91 cattle, 19 donkeys, 75 goats, 217 horses and 15 buffaloes had been inspected. The surveillance area was expanded in a north-westerly direction, as the prevailing winds over this period were south-easterly. It is known from overseas experience that vesicular disease virus can be transmitted in the atmosphere from infected animals, but the probability of spread in the Northern Territory's dry season is remote. The virus agents in question do not remain viable for any significant period outside of an animal under hot dry conditions. Nevertheless, this precaution was taken.

Departmental officers also monitored and placed surveillance on the Humpty Doo garbage dump as there are feral pigs which are known to forage there. Arrangements were made for the material at the dump to be burnt and exposed garbage buried. Advice was received on Sunday morning that the tissue and blood samples had arrived at Pirbright and, early on Monday morning, advice was communicated to the Department of Primary Production via the Animal Health Bureau in Canberra that the initial test had been negative.

The situation today is that the quarantine area will remain and that scaled-down surveillance teams will reinspect all pigs identified over the weekend. It is proposed that this monitoring of pigs will be continued on a daily basis for at least 14 more days or until a definitive result has been reported from Pirbright. At this stage, the probability of the symptoms being those of an exotic disease is extremely remote. Despite that, the department is maintaining vigilance and treating the incident in the manner determined by the contingency plan for exotic diseases.

A number of points emerge from this incident, Mr Speaker. Firstly, the Department of Primary Production, the Northern Territory Emergency Service and the police have clearly demonstrated their ability to respond

rapidly and efficiently to a crisis situation. A number of the persons involved were volunteers. All officers within those departments are to be congratulated on the actions taken at extremely short notice. In addition, those departments that supported the 3 that I have mentioned should be commended.

This incident has further demonstrated that a carefully planned media campaign is essential to avoid unnecessary speculation and hysteria about the outbreak of a possible exotic disease. Again, I would like to thank the Darwin media for its cooperation with the Department of Primary Production during this incident. As we have seen in Tasmania, and again more recently in New Zealand, media speculation can be highly damaging to international trade. I would also like to commend Mr Jack Maggs and his wife for first notifying the department and then cooperating so fully with the authorities.

At this stage, it appears as if Australia's international trading position has not been adversely affected as the United States, Japan and the EEC markets have remained open. Again, this speaks highly of the regard in which the Australian veterinary authorities are held and, in particular, the competent manner in which our own Northern Territory authorities and departments responded.

MINISTERIAL STATEMENT
Housing

Mr DONDAS (Housing)(by leave): Mr Speaker, honourable members will be very much aware, from specific representations and general inquiries from constituents, that housing is still a problem area in the Territory. Today, I want to advise and report to this Assembly what the government has achieved in our first 5 years since self-government. I will outline what housing opportunities are now available, what assistance and support is given to people and their families and demonstrate this government's deep-rooted determination to meet the genuine needs of the people it serves.

The Territory attempts to provide for all citizens adequate health, education and social welfare services, leading to an enhancement of our quality of life. As an integral part of our social and industrial development philosophy, housing is firmly placed in the vanguard of our efforts of apportionment of resources. Government-financed rental housing in the Northern Territory is 4 times the national average and, as will be dealt with later, home-financing from government sources is 17 times the national rate.

With so much to be done for the Territory people whose needs must be met, it is unthinkable that our thinly-stretched resources might be dissipated on projects which are a national responsibility. This is justly so because such financial burdens ought to be carried by all Australians as the benefits flow to all Australians. I refer, of course, to the events of recent days which, if not reversed by the federal government, will deprive the Territory of a much-needed rail transportation system and the country of an asset of incalculable value in its national inventory.

For the past 3 years, after all functions were transferred from the Commonwealth, we allocated a substantial portion of the Territory budget to housing and home finance. In this financial year, 12% went to the housing area. Without pre-empting the government budget for 1983-84, members can be sure that housing must again be a highlight or a constraint on other essential areas of concern. It depends on how you see it. I think everyone would agree that we have so much to do that our revenue

dollars are stretched to the limit.

Last year, the then Minister for Lands and Housing tabled a report on Northern Territory housing needs. In broad terms, that report illustrated, on the basis of projections and data then available, that there was a massive task to be tackled. We are trying to do this head on. Over the past 5 years, our new housing programs resulted in 664 new starts in 1978-79, 739 in 1979-80, 643 in 1980-81, 830 in 1981-82 and 895 this year. This totals 3770 new starts since self-government.

In the area of financing, we have approved 5453 loans totalling $229m over 5 years. Notwithstanding this massive financing, the rental housing list is still way outside what the government regards as reasonable. Let the following statistics show what I mean: at 30 June 1979, there were 2305 persons on that list; at 30 June 1980, there were 2851; on 30 June 1981, there were 3498; at 30 June 1982, there were 3854; and at 30 April 1983, there were 4326. Families currently being allocated a 3-bedroom general public house have waited 13 months in Darwin, 14 months in Alice Springs, 6 months in Tennant Creek and 18 months in Katherine. The only saving grace in these figures is that it means that people are still wanting to settle in the Northern Territory. Migration from within Australia to the Territory is strong. Hopefully, these very welcome new arrivals will see the Territory as a place where enterprise is rewarded and a sense of caring for people less fortunate than themselves is commonplace. If a continuing priority on housing programs is the price to pay for an expanding, diversified, stable and contented populace, then the price is right.

A question which we also ask is where all this demand is coming from. As mentioned, some of it is coming from interstate. Our most recent population projections show the following percentage increases in the 3 Territory centres: Darwin - 4.8% from 1981-82 to 1983-84; Alice Springs - 3.9% from 1981-82 to 1983-84; and Katherine - 2.5% from 1981-82 to 1983-84. Overall, the Territory population is rising at a far faster rate than nationally where the rate was 1.66% in 1981-82. It is likely that our demographic characteristics also produce new demands which we have not faced in the past. More households are being formed as our younger people mature and opt to make their own way. Honourable members might be interested to know that, in addition to young Territorians growing up and establishing their own households, an analysis of people joining the Housing Commission waiting list in Alice Springs has shown that, at the time of lodging an application for rental housing, 31% of the applicants had resided in the Northern Territory for less than 6 months, 47% for less than 12 months and 63% for less than 2 years.

Mr Speaker, if we can show these new arrivals that the Territory is a place of continuing opportunity, a place for their families to grow up, a place where government is close to them and does respond to their genuine needs, then we can feel reasonably hopeful that they will settle here and contribute their efforts as many of us have for a great number of years. Their individual skills and commitments are more than welcome. We will all prosper.

Housing is one thing that is with us from the cradle to the grave. Housing must be capable of meeting the circumstances of the total population. For example, there is a strong commitment to pensioner, old age and invalid accommodation. In 1978-79, 6.75% of stock was reserved for pensioners - that is, 260 units out of 3850 - whereas at 30 April 1983, 9% or 460 units out of 5120 were set aside. We have a policy of building around 10% of pensioner accommodation specifically for people with disabilities. Special

attention is directed towards access, kitchen and bathroom areas, door openings, location of light switches and power outlets etc.

For people who are in reduced circumstances, we have a rental rebate scheme which ensures that they do not have to commit a disproportionate percentage of their income towards shelter. Over the last 5 years, a total of $7.25m has been given in rental assistance to those in need. The expenditure on rental rebate has risen by 450% in the 5 years since self-government.

For our younger people who are still in schools, I have asked the Housing Commission to try to reach out to them and I understand the programs have and will be implemented where frank and open sessions will be held for students about to leave the school system so they can find out for themselves what the housing situation is about, what is available to them in certain circumstances and what will be expected of them as users of the system.

We are trying to make our housing resources go as far as they can. The Housing Commission is becoming more and more flexible in meeting demands. The government and the Housing Commission are determined that all sides of a person's problem will be examined and assistance approved where justified. An illustration of that principle is that, from 152 applications made to a special adjudication panel, 49 out-of-turn housing allocations were approved. To ensure that those figures are not misconstrued, I take this opportunity to explain the operations of the committee which considers out-of-turn applications for priority housing. All decisions are made by a committee comprising 3 commission officers other than the case investigating officer. The case officer is in attendance throughout committee sittings. The committee members are the officer in charge of tenancy, the senior tenancy officer and one other. All cases are fully investigated with on-site visits and interviews to determine at first hand if the claims are factual. Supporting statements and documentation are sought from welfare organisations, the Department of Health, medical practitioners, Social Security and any others with an involvement. All welfare agencies, government departments, pensioners, handicapped persons or others are aware that the out-of-turn allocation system operates and very close liaison is maintained with these organisations. The right of appeal exists against committee decisions and is not limited to one appeal. Applicants whose submissions are rejected are invited to seek to have their cases reopened if they feel their circumstances have changed.

The decisions are value judgments comparing the needs and demands of applicants against those persons on the waiting list. The committee sits once a fortnight or as often as required. The average case takes about 10 working days to investigate. The basic criteria for allocation are severe medical problems and extenuating circumstances. However, this is not arbitrarily applied as finance, living conditions, family size and structure, minor medical problems, emotional state, environment, schooling and many other factors need to be considered before a decision can be reached.

In Darwin and Alice Springs, about 20% of all housing applicants seek to obtain priority housing. The majority of these in Darwin are culled out at the counter or by preliminary interviews as not requiring full investigation for reasons of no extenuating circumstances, circumstances the same as or similar to the majority of other applicants or blatant misrepresentations or try-ons. Allied to the out-of-turn allocations system in Darwin, the commission accelerates those applicants within a short period of allocation who inadvertently face difficult situations not extraneous enough to warrant out-of-turn consideration. This is done on merit and relieves family anxiety

at the same time because the applicant's higher position on the waiting list impacts little on other listed applicants.

Mr Speaker, a brief sample of some out-of-turn approvals will illustrate some of the types of decisions the committee must make. A family of 4 living in tents was given accommodation because the shadeless conditions were not suitable, especially for the 2 children. Approval was given even though the family had only 6 weeks to wait for normal allocation. Another family was given out-of-turn accommodation enabling them to shift from their caravan because one of their children needed a major spinal operation. A family of 5 living in an overcrowded house was given out-of-turn accommodation because their children were sick and the health situation was beyond their control. The final example is a woman and her daughter who were living in a warehouse in dirty and unsuitable conditions. These examples indicate the problems that must be considered by the committee. I also point out to honourable members that none of the occupants was in receipt of full wages.

Consistent with changes occurring throughout society, women have emerged as aspirants in their own right for housing. An increasing number of tenants of Housing Commission accommodation are women. 20% of housing loans approved this year were in the names of women as individuals. We are determined that any policies or practices which might be perceived as discriminatory against women will be eliminated. Naturally, we cannot impose solutions on sectors outside the government control, but we can and we will be a pacesetter and an example to follow.

The Housing Commission is setting up within its structure a section to which women can directly refer if they believe they are not getting a fair go in housing matters. Women can, if they so choose, bring to notice matters of concern to them and improvements can be made. Mr Speaker, let no one think that this is discrimating in favour of women. It is not; it is simply an honest attempt to ensure that our housing authority remains a peoples' organisation and does not fall into the trap of being impersonal and only concerned with building structures. It must be responsible and react to our society which is dynamic. What is reasonable today may need to be changed tomorrow.

Earlier, I mentioned the area of home finance. These figures are worth a million words. Under the Northern Territory Home Loans Scheme, 2835 loans valued at $111m were approved from October 1979 to May 1983. Under the Government Employees Sales Scheme, 1594 loans totalling $89m were approved and loans amounting to $24m were approved under various other but now discontinued schemes. Although the level of home ownership in the Territory is well down on the national trend, the value of our government investment in Northern Territory homes is overwhelmingly high when compared with private home loans. In the Northern Territory, the government finances 85% and a miserly 15% comes from the traditional institutions. I will say more on this later.

Mr Speaker, it is acknowledged that home purchase is not the answer for everybody. In fact, not everybody can afford it. In some situations, units in which people live cannot conveniently be sold because of design and high cost factors associated with strata titling; for example, the Kurringal complex in Darwin. Nevertheless, we acknowledge that things must be improved so that lifestyles and quiet and peaceful enjoyment of these units is available to all. The Housing Commission, at the government's request, is embarking on a program to improve the situation. A $600 000 improvement program over 3 years is well under way. Full-time managerial staff have been appointed; wall fans have been fitted to units; a health service flat has been

set up; the fire alarm system has been upgraded; and security screen doors have been fitted to all units. Many other improvements are on the way and the complex will be externally repainted in July-August 1983.

There are many initiatives under way which will bear fruit. There has been an experiment on low-cost housing in Darwin where 11 units have been built and sold. The results of this experiment are being evaluated. In Alice Springs, the Housing Commission is assessing a similar venture at present. In general terms, the building industry recently has been invited to offer ideas or expressions of interest in providing new types of housing for the commission and the heavy response is now being evaluated. We are also encouraging a philosophy through which the building industry can produce design-and-construct options. This should further enhance the type of housing stock available to clients at the Housing Commission and, in many cases, we hope they will become the homes of people who elect to buy them. Throughout the Territory, a great many designs are now in use. For example, 23 different types are in use in Darwin, 3 different types are in use in Katherine and 5 different types are in use in Alice Springs.

Mr Speaker, any way that any of us can reach out into the community and bring to notice areas where housing conditions can be improved, we must do so. I am not overlooking the situation of our Aboriginal people who live outside of normal townships. This must be fixed. We are working towards this. Hopefully, we can extract sufficient funding from the federal government, either through the Commonwealth States Housing Agreement to which the Northern Territory is a party or by way of special appropriation or grant which will give these people a far better opportunity for housing than they have had in the past. I should make it clear that, at the time of self-government, the Commonwealth specifically retained responsibility for Aboriginal housing which it later devolved on the Aboriginal Development Commission but the funds committed are not adequate to the task.

Members will be aware that the new federal government is prepared to renegotiate the Commonwealth States Housing Agreement and a recent announcement of an increase in overall funding under the agreement from about $330m to $500m for this coming financial year is more than welcome. The crux of the matter is how much the Territory can get out of this extra funding. There is no doubt that our needs are capable of being demonstrated. There is no doubt that the needs of the Aboriginal people are acute.

The announcement by the new federal government concerning a change in the Home Deposit Assistance Scheme is received with much relief. Members will know that some Territorians have extreme difficulty in raising the $5000 deposit required under the Northern Territory government's concessional home loans scheme and there is very little that we could do to come to grips with this. As I said earlier, we are spending almost $40m this financial year and if we were to close the deposit gap ourselves, then the number of loans in the ultimate sense which could be approved within that massive amount would have to be reduced. I am sure that there will be an upsurge in home purchase activity as a result of this new financial initiative, and that is to be applauded.

There is spare capacity in the building industry in the Territory and I hope that a great number of people take the decision now to establish themselves in their own homes, buying either Housing Commission stock or, as importantly and perhaps even more so, new stock which can be built by speculative and private builders. To ensure that everyone knows that this new deposit scheme is on the way, I have asked the Housing Commission to send out a brochure to every household explaining in broad terms what the scheme

will be. Hopefully, this will enable people a little more chance to make firm plans and be able to respond when the scheme comes into force subject to legislation on 1 October this year.

Mr Speaker, I assure honourable members that representations on any housing matter which they receive from their constituents will receive full consideration by myself, the Chairman of the Housing Commission or the Board of the Housing Commission as the case may be. We want everyone to have confidence in the Northern Territory government's commitment to housing and we must do all that we can to see that everybody gets a fair shake.

Before I close, Mr Speaker, I will take this opportunity to make a few observations as to where we might be going in the future. Housing plans for the future maintain the government's emphasis on home ownership as well as its determination to increase private investment in housing. The government plans to ensure the availability of rental accommodation to those who cannot afford to buy. Policy options being considered by the government include continuing a heavy emphasis on housing loans by fostering joint finance ventures with private lenders in order to increase the availability of loan funds while, at the same time, retaining interest rates to borrowers which are not repressive. Increased participation by the private sector in housing finance is highly desirable to enable the release of funds currently committed to housing to other areas where it is much needed. The private sector, however, will be governed by its own securities and consequently any increased commitment may be gradual.

Also considered is the significance such an injection of loan funds would have on the Territory's building industry as well as employment generally. Whilst the government will retain the beneficial aspects of schemes it currently operates, some modifications must be considered to encourage more equitable sharing of loan funds and greater attention to individual needs. Examples of these considerations include the waiving of the 12-month residential requirement for the Northern Territory government loan scheme; the development of a scheme for some portability of Housing Commission mortgages; greater emphasis on the review and continued applicability of concessional benefits to individual borrowers; and review of income eligibility criteria for the Northern Territory government loan scheme.

The sales of commission dwellings will continue. However, in recognition of the demand for loan funds to purchase private housing, applicants for commission accommodation might take encouragement to buy privately rather than wait and purchase their commission dwelling. The aim of the Territory government is to provide a reasonable standard of accommodation for families who need it and home ownership for those who want it.

As I have demonstrated, the government has and will continue to pursue vigorously a range of policy options designed to achieve its housing objectives while ensuring a reasonable and cost effective use of government funds. Mr Speaker, I move that the statement be noted.

Debate adjourned.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Ministerial Interference in Public Service Procedures

Mr SPEAKER: Honourable members, I have received a request from the honourable Leader of the Opposition proposing that a definite matter of public importance be submitted to the Assembly for discussion; namely, that this Assembly does express its concern at the unwarranted interference in the

appointment, promotion and disciplinary procedures of the Northern Territory Public Service by ministers of the Northern Territory government. Is the honourable member supported? The honourable member is supported.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this matter of public importance relates to the unwarranted interference and curious involvement in the public service by certain ministers of the Northern Territory government. I am able to advise that I certainly intend to change my own contribution to this discussion this afternoon as a result of some wholly curious statements the Chief Minister made this morning. Recently, there have been a number of incidents that have highlighted a cause for concern in this area. Firstly, there have been the circumstances surrounding the laying and hearing of charges against the Port Engineer. Secondly, there have been various complaints and allegations concerning interference by the honourable member for Barkly both in appointments to the public service and the exercise of functions by public servants.

Mr Speaker, in the very short time allotted to me in this debate, I only have time to look at the details of the Port Engineer incident. The question of the public service generally will be taken up by my colleague, the honourable member for Sanderson. The Chief Minister claimed this morning that Mr Jacob and Mr Hardy were brought before him by the Public Service Commissioner to settle a dispute between them. If this was the case, then several points need to be cleared up. I would like to know why neither Jacob nor Hardy was informed of the reason for the meeting prior to its taking place because I know that both of them went to the meeting with the Chief Minister and other ministers in complete ignorance of why they were going there. Why did the Chief Minister need to interfere in such a dispute? Would it not have been more appropriate for the matter to have been dealt with by the Public Service Commissioner? Why was it necessary for the Treasurer and the Minister for Transport and Works to be present to settle such a dispute? Why were the discussions at the meeting centred on problems which had arisen with the new wharf rather than any dispute between Jacob and Hardy? Perhaps the reason for the meeting was to establish who in fact was going to carry the can for this problem.

In that meeting, reference was made to the embarrassment that could be caused to the government and its inability to answer questions on certain aspects of the wharf development. The line taken in the meeting was that there was something wrong with the new wharf and that it was Mr Jacob's responsibility. Mr Jacob was openly accused of negligence at the meeting without any basis, as later events were to prove. For my money, that meeting represented nothing less than an extraordinary ambush of Mr Jacob. The Chief Minister and his 2 ministers had found the government in an awkward position and Mr Jacob was chosen as the sacrificial lamb. I think it really is extraordinary that, in a case which the Chief Minister himself described this morning as a dispute between 2 public servants, 3 ministers of the government were called in to settle it. It is a rather unusual procedure and I am interested to know whether it will apply to disputes between public servants in future.

Mr Speaker, on 21 October last year, the Port Engineer, Martin Jacob, was asked to attend a meeting in the Chief Minister's office to discuss concern over the development of the Fort Hill Wharf. We are all aware from debates in this Assembly over the last week just how many reasons there are to be concerned about that particular problem. That meeting was attended by the Chief Minister, the Treasurer, the Minister for Transport and Works, the Public Service Commissioner, the Chairman of the Port Authority and a Mr Hagan, a senior engineer from the Department of Transport and Works. The

meeting concluded with the Chief Minister requesting further investigation.

This resulted in a series of moves which eventually blackened the reputation of Mr Jacob and I think substantially damaged his long-established career. I must say that they were fairly astounding statements made this morning by the Chief Minister about the way in which Mr Jacob sought to defend himself against these charges by obtaining expert legal advice. Without dwelling on that, those same sentiments were expressed to me in a letter from the Chief Minister. It is astounding to see that, while the Public Service Commission did not require that people be represented by legal counsel, it was on Mr Jacob's own head if he chose to do so. I am sure Mr Jacob, in terms of the vilification that was later given to him publicly by his long suspension and cancellations of hearings and so on, is very grateful that he did take that action.

Mr Speaker, within weeks, a minute had been submitted to Cabinet dealing with additional work that was required on the new wharf to correct a deficiency in the design, which we understand reduced the load capacity in high winds. It is a deficiency which seems to have resulted from a variation in the original design during construction with the approval of the Department of Transport and Works and seemingly consultants Cameron McNamara and without any consultation with the Port Authority or its engineers. That Cabinet minute, which was considered in mid-December, made no reference at all to the Port Engineer's recommendations to correct the problem, recommendations that involved significantly less expenditure than that proposed in other quarters.

On 21 December, disciplinary charges were laid against the Port Engineer and he was suspended from duty. Those charges, which alleged negligence and wilful disobedience, were singularly lacking in detail and covered a long period of approximately 8 to 9 months. Then began a series of protracted negotiations by the legal representative of Mr Jacob to obtain better particulars of the charges against him so that they could be addressed. All of those efforts on behalf of the Port Engineer failed. It was intended obviously that the Port Engineer be the subject of further attacks. Mr Geoff Spring, Assistant Secretary of the Department of Education, was appointed to be the inquiring officer to hear the charges, and he set down the hearing for 25 January.

Mr Speaker, by 18 January, a week before the hearing, the Port Engineer's representatives were seriously concerned that they had not yet received any sort of reply. They then wrote to Mr Spring appealing for him to intervene and direct that the necessary particulars be supplied to them. In Mr Spring's role as the impartial inquiring officer, it was natural that he should be asked to arbitrate in the matter. His function was to ensure that the inquiry proceeded without undue delay. This could not be achieved while the Port Engineer had no details of the charges against him. As a result, on 24 January, Mr Spring adjourned the hearing until 22 February, primarily, I understand, so that the Crown Solicitor's office could prepare and provide the additional particulars.

Mr Speaker, 11 days before the hearing was to proceed, the Public Service Commissioner wrote to inform the Port Engineer that Mr Spring had disqualified himself from proceedings of the inquiry, considering this to be his only course. I quote: 'Having reviewed his role in the light of your letter to him of 18 January 1983'. Mr Pope went on to describe the letter in the following terms: 'That letter could undoubtedly be seen as an attempt to influence Mr Spring in the carrying out of his statutory duties. It expresses criticism to him of actions already taken by the Crown Solicitor's

office. It speculates upon the proper course of the inquiry. It recommends that Mr Spring disregard the advice given to him by the Crown Solicitor's office'. Those were the interesting terms in which he described a letter sent by a well-established and respected firm of Darwin solicitors after, I might add, being settled by an eminent Queen's Counsel in the Territory, and which was an appeal to an appropriate quarter - in this case the inquiring officer himself - to ensure that principles of natural justice were observed and that the Port Engineer received a fair hearing. Mr Pope advised that another person would be appointed in Mr Spring's place and then went on to say that the charges against Mr Jacob had been withdrawn. It is important to note that.

There are a number of important points that have to be raised about this letter. Firstly, Mr Pope at no time gave any reason why the charges themselves had to be withdrawn. In fact, there was no real reason of substance. The real reason appears to be that it was realised that the Port Engineer was not going to succumb to pressure and fade away but was prepared to fight to protect both his reputation and his job. Mr Pope had not done his homework well enough to sustain a fight and had to smarten up the act.

Secondly, the letter did not include a copy of Mr Spring's withdrawal and a copy has never been produced. It is strange that Mr Spring proceeded normally for nearly 4 weeks after his receipt of the letter of 18 January before he felt compelled to withdraw, although the letter was given as the reason for it. There has been a suggestion that Mr Spring's review of his role, in the light of the letter, bears a different construction to that placed on it by Mr Pope. Perhaps Mr Spring found himself in an uncomfortable position when he was unable to condone the way proceedings had been conducted. Surely it is significant that, in later proceedings before the Supreme Court, the Chief Justice made no adverse comment when his attention was drawn to it and to this letter of Mr Pope's.

Thirdly, there is no mention of the reinstatement of Mr Jacob, despite the fact that section 55 of the Public Service Act provides that the commissioner shall remove the suspension of an employee if the charges against him are withdrawn - which they were. However, the reinstatement did not take place.

Mr Speaker, a second investigation was begun so that a second set of charges could be brought. In other words, it was not simply a withdrawal of the original charges to correct technical errors. A whole new fishing expedition had to be instigated to make sure that the Port Engineer would be nailed. This was not a situation of circumstances arising which indicated negligence or misconduct on the part of the Port Engineer. What happened was that a decision was made to get him and then inquiries were set in train to obtain the necessary evidence. What sort of a way is this to run the Northern Territory Public Service? Meanwhile, the poor victim of all this had to hang around, suspended from his job, his career on the rocks, waiting to see what would happen next. Eventually, he was forced to take action in the Supreme Court in an effort to have the matter resolved. As a result, the Public Service Commissioner was given 7 days by the court either to take action and lay new charges or reinstate the Port Engineer. On 15 March, new charges were laid which differed substantially from those originally made. The inquiry commenced on 28 March and, with breaks in between, heard its final submission on 15 April.

Mr Speaker, I might point out that, until the time of the hearing, the Port Engineer's representatives were not able to inspect any of the relevant documents in the matter. In a court of law, this would have constituted

grounds for a further adjournment. However, quite understandably in this case, the Port Engineer and his representatives were anxious to have the matter resolved as expeditiously as possible. At this stage, he had experienced a great deal of personal anguish having been suspended from his job for months.

Right up until the commencement of the hearing, the Crown Solicitor's office continued to make requests for an adjournment and threatened further legal action to try and obtain one. Consequently, right up to the last minute, the Port Engineer's representatives had to be prepared to go on 2 different cases. It was not until the morning of the hearing that they were informed that no action would be taken for an adjournment in the Supreme Court. Everything seems to have been aimed at making the task of the Port Engineer's legal representatives unnecessarily difficult. The inquiring officer, Mr Fleming, gave his decision on the day that the last evidence was heard. He was in no doubt as to the evidence on the matter. He immediately advised that he had found no substance in any of the charges laid.

Mr Jacob was reinstated on 18 April. He returned to work at a job that existed in name only. All his functions had been assimilated into other positions. There was nothing for him to do. According to recent press reports, he may possibly be declared redundant. I might add that I make no apology for referring to recent press reports. I noted with some interest that the Leader of the House said this morning that it was terrible that the opposition used press reports to highlight matters of public interest yet he himself used press reports this afternoon to substantiate his own case in that same area.

At the conclusion of the hearing, I wrote to the Chief Minister expressing my concern over the handling of the whole matter and the effect it would have on the morale of the public service. The Chief Minister's response was to attribute some of the delay to Mr Jacob's solicitor, on the basis that his letter of 18 January had led to a withdrawal of the original inquiring officer. It is interesting to note that he referred to that letter in exactly the same terms as those used by Mr Pope in his earlier correspondence. I quote the Chief Minister: 'The letter expressed criticism of actions already taken by the Crown Solicitor's office. It speculated upon the proper course of the inquiry and it recommended that Mr Spring disregard the advice given to him by the Crown Solicitor'. It would appear that the Chief Minister and Mr Pope had agreed on the line that was to be taken yet the Chief Minister's response to me was to deny any involvement in the whole Martin Jacob affair. I might add that in debate this morning, the Leader of the House stated that, to his knowledge, there had been no government involvement at all in this Martin Jacob affair. We know that the whole thing commenced with a meeting in the Chief Minister's office in the presence of 2 other ministers of the government.

The Chief Minister said: 'The actions were taken within the bureaucracy and without reference to political government'. Somehow, in this letter to me, he appears to have forgotten his meeting of 21 October last year, attended by 2 of his ministers, which started the ball rolling. He was quite careful to make no reference to that whatsoever in the letter. We only heard about that this morning in the Assembly. To add insult to injury, the Chief Minister referred, in the same letter to me, to the fact that Mr Jacob's legal expenses would be met and pointed out that the use of Queen's Counsel added significantly to legal costs. Apparently, the Chief Minister believes that a man in such a grave situation is not entitled to the best assistance available. Of course, the action the Port Engineer

took in the face of charges that he considered totally unjust, as was later proven to be the case, was the action any person in his circumstances would have taken.

Mr Speaker, it is difficult to see how Northern Territory public servants can be expected to maintain their traditional non-political role in the climate that this government is creating. The Port Engineer is just one in a series of casualties of the Chief Minister and his government. By their interference in the public service, they are lowering the morale of public servants and reducing their effectiveness in the administration of the Territory. Ultimately, it is the quality of that administration and the service which it offers the Territory which will suffer. The Territory and Territorians will pay the price.

Mr Speaker, the honourable member for Millner, in a debate earlier today, said something very pertinent about the way in which this government responds. I wrote to the Chief Minister requesting information and details about the way in which the Port Engineer's case was handled or rather mishandled. The Chief Minister wrote to me in the terms that I have just outlined to the Legislative Assembly. He made no reference whatever in that letter to the fact that the start of this whole affair, certainly so far as the Port Engineer was concerned, was a meeting in his own office between himself and 2 other ministers of his government. That was left out of the letter. The honourable member for Millner said this morning, and he is absolutely correct, that the only way to get information out of this government is to continue to raise matters like this in the Assembly in the way we do and worm the facts out of it, bit by bit. We heard for the first time this morning from the Chief Minister, in debate on another matter, that this meeting had taken place. The Chief Minister chose not to make that information available in his correspondence with me on the matter. Obviously, the government intends on this matter, as with every other matter of this nature, simply to give out as much as it thinks is best for its particular interest at any particular moment. Things have to be raised again and again to worm the facts out.

Mr Speaker, I am annoyed - and I confess it. Despite the specific reference in the Chief Minister's letter to me that there had been no government involvement - 'the actions were taken within the bureaucracy and without reference to political government' - the clear message I was meant to get, and indeed got from that letter, was that there had been no political involvement. No mention whatever was made in that letter that, in fact, this meeting had taken place with 3 ministers of the Northern Territory government. The Chief Minister coyly revealed that information this morning in the light that it was simply an attempt to arbitrate the matter. What an amazing set of circumstances. There is a dispute between 2 public servants in the Northern Territory Public Service and 3 ministers of the Northern Territory government are called in to attempt to arbitrate the matter.

Mr Speaker, the evidence that has been given by people involved in that meeting differs from the version of that meeting given by the Chief Minister. Why were those 3 ministers involved at all? Why did the Chief Minister not choose to tell me, in response to a specific letter from me asking for details, that the meeting had taken place? In fact, he compounded that omission further by suggesting or inferring, in the one statement in his letter referring to the role his government had played, that it had not played any role at all. I would like those questions answered at some time during this debate.

Mr EVERINGHAM (Chief Minister): Mr Speaker, we have an alleged subject of public importance before us: that this Assembly express its concern at the unwarranted interference in the appointment, promotion and disciplinary procedures of the Northern Territory Public Service by ministers of the Northern Territory government. I am afraid I found it almost impossible to discern in the ramblings of the Leader of the Opposition where I was supposed to have become involved in the appointment, promotion - certainly not - and supposedly somehow in the disciplinary procedures of the Northern Territory Public Service simply because I had a meeting at one stage in my office. That meeting involved a number of officers and ministers, including the minister responsible for the Port Authority, the Chairman of the Port Authority and the Port Engineer. It was arranged at the request of the Public Service Commissioner. If that makes me guilty of involvement in disciplinary procedures in the Northern Territory Public Service, then it would be difficult for me to have any meetings at all. It is likely that many people who come through my office could be, at some time, subject to disciplinary procedures.

I reiterate that no political involvement obtained in the taking of disciplinary procedures against Mr Martin Jacob. I cannot do more than that, Mr Speaker. I do not think I was even in the Territory when the procedures were taken. I first read about them in the newspapers. Certainly, I was kept informed as time went on. It got into the press so the Public Service Commissioner felt that he had to report to me about what was going on. I knew of the fact that Mr Spring disqualified himself from hearing the procedures, but I can tell the Leader of the Opposition that I agree that this whole matter was handled ineptly. I could not do more than but agree that it was handled ineptly by the Public Service Commissioner or his office or whoever handled it. If I had handled it, the outcome might have been quite different. I can assure you that, if I had been running that case it would not have run like a hobbled camel; it would have run a darn sight quicker and there would not have been the delays that the Leader of the Opposition talks about.

This is something that has concerned me over the years in relation to public service disciplinary procedures. The Public Service Act is drawn up in such a way that really no one wants to enforce matters of discipline. Through the legislation, the member of the public service is, in a sense, put in a position where his chief executive officer has to take whatever disciplinary action may be required against him. It is not the Public Service Commissioner but someone in his own department. I believe the Public Service Commissioner has a peripheral involvement and hands it over to Crown Law which advises that department or something like that. Looking at it from the outside, I believe it is a most unsatisfactory situation because all these cases seem to be fumbled. People in the departments who are supposed to run them know nothing about running them. They lay charges and, as soon as they have done that, they seem to get into trouble. In my view, a special section should be set up and I have mentioned this to the Public Service Commissioner in the past but nothing has been done. Such a section should handle these things professionally. I can think of other cases besides that of Jacob which have been fumbled. I can assure you that, if Iwere running one of these cases, it would not have run like Mr Jacob's. Mr Maurice would have got a better run for his money from me.

Mr Speaker, I do not know what to say. As far as I can see, there are no charges for me to answer. I had a meeting; I acknowledge that. The Leader of the Opposition wrote me a letter. He said some words in the letter were the same. That is because I sent his letter to the Public Service Commissioner for him to draft the reply for me. I send nearly all my letters

to someone to draft replies for me. If the words were the same, it is because the Public Service Commissioner wrote to someone else and he also drafted the reply I sent to the Leader of the Opposition. If that is sinister, there it is.

Mr Jacob wrote to me requesting that he be declared redundant. I referred his letter to the Public Service Commissioner. The matter appeared in a newspaper column the other afternoon and there it was again. Mr Jacob wrote to me. Am I guilty of interference in the procedures of the public service? I did not invite the letter. Next thing, I saw there was something in the newspaper about it. I rang the Public Service Commissioner and asked: 'What are you doing? Is Jacob being declared redundant?' He said: 'No, as far as I know, Mr Jacob is not being declared redundant. There is a job for him'. I invited the reporter from the newspaper to contact the Public Service Commissioner to discuss the matter.

I came here today, Mr Speaker, thinking that we were to talk about this matter that has been rambling on between the ACOA and the Minister for Community Development for quite some time. Because it will be raised later in this debate, I assume by other members of the opposition, I will tender some documents which have come into my possession on which I have formed the decision that there should not be an inquiry into the allegations against the honourable minister. I would seek to table certain documents. The first is a telex, dated 13 April from N. Lynagh the Secretary of the Department of Community Development to R. Ellis of the ACOA, Darwin. This telex was passed to Mr Ellis; I understand that Mr Ellis chose not to make it public. Mr Lynagh, amongst other things, says:

> *Your interpretations of statements quoted from the documents in question are misconceptions. The following are the facts. The minister has asked that he be advised of the detailed qualifications of recruits proposed for senior appointment. This advice is given to the minister after the selection has been made by the department. The minister sought similar advice regarding all senior officers in the department when he was first appointed. At no time has the minister questioned either the selections or the appointments of recruits to this department.*

Mr B. Collins: Keep reading it. Get to the bit about attacks on members of the Legislative Assembly.

Mr EVERINGHAM: Mr Lynagh's telex went on: 'Finally, as a member, I question the use by the association of material illicitly obtained to attack, politically, an elected member of the Assembly. I would seek to discuss this aspect further after my return from interstate'. He was not given a chance to discuss it.

On 8 December 1980, the Secretary of the Department of Health wrote to the minister: 'Senior Departmental Staff. To bring you up to date with current staffing developments in the department, I herewith provide a list of staff who currently occupy senior positions. You will recall, in March 1979, you asked to be informed of senior appointments and promotions'. Then, he gives a list from E6 down to E2: some dental specialists, medical appointments, deputy medical appointments, specialists, and so it goes. The minister obviously had a practice of asking his departments to keep him abreast of appointments. I emphasise, Mr Speaker, he obtained that information after the appointments were made.

There is a memo of 18 April 1983 from the Acting Assistant Secretary, Management Services, to the Secretary of the Department of Health:

I refer to recent allegations contained in the NT News regarding interference by Mr Ian Tuxworth into Health Department appointments. As you are aware, I have held the position of Director Personnel E2 for the last 18 months and prior to this the position of Inspector Manpower Planning. I refer for your information my perception of Mr Tuxworth's role as Minister for Health in relation to senior department appointments. During March 1979, the then Assistant Secretary Management Services advised the personnel manager as follows: 'The minister has asked the secretary to advise him of all promotions and appointments to positions with salaries in excess of $20 000 per annum. Will you please ensure that such cases are referred to me to prepare the appropriate advice to the minister'.

The secretary at that time was Dr Charles Gurd and there is more of it. It will be available for members to read. There is a letter dated 15 April 1983 from T.C. Lovegrove, Secretary Department of Mines and Energy, Darwin:

In view of the recent publicity given to allegations that Minister I.L. Tuxworth is interfering in the operations of the Public Service Act in the Northern Territory in relation to departments under his ministerial control, I think that I should inform you of my own experience in this regard. As you know, I worked under Ian Tuxworth's ministerial direction in the Department of Mines and Energy as Chief Executive Officer for about 3 months in 1980, 6 weeks in the middle of 1982 and then from the end of September 1982 until the recent changes in administrative arrangements. During that time, I can say, without reservation, that the minister at no time attempted to interfere with my responsibilities as Chief Executive Officer under the Public Service Act ...

There is one dated 14 April 1983 from V.T. O'Brien, the retired departmental head of the Department of Mines. It says much the same thing. There is one from Goff Letts. There is also one from the Director of Energy, Ted Campbell:

My dear Chief Minister, it is with some concern that I note the allegations in the press concerning Ian Tuxworth's interference in the public service. I say 'with some concern' because I have a very strong belief that a minister's involvement in the public service should end at head of department level.

During the period 1980 to the present time, I have on several occasions, acted as head of the Department of Mines and Energy, including one period of a month in late 1980 with full delegation. In my capacity as head of the Energy Division, I have been responsible for recommendations on the appointment of all 15 officers in my division. In all of the above circumstances, I can state quite unequivocally that, to my knowledge, Ian Tuxworth, in his capacity as Minister for Mines and Energy, had no direct or indirect involvement in the appointment of departmental staff or the management of the department.

There is one from Mr Lynagh which says the same sort of things. There is one from Mr Fleming and another from Mr Coburn.

Mr B. Collins: They all rallied around.

Mr EVERINGHAM: The Leader of the Opposition now says it is a conspiracy.

Mr B. Collins: Oh, come on!

Mr SPEAKER: Order!

Mr B. Collins: Mr Speaker, I must say that, if the Chief Minister chooses to be so provocative, he invites interjections.

Mr SPEAKER: There is a Standing Orders Committee. I suggest that you insert a Standing Order to take care of your predicament. The Standing Orders that I am operating under say that no member may interrupt another member speaking.

Mr B. Collins: I thought you operated under the Katherine rules of debate.

Mr SPEAKER: With modification.

Mr EVERINGHAM: Mr Speaker, the only reasonable inference from the Leader of the Opposition's interjection that they all rallied round is that all the departmental heads, past and present, have put their heads together to help the Minister for Primary Production and Conservation out of a jam. If that is not an allegation of conspiracy, I do not know what is.

Mr Speaker, I must confess that this debate took a rather different form from what I expected. The allegations of ministerial interference have so far been confined to allegations amongst my colleagues rather than myself but now it seems that any meeting in my office becomes an interference in the public service. I will certainly be very wary before acceding to requests from the Public Service Commissioner to meet with him and officers of other departments and the ministers. I will have to watch myself before I have any contact at all with the Public Service Commissioner because he seems to be contagious.

Ms D'ROZARIO (Sanderson): Mr Speaker, I find it extremely convenient that past and present heads of departments who worked under the honourable member for Barkly in his various ministerial capacities should have presented these unsolicited statements at this time. However, it appears that not everybody who has worked as an executive officer under a ministerial portfolio held by the honourable member for Barkly has been so forthcoming. The present Minister for Primary Production presents a very poor record in terms of his relationship with the public service.

One of those persons who could not provide an unsolicited statement is obviously the former chairman of NTEC, Mr Max Dryer. We all recall that Mr Dryer quit his position as chairman of NTEC rather than continue to tolerate interference in the operation of that commission by the honourable minister at the time, the member for Barkly. In a letter that the then chairman of the commission, Mr Dryer, sent to senior executives of the commission he said: 'You know, of course, of the differences with the minister over the last few months. These differences stem mostly from my strong views concerning the autonomy and independence of the commission and from the minister's continual interference in the day-to-day operations of the commission'. That was contained in a letter from the chairman of the commissioner to his senior executives in the commission. They are strong words for a person to use in respect of his minister. That may have been 3 years ago, but I am attempting to show the record of the honourable member for Barkly.

Yesterday, we all observed a fairly noisy demonstration by about 150 public servants outside the door of this Chamber. They were asking for an inquiry into the activities of and interference by the honourable member for

Barkly in his various ministerial capacities. If that is the sort of thing that the government wishes to ignore, let the consequences rest on its own head. We, of course, take these things seriously. Mr Speaker, if I may go on to catalogue the record of the honourable minister, I can recall that there were also problems between the minister and the former secretary of the Department of Mines and Energy, Mr Mike Purcell. That was a much more recent occurrence. Whilst Mr Purcell was a very responsible public servant who would not officially comment on the reasons for his sudden departure, it was widely known and well known, both within the public service and outside, that there were major problems between himself and the minister.

We come to a further incident in the Department of Mines and Energy and that concerned the position of the Director of Mines. We all recall that that position was advertised and that professional qualifications were specified in the job specification. What happened was that an unqualified officer who had a clerical and administrative background was promoted to the position of Director of Mines. That position is required by legislation to have a person occupying it who has professional qualifications. It also happened that a public service officer who had the appropriate professional qualifications also applied for the job.

When the officer with clerical qualifications was appointed, the officer with professional qualifications appealed. As the honourable member for Barkly, the minister at the time, should recall, that officer was successful in his appeal. However, instead of the normal procedures of the Public Service Act being followed and the successful appellant being appointed to the job, the minister blatantly attempted to reject the decision of the Appeals Board, a board which had been set up by legislation enacted within this Assembly. I do not want to canvass all the events that occurred at that time but the upshot of it was that a writ was processed. It was only because of that writ that the appeal decision was finally implemented. I am sure that a reference to the Hansard will show that matter was raised in question time and in various debates in the Assembly at the time. I remind the Assembly that these incidents relate to the actions of the minister responsible at the time, the member for Barkly.

Mr Speaker, in stark contrast but equally damning, we have the enforced resignation of the former Chairman of the Liquor Commission, Mr Ian Pitman. This occurred in May of last year. Whilst the Minister for Health was overseas, the Chairman of the Liquor Commission was forced to resign. The present Minister for Mines and Energy and Attorney-General, the honourable member for Gillen, was at the time acting in the portfolio of the Minister for Health.

The resignation of Mr Pitman was of considerable interest to the community. The community knew Mr Pitman to be a very senior and highly-respected officer of the public service. When the Minister for Primary Production returned from his overseas trip and found that one of his most senior respected public servants had been forced to resign, he took no action whatsoever to establish what the circumstances were. I say that with confidence because I have referred to a transcript of an ABC interview on this matter. The ABC asked the member for Barkly: 'Have you talked to Mr Robertson about what went on?' The honourable member for Barkly answered: 'No, not at all; not at this stage'. Mr Speaker, that was some 2 weeks after his return from overseas yet he had not even bothered to find out why the Chairman of the Liquor Commission had resigned, a person of seniority in the public service and a well-respected member of the community.

Mr Speaker, all of this comprises the background to the current call

for an inquiry into the honourable member for Barkly's intervention in public service departments under his control. At the last sittings of the Assembly, the Leader of the Opposition asked the honourable member for Barkly several times about allegations of his interference in the appointment and promotion of public servants in the Department of Community Development, a portfolio that the honourable member for Barkly now holds. The Minister for Primary Production did not answer in the Assembly at the time but some time later he wrote a brief note to the Leader of the Opposition saying that the answer to his question was no. When asked why he did not answer the question in the Assembly, the Minister for Primary Production said: 'It was such a stupid question; I ignored it'. No doubt, the honourable member for Barkly hopes that we will all ignore these matters. Unfortunately, they are beyond being ignored and it is high time that the government acceded to the request to institute an inquiry.

One of the public service unions, the Administrative and Clerical Officers Association, wrote to the Public Service Commissioner, Mr Pope, expressing concern about the activities of the honourable member for Barkly. The Public Service Commissioner wrote back saying that he would investigate the points the union had raised. It was reported in the Northern Territory News on 11 April that the Minister for Primary Production said that he had asked the Public Service Commissioner to carry out an investigation into the allegations made by the ACOA.

On 20 April, a very interesting document came to light and reference has already been made to it by the Chief Minister. The document is the minutes of the Management Committee meeting of the Department of Community Development. Section 6(c) of that document entitled 'Staffing' reads as follows: 'Mr Lynagh advised that, although recruitment action can now resume, all appointments to positions at and above A9 level require ministerial approval'. I will repeat that phrase, Mr Speaker, because we have heard some attempt at an explanation offered by the Chief Minister. We heard the explanation that the minister has a long record of wanting to know the qualifications of people in his department. That is not what Mr Lynagh advised. He said that 'all appointments to positions at and above A9 level require ministerial approval'.

We are not talking about the qualifications required for those particular appointments at all. We have heard, in explanation, that the honourable minister likes to keep abreast of appointments and he likes to know the qualifications after selection. If that was the intention, then I am surprised that a man as senior as Mr Lynagh in the public service could have so misinterpreted what the minister required. It clearly says that all appointments to positions above A9 level and at A9 level require ministerial approval.

Section 6(d) of that document was headed 'Manpower Controller'. I quote from that section: 'Mr Bartholomew advised that, pending ministerial approval, the successful applicant would be taking up duties in this position in approximately 2 weeks'. Mr Speaker, the clear impression here is that ministerial approval was required before the applicant could take up his position. On 14 April, further allegations were made about ministerial interference in the Departments of Health, Mines and Energy, and Community Development. You would know, Mr Speaker, that all these areas were or are under the ministerial control of the honourable member for Barkly. On 14 April, a telex was released by the Chief Minister who, at the time was in Canberra for the economic summit. In that telex, the Chief Minister said: 'I have pointed out the clear position of the government to him, and he has assured me of his commitment to act within the provisions of the Public

Service Act'. At the time, the honourable member for Barkly was, in fact, the Acting Chief Minister. So we have the acting Chief Minister being told how he should treat the public service. We have the Acting Chief Minister having to be informed of the position of the government in relation to the Public Service Act.

Mr Speaker, the honourable Minister for Primary Production, when asked about the various documents to which I have alluded, including the minutes of the meeting, provided no comment whatsoever. In fact, he left at the time for a trip to the Victoria River district. On the Chief Minister's return, we found that, all of a sudden, there was to be no inquiry, although a commitment had been given by the honourable Minister for Primary Production and the Public Service Commissioner. Instead we found that the Chief Minister has set himself up as the inquiry.

We also heard that the Secretary of the Department of Community Development had his own interpretation of the minutes to which I have referred. Indeed, the Chief Minister also referred to them. Mr Lynagh said that the minister sought details of the qualifications of recruits for appointment. Mr Lynagh said that this advice was given to the minister after the department had made a selection. We had that confirmed by the Chief Minister just a few minutes ago. That is a most curious interpretation of the phrase 'all appointments to positions at and above A9 level require ministerial approval'. I seek an explanation from the Chief Minister as to what happens if the minister does not approve the appointment.

Mr Speaker, may I take up the matter raised in section 6(d) of those minutes. Again, Mr Bartholomew advised that ministerial approval was required before the appointee could commence duty. It is very hard to put this statement in the terms of a minister involving himself after the appointment of a person to a public service position when in fact the appointment of that person was dependent on the approval of the minister.

The honourable member for Barkly has a very sorry record, as I have outlined. It is important that the current allegations be put to rest and they be put to rest properly. The only way in which this can be achieved is through the establishment of an inquiry, as has been called for by the opposition for some time. You would be aware, Mr Speaker, that there is to be a strike of public servants at the end of this week because of the refusal of the government to address these very serious issues. This is certainly a matter of definite public importance, not only to the 14 000 public servants employed in the Northern Territory but also to the public which employs them.

Mr TUXWORTH (Community Development): Mr Speaker, I welcome the opportunity to debate this matter because it will give me the opportunity to give the other side of the story. I have also taken the trouble to print the other side of the story so that the honourable members opposite do not have to go to the trouble of lifting a sentence from here and there. They can get the whole thing in its context.

Mr B. Collins: That would be a nice change.

Mr TUXWORTH: Mr Speaker, it would be an absolute delight to me if they use the facts and the truth as they are and not as they would like them to be.

In addressing the issue of my alleged ministerial interference in the Northern Territory Public Service, I believe it is essential for people to

understand my approach to the administration of my departments and the good government of the Northern Territory. I believe the effectiveness of ministerial and departmental relationships has a great deal to do with the style of personalities of the people involved and the responsibilities and activities of the departments concerned.

With my style of administration, I prefer to work with people as well as have them work for the government. To achieve this, I have found it is absolutely essential for me to have a background by way of curriculum vitae on all senior advisers and I believe it is important that I should regularly attend departmental management meetings. I find it is also essential to have personal working relationships with every one of my senior advisers. I have maintained this practice throughout 5 years of self-government in which I have held ministerial responsibility. There is documented evidence of that, Mr Speaker and, in fact, I find it is odd that a practice that I have been following for 5 years should suddenly become an issue.

Throughout this time, I have been kept abreast of all senior appointments as people came and went in the departments over which I had ministerial responsibility. I am proud to say too that, where possible, my initial contact has been by way of personal introduction by the respective departmental head. I believe in giving encouragement to people. I make no excuse for wanting to get to know them and for them to get to know me. Communication is an essential ingredient of good administration and the result of my style of administration has been that senior officers have access to me at very short notice when problems arise. Whenever possible, I visit their areas of activity in an effort to gain, at first hand, understanding of the problems that can arise.

Mr Speaker, no one has ever put it to me that my way of doing things is improper, unacceptable or unpopular with the many hundreds of public servants I have worked with over the past 5 years. In fact, I have been encouraged to continue working in this fashion by a number of personal approaches that I have received from senior public servants who appreciate this opportunity to have a direct and ready access to their minister.

It has also been my belief that it is the right and responsibility of a minister of the Crown to examine the need for creation of senior positions within the public service and also to check that they are needed before they are advertised. We are talking here about the positions that carry salaries of $30 000 and more per annum and cost the government as much as $100 000 a year when superannuation, holidays, long service leave, fares and accommodation and other things are taken into consideration.

I understand and accept that roughly 4 people in 10 in the NT are not of my political persuasion and I accept that some of my most senior departmental advisers may not share the philosophies of the government. However, any differences of opinion have never surfaced in my relationships with them and, against this background, I find the allegations which have been directed against me over a long period of time now, both puzzling and a matter for concern.

Mr Speaker, during the closing moments of the last day of the last sittings, the Leader of the Opposition sought clarification from me in the following terms:

> *I invite this afternoon some comment from the Minister for Community Development on something that has been brought to my attention today. It may be incorrect but I have been told that a new practice has*

occurred in the Department of Community Development in that all appointments to positions in that department above the A levels - that is, all appointments in the E levels of the department - are now the personal prerogative of the minister. I would like to know if in fact that information is correct and if it applies in other departments.

Mr Speaker, the honourable member was obviously expressing concern based on erroneous information and, because of this, I did not see a need to rise during the adjournment debate to respond to him. In reality, his questioning reflected both his lack of understanding of the way in which my relationships with the public service have developed and the fact that he must have been unaware of the procedures followed in the appointment of senior public servants. As I left the Chamber following the adjournment that day, the honourable member followed me from the building and asked: 'Aren't you going to answer my question?' I replied to him then and I say it again today that there is nothing to answer.

Shortly after, I received a letter from him seeking clarification and I replied to him that the answer to his question was no. I would have thought the matter rested there but, in the fortnight following the sittings, the honourable member obviously enlisted the support of his friends in the trade union movement to stir the pot for me. When the executive of the Administrative and Clerical Officers' Association raised the question through the media, an obviously delighted Leader of the Opposition joined them in their accusations. The ACOA claimed to have the names of people who had been affected by my alleged interference and, further, the union said it would be prepared to provide those names to an inquiry that it was calling for.

In fact, it was the Leader of the Opposition who brought forward the first names in this alleged interference. In a radio interview on the current affairs program After Eight, he came up with 2 names. It is worth noting that the ACOA executive had claimed to have evidence of my alleged interference in appointments within the Department of Community Development. The Leader of the Opposition verified this in numerous media interviews. But when asked by the ABC to provide these names, he came up with 2 men from the Department of Mines and Energy. It is curious. It is not even the same department that the ACOA claimed I had interfered with.

Interestingly enough, one of the men was the former secretary of the department, Mr Purcell, whose appointment is very much the concern of the executive. The other was Mr Gordon Meiklejohn, whose appointment within the public service was dealt with by the courts. In fact, in Mr Meiklejohn's case, he contested an appointment made by the Secretary of the Department of Mines and Energy and won the case. I had absolutely no involvement in the matter. Even if I had, I would like to point out that the position of Director of Mines is a very senior position.

One of the difficulties in the campaign that the media was running against me at that time was that the media, for reasons best known to itself, chose not to investigate the allegations fully. Time has shown that those allegations had no basis in fact. At the same time, my denials of the claims that were being made generally received little publicity, and often were selectively reported. In one instance, the NT News rang me 17 hours after publishing a series of claims by the ACOA executive and printing what the NT News suggested was the evidence to support those claims. This was 17 hours after the paper first went on to the streets and probably 24 hours after the NT News received this so-called evidence. It was then that I was contacted and asked if I wished to make a comment - so much for balance. As far as I

am concerned, the call came a day too late for the integrity of persons concerned on the NT News and it was certainly a day too late for me.

Mr Speaker, eventually, I asked the ACOA and the Leader of the Opposition either to put up or shut up. Obviously, they had nothing to put up but they chose not to shut up and the media continued to air its allegations - allegations that grew more outrageous by the day. In fact, at one stage, the Leader of the Opposition accused me of interfering with the appointment of an A3 clerk. That is a long way from an executive level position. Even when the Leader of the Opposition lowered his sights to an A3 clerk, he did not come up with a name nor has he seen fit to provide a name at this stage.

Mr Speaker, at the same time, the Northern Territory News printed an article by Jack Ellis which said, amongst other things, that I promptly departed for the VRD where there is a distinct lack of public servants and telephones. Mr Ellis suggested I fled to the bush to escape his penetrating questioning. But he was wrong, Mr Speaker. The arrangement that I had to visit Kidman Springs was made 4 weeks before and I certainly have no fear of Mr Ellis' pen. He was wrong when he talked about a lack of telephones and public servants. I was surrounded by public servants when I went to the VRD and Ruth Dexter from the ABC was able to call Kidman Springs while I was there and conduct a radio interview on another matter with the Secretary of the Department of Primary Production. Mr Ellis is not as well informed as he would have his readers believe.

Mr Speaker, it would appear that the whole issue of this alleged ministerial interference revolves around the appointment of a manpower controller within the Department of Community Development. I would like to table several documents. The first is an extract of the minutes of the Department of Community Development Management Meeting held on 15 January. The choice of words in these minutes, particularly in 6, has been questioned by the people primarily concerned with the matter. The other papers relate to the same issue: the appointment of a manpower controller within the newly-created Management Support Services Division. It is this appointment which appears to be the basis of the whole issue. It is my belief that one of these documents has been stolen and seized upon as evidence of my alleged ministerial interference in the appointment of an officer within the department.

I should explain that, upon assuming ministerial responsibility for the department, I asked the secretary to brief me on the department's organisation. During this briefing, I learnt that a program of reorganisation was in hand leading to the formation of the Management Support Services Division. I asked for a detailed briefing on the plans for the new division. I also asked the secretary to keep me informed of the nature of any positions that were to be created. I asked him to discuss these positions with me before events were set in train for the advertisement of the jobs and so on.

Mr Speaker, as I indicated earlier, one of the positions involved in this new division was the position of manpower controller. This position was originally proposed by the secretary of the department at an E1 level but later the department moved to increase the classification to E2 and it was advertised as such. Documents A and B relate to this. The matter was considered by the Cabinet Committee on Establishment and endorsed and, in view of budget constraints, I used ministerial discretion in the matter. It was, and still is, my belief that as a minister it was my role to ensure that the creation of any senior positions in the department I am responsible for are warranted. I explained this to the secretary and he proposed the

solution. The secretary proposed the exchange of an E2 position in the Consumer Affairs Division for the E1 position of manpower controller. The matter did not go before the Public Service Commissioner's office as the secretary was seeking to carry out this manoeuvre under an administrative responsibility and my concurrence was necessary. In this context, I endorsed a memorandum of 16 February addressed to the secretary of the department from the Director of Management Support Services and the document is marked C amongst those I have tabled.

Mr Speaker, when these documents are read in the context of the other documents, you will see quite clearly that my endorsement was sought in respect of upgrading a position. In fact, that was a memo intended for the secretary to sign but which the secretary asked me to initial. After reading these documents, members will see also that my approval was being sought to the appointment of an E2 to a position I had previously instructed should be filled by an E1.

Mr Speaker, let me make it quite clear that I have no right under the Public Service Act to approve the appointment of any particular officer to a position. I have abided steadfastly by this premise at all times whilst I have been a minister and I have no intention of violating that policy. All along, the Leader of the Opposition has been claiming his interest in allegations in this business have been prompted by his concern for the morale of the public service. In fact, he has exacerbated the very problem he claimed he was attempting to solve. His actions and those of the executive of the ACOA very seriously undermine the integrity of the Northern Territory Public Service. The opposition's incredible claims reflect on every public servant who has worked in a department over which I have had a ministerial responsibility. The claim that I have interfered politically with senior appointments means that senior public servants have not only just stood to one side or turned their heads and looked the other way while I did it, it means that they assisted me. The opposition and the trade union that it serves has reflected on the integrity of men such as the Secretary of the Department of Community Development, Mr Lynagh. The Leader of the Opposition would have us believe that Mr Lynagh enabled me to make political appointments in his department. Noel Lynagh's reputation has been built up over 45 years in the Northern Territory Public Service. Not only do I believe he is loyal to the government but I imagine that he would be very upset at allegations that he has not been loyal to those who serve under him.

Mr Speaker, let us have a look at the allegations that the opposition and the ACOA executive have made. Let me refer to an article in the NT News dated 18 April in which it reports the Secretary of the ACOA, Mr Ellis, as saying that his members had reported to him that all promotions or appointments at the A9 level were being referred to me before a final selection was made. To its everlasting credit, the NT News also reported me as saying that the claims were nonsense. Mind you, Mr Speaker, it spent 47 lines laying all the charges and 22 on the rejections. I do not mind that. At least the denial was printed. In most of the other articles relating to this business the fact that I denied the charges failed to get a guernsey.

A few days after the first article appeared, the NT News quoted the Leader of the Opposition as saying that he had reliable information that it was common practice to oversee all executive level appointments and that I had intervened in the appointment of an A3 officer. He said that it was common knowledge that all appointments were subject to my final approval. But, despite all this common knowledge, neither the Leader of the Opposition nor the executive of the ACOA has come up with names to support the claims. Despite all the reliable information he claims to have, he could not come up

with a shred of evidence. And, if it has been common knowledge for years, what has the Leader of the Opposition been doing till now?

After several days of this sort of rubbish, on 13 April, the Northern Territory News published a section of the minutes from the Department of Community Development management meeting held on 15 February. Item 6(d) of those minutes stated: 'Mr Bartholomew advised that, pending ministerial approval, the successful applicant should be taking up duties in this position in approximately 2 weeks'. Mr Speaker, this is a record of a conversation in which I had no part. Further, the record of that conversation was never made known to me and that part of the meeting recorded in the minutes in 6(d) had subsequently been attested to by the secretary of the department, who chaired the meeting, and Mr Bartholomew, who was noted in the minutes, as being quite erroneous. This was made quite clear by Mr Lynagh in a telex to the ACOA the very day the minutes were published by the NT News.

At a meeting with myself and the Chief Minister on 18 April or thereabouts, Mr Ellis of the ACOA stated that he was not prepared to release Mr Lynagh's telex - the telex which disclaims the contents of item 6(d) in the minutes - because, in Mr Ellis' opinion, the telex was very weak and he did not wish to insult Mr Lynagh's intelligence by releasing it. In another conversation, Mr Ellis advised the then acting Secretary of the Department of Community Development, Mr Coburn, that he regarded Mr Lynagh's attitude in sending the telex in the first instance, and Mr Lynagh's suggestion that the executive of the ACOA should desist from using distorted versions of departmental recruiting processes, as 'disappointing'. Mr Ellis went on to say that Mr Lynagh was putting himself in jeopardy, apparently because he refused to cooperate with the ACOA. Mr Ellis even went so far as to say that the publication of Mr Lynagh's comments, as contained in that telex, would be detrimental to him. Mr Speaker, I will leave it to you to put your own interpretation on those words.

It is quite clear from statements made by Mr Lynagh and Mr Bartholomew that the minutes on which the ACOA and the opposition have based their allegations are not an accurate record of the meeting. In fact, Mr Lynagh advised me that it is departmental practice to consider only those parts of previous meetings that the committee would describe as 'current issues'. Since the matter raised in item 6(d) was no longer a current issue, it was never discussed again. The erroneous nature of the minutes was not drawn to the attention of any person who had been at the meeting until the NT News printed the excerpt on 13 April. Within a matter of hours of that publication, the 2 people most vitally concerned had contacted me to advise me there was a mistake in the recording of the minutes. That very same information was conveyed to my accusers, but they refused to release it because it would have damaged their own credibility.

Another issue that was raised as a result of the minutes being handed to the media was the presence at the meeting of a member of my staff. Much play was made of Mr Tarca's presence at that meeting. In fact, it was promoted as another example of ministerial interference. Far from interfering, Mr Speaker, Mr Tarca was at the management meeting because the secretary of the department asked him to be there. The secretary and other members of the management committee have said they find it extremely helpful to be able to keep my office appraised of their problems and priorities in this fashion. Had I been able to, I would have been at that meeting myself. The record would show that I have attended 3 or 4 of the committee's meetings and I intend to attend them as regularly as possible in future.

Mr Speaker, as the days rolled on and the executive of the ACOA and the opposition could see they were losing momentum, they threw in the name of another member of my staff, Mr Graeme Bevis. Mr Bevis was also cited as an instance of ministerial interference. Mr Bevis sat on a job selection panel in the Public Service Appeals Committee. We can now see how desperate the campaign was becoming. Having failed in their efforts to discredit me through the Department of Community Development, they began plucking names out of the hat in the hope of keeping the pot boiling. The facts are that Mr Bevis sat on a job selection panel because the Chairman of the Liquor Commission and the Public Service Commissioner's office asked him to be there. It was put to me at the time that Mr Bevis' seniority, his long career with the Tasmanian Public Service before coming to the NT and his understanding of the Liquor Commission were such that he would be a most suitable person to sit on the panel. Also on the panel was Mr Bartholomew who, at the time, was a Public Service Commission staff member.

In the case of the appeals tribunal, it was again at the request of the Liquor Commission and the Public Service Commissioner's office that Mr Bevis took a position on the tribunal. On this occasion, he sat with Mr Ellis of the ACOA who is now one of the accusers in this campaign, a campaign very clearly aimed at getting rid of the minister by innuendo.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move the honourable member's time be extended such as to allow him to complete his speech.

Motion agreed to.

Mr TUXWORTH: Mr Speaker, at no stage during or after the sittings of the 2 panels on which Mr Bevis was a member did Mr Ellis or anybody else question the propriety of his participation. The fact that this has now been done about 18 months later is an indication of the desperate position in which the Leader of the Opposition and the ACOA now find themselves. They have made serious, and I regard them as serious, false allegations and have been found sadly lacking when the time has come to substantiate their claims. Their efforts this afternoon are further proof of that.

When the neighing and braying about interference began, I asked the Public Service Commissioner to investigate any facts that would support the allegations made by the executive of the ACOA and the Leader of the Opposition. I did that because I believed the allegations were most serious. The Chief Minister, as minister responsible for the public service, was interstate as has been said. In the days before his return, no investigations were conducted because no evidence was forthcoming to the Public Service Commissioner, to myself or to anyone else.

Mr Speaker, on his return, the Chief Minister advised me that allegations of this nature should be heard judicially. He said it would be unfair and inappropriate to expect the public service to sit in judgment on a minister. He indicated he would only be prepared to establish a judicial inquiry when specific evidence, rather than rumour and hearsay, that could be admitted under the rules of evidence, was available for consideration in what is, after all, a pretty serious situation. It seems that the ACOA wants me to accept far less by way of safeguards than it claims for its own members under the Public Service Act.

I can imagine that the ALP would be very anxious to see any sort of investigation at this time. No doubt, it would be looking for anything that

could at least take local interest away from the embarrassment it must be feeling. This afternoon's headline would have to give you an indication, Mr Speaker, of what that embarrassment would be. To have 2 Royal Commissions into the activities of prominent members of their own party in NSW and Canberra going on at the same time is a pretty fair effort.

However, I see a distinct difference between myself and Messrs Wran and Combe and anybody else who is dragged into the Labor Party's sorry state of affairs over the next few weeks. In Mr Wran's case, a Royal Commission has been established to investigate prima facie evidence. In Mr Combe's case, the innuendo to which he has been subjected has been clouded and shrouded by the cloak of national security. In my case, I am a victim of a blatant smear campaign where any evidence favourable to me, such as Mr Lynagh's telex to the ACOA, has been deliberately suppressed.

I think it is also important for me to advise honourable members that some journalists, staff of the office of the Leader of the Opposition, the ACOA executive and even officials of other unions - and one is a former ALP candidate - have made very extensive inquiries in their attempts to obtain the evidence they needed to bring down a minister. My office has received 25 calls from senior public servants, both past and present, to advise me that one or all of the groups that I have just mentioned contacted them with the specific view of obtaining damaging evidence that would assist them in their cause. I do not doubt that many others were contacted and, in any event, they were unable to elicit the damaging information they were seeking, despite the threats that they were prepared to make.

Mr Speaker, I am concerned at the impact these allegations have had and are continuing to have on the public service. Every officer from the secretary down to the personnel officer, every person who sat on a job selection panel or an appeals tribunal, hundreds of people who have worked in departments over which at some time or other I have held ministerial responsibility, have had their reputations besmirched by the opposition and the executive of the ACOA. It is absolute tripe for the Leader of the Opposition and his union colleagues to suggest that I have been making political appointments with the acquiescence of all of these people in the public service. But, as public servants, they have no right of reply and no opportunity to defend themselves. They have just become the victims of a political game being played by the Leader of the Opposition, the ACOA union bosses, Ellis and Cavenagh, and no doubt one or two other union radicals. In my view, the accusers should stand condemned by this Assembly and not supported by them.

Mr Speaker, in conclusion, I believe it is important that I highlight what I regard as the very devious role played by the Leader of the Opposition in his willingness to distort the facts to help his cause. In numerous interviews throughout this saga, he has claimed that twice in the Legislative Assembly he raised the matter of my alleged interference. This is a lie and an examination of the Hansard will show it to be one.

Mr B. COLLINS: A point of order, Mr Speaker! The honourable minister knows full well what the Standing Orders say on that. I ask him to withdraw it.

Mr SPEAKER: Will the honourable minister withdraw the word 'lie'?

Mr TUXWORTH: I withdraw it, Mr Speaker, and I substitute it with 'complete untruth'.

Mr SPEAKER: I did not ask you to substitute anything. I asked you to

withdraw the word.

Mr TUXWORTH: I withdraw it, Mr Speaker.

An examination of Hansard will confirm that for all members. The Leader of the Opposition also claimed to have discussed the matter with me in the Assembly after the adjournment debate on the final day of the last sittings. Despite all the other things that the honourable Leader of the Opposition had to say, for some reason he could not give the media the details of that alleged conversation that he had had with me. Let me tell you why he could not, Mr Speaker. As I said earlier, he asked me as I left the Chamber why I had not answered his question. I told him there was nothing to answer. His claim that this amounted to a conversation, let alone a conversation the details of which he could not discuss with the media, is the half-truth, the gross stretching of the facts by which the Leader of the Opposition seems to live. From day one, the Leader of the Opposition has maintained he had names to support his accusations but the truth of the matter is that he has provided none. He never had any. If he had any names at all, there would have been no need for him or his staff to ring around the country to solicit information and impose themselves upon the integrity of public servants.

Let me conclude by saying it was Teddy Kennedy who said, when delivering the funeral oration for his brother Bobby, that Bobby Kennedy saw things not as they were but as they might be. That is a commendable attitude. But when it is applied to the truth, as the Leader of the Opposition tends to do, it is repugnant. Mr Speaker, the whole thing from day one has been a smokescreen. We have seen it in this sittings. We have had nothing but smokescreens for the last 5 sitting days - diversions to take people's attention away from what is going on. What is going on in the Northern Territory is that we are being battered financially by the federal ALP. Like a good lad, the Leader of the Opposition is doing whatever he can to let his federal mates off the hook. The BTB eradication campaign funding was announced at the time all this blew up and it helped to bury it. The railway decision by which we lose our railway or over $200m is also a part of it. Now we find that we are looking for additional money from within our own resources to pay for our electricity operation. The whole thing is a charade and the opposition should stand condemned for it.

Ms LAWRIE (Nightcliff): Mr Speaker, I have never heard so much rot as I just heard expressed in the concluding moments of the honourable minister's speech in his own defence. He said that this was some kind of smokescreen and mentioned the railway. If anything is becoming a boring subject, both within and without this Chamber, it is the on-again, off-again railway. To drag that red herring into a debate like this which strikes at the fundamental independence of the public service does the minister no credit. In fact, it serves only to destroy some of the arguments he put in his defence previously. It is the red herring of all time.

Mr Speaker, when self-government was first mooted, many senior public servants gave evidence to the federal inquiry into the degree of independence to be granted to the Northern Territory. They stressed at that time the absolute need for the continuing right of an independent public service to give independent advice to ministers, whether or not that advice was to their liking. Of course, he is the person who makes the decision on the basis of all advice received. Over the last few years, we have seen an accelerating erosion of the right of public servants to tender independent advice.

The honourable minister said that the Leader of the Opposition had not raised matters of his supposed interference in the Assembly. The record would show that, to my knowledge, he has raised them at least 3 times. One he mentioned was the appointment or non-appointment of Dr Meiklejohn, the eventual appeal and the outcome of that. Another was the resignation of Mike Purcell. On both these occasions, the minister, the subject of this debate, was the minister in charge of the Department of Mines and Energy. Furthermore, allegations of the minister's interference were made twice in debates on NTEC and certainly when a former head, Max Dryer, left. Those are just 3 instances that I recall. The problem is that I knew that this call for an inquiry had no chance of success because it is not the Chief Minister's way to expose his ministers to independent assessment when these very serious allegations are made.

The honourable minister under attack has tried to sheet the blame home to the Leader of the Opposition and to union officials. He mentioned Mr Ellis, Barry Cavenagh, Bob Collins and his press secretary. If honourable members opposite really think this concern is restricted to those people, then they should get out in their electorates a little more and be a little more receptive to public opinion. There is not only disquiet generally amongst members of the public service; there is disquiet in the private sector that the public service is being subjected to interference and, for some reason, by this minister in particular. I use that word advisedly. Other ministers have not been the subject of allegations of consistent interference as has the present Minister for Primary Production. These allegations have pursued him through various departments and have been made by people in various disciplines and at various levels. I believe that the government party as a whole cannot continue to ignore them and try to say that a couple of malcontents are causing all the problems.

Mr Speaker, I have not spoken on any other matters of public importance but I was determined to speak on this today. I am aware of the serious reservations felt not only by senior public servants but also by middle-range and the lower-level public servants who legitimately fear that they have to become party sycophants if their careers in the public service are to be advanced. Of course, I cannot say with certainty that they are correct but, if a significant proportion of people have these serious reservations, surely it would be in everybody's best interests to have an inquiry to clear the air. It is a long while since public servants went on strike. I was here for the last general strike - I think it was in 1975. It is a serious and unusual step for them to take. They will lose a day's pay at a time of economic hardship. They had the intestinal fortitude to demonstrate with their placards and to come to the Assembly to voice their concern. The point is that, if they will go to those lengths, it is time for these allegations to be investigated independently and the matter put at rest, one way or the other. An independent investigation may find that the minister is innocent of all these charges. But, the level of community concern which has been expressed deserves an independent inquiry and the answers which are asked for.

Mr Speaker, the honourable minister tabled a series of documents marked A, B and C and invited members to read through them and to draw the conclusion that the recommendation appearing on the second page of document C related only to the level of the position, E1 or E2, and not to the appointment of a special person. The honourable minister should not have drawn at least my attention to that document because it led me to believe that these allegations must have more substance than I had thought. If we look at the minutes to the secretary from the Director of Management Support Services, on the first page we see the discussion about whether the appointment is to be at E1 or E2 level. We note the decision has been taken

that it will be at E2 level. The minutes mention a person's name, which I will not do; I will call him Joe Bloggs. The minutes conclude: 'I am confident that (Joe Bloggs') skills would be a significant asset to the department'. It continues: 'It is recommended you seek the minister's approval of the appointment of (Joe Bloggs) to the position of Manpower Controller Executive Level E2'. This was written by an articulate senior public servant. It does not say: 'We have chosen Joe Bloggs and he will be a significant asset to the department'; it says that he 'would be'. Implicit in that is the minister's approval to his personal appointment. That is the fear abroad in the public service. The honourable minister denies it. I hardly expected him to say that the allegations were correct. What I am saying is that we have reached such a parlous state, with reservations and fears within the public service as to people's right to offer independent advice, that the only way to clear the air and restore confidence within the public service is to have the inquiry called for.

The point is that no one will take the slightest bit of notice of the denials of the minister or the insistence of the opposition as to his guilt or innocence. Obviously, people have predetermined positions which they will not forsake. It would be against all human nature if they did so. There is a wider issue at stake, and that is the very real draining confidence in the independent public service which all governments need. Not just the Country Liberal Party government, but any successive government of any political colour needs to have a cadre of people, secure and feeling that they can offer independent advice without their jobs being put at risk.

Mr Speaker, for those reasons, I most firmly support the call for the inquiry. There is no prejudgment on my part that the minister is necessarily guilty or indeed innocent but there has been too much smoke, not simply from a couple of union officials, the Leader of the Opposition and Jack Ellis, but right throughout the community, not to proceed with an inquiry. My only fear is that it does not matter what is said here, what points are raised, the government will seek to turf it out and turn its back on the real concerns of a significant number of people within this community.

The Attorney-General castigated the Leader of the Opposition yesterday for appending a curious name to a member of the Chief Minister's personal staff. I think probably he deserved some criticism. However, that did not stop the government members criticising others who are not here to defend themselves today. The honourable minister had a go at Jack Ellis and other members of the press. He is no particular friend of mine but what is good for the goose is good for the gander. If members in this Assembly are to refrain from criticising anybody who does not sit in the Assembly, let us all abide by that. Let us not say that it is wicked and horrible for the Leader of the Opposition to have a go at the Chief Minister's personal staff and, the next minute, criticise a whole group of people who have dared to call into question the minister's actions in this matter. There is a lot of hypocrisy displayed in this place. Some people opposite stick rigidly to the rules and do not criticise those who are not present to defend themselves, with the exception of politicians in other places. I guess politicians are fair game. It is about time we ceased being 'holier than thou' and calling into disrepute ordinary people who dare to criticise us and, in the next breath, do exactly the same thing. I think honourable members opposite better develop a policy on this. Either we criticise only other politicians or we stop being 'holier than thou' when one member dares to mention a person from another place.

Mr Speaker, that perhaps was an aside but the whole point is that there is much disquiet. The honourable minister has not satisfied me that he is

blameless. In fact, the tendering of this document and the fairly precise way in which it is written only reinforces my view that we must have an inquiry to clear the air.

CONTRACTS AMENDMENT BILL
(Serial 311)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill seeks, by clause 3, to amend the Contracts Act to widen the definition of 'contract' to clarify that the act covers leases, guarantees, indemnities and other agreements in relation to loans. Clause 4 provides that contracts which must be executed under seal need no longer be executed under the public seal of the Administrator but can be executed by the minister whose signature is attested by another person not being a party to the contract. This clause also covers that, where another act requires a specific minister to execute a certain sort of agreement, this proviso still holds. Clause 5 clarifies that where, according to the previous legislation, any contract should have been executed under the public seal but was not, provided that it was executed by a minister, that execution is deemed valid.

It is inconsistent with Territory law that contracts are required to be executed by the Administrator. Clearly the minister concerned should execute the deeds. The public seal, however, will be retained and is still used by His Honour the Administrator on certain documents requiring his signature, such as administrative arrangements orders. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MOTOR VEHICLES AMENDMENT BILL
(Serial 319)

Bill presented and read a first time.

Mr STEELE (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, in response to a question without notice at the March sittings of this Assembly, I indicated that I would endeavour to introduce in these sittings legislation to allow 16-year-olds to apply for driving licences. I indicated also that some controls could be imposed. This bill reduces to 16 the minimum age for obtaining a driving licence. It also incorporates a requirement for 12 months' experience as an 'A' class licensed driver before a person can obtain a 'C' class licence - that is a heavy vehicle licence for vehicles 4.5 t gross vehicle mass and over. Other possible controls are still being examined by the department in consultation with police, other departments and the Road Safety Council, taking into account both local considerations and national developments. Subject to the findings, these could be incorporated in separate legislation at a later sittings of this Assembly.

The key reason for the introduction of the bill is to alleviate possible hardship for young people who need to drive to their place of employment or, in some cases, places of education. The measure will also allow an improvement

in the general mobility of 16-year-olds. A certain number of 16-year-olds have, for some time, been able to obtain licences through the current Student Driver Education Scheme where available. The possibility of obtaining a licence at 16 was an encouragement for young people to participate in the scheme. The scheme set out to provide a particular awareness of road safety rather than just the manipulative skill needed to drive a vehicle. The bill will make it possible for all 16-year-olds to obtain licences, including those in rural and remote areas who previously may not have been able to participate in the Student Driver Education Scheme.

Because of the value which is set on placing a road safety emphasis on driver-training and behaviour, major changes to the scheme have been considered by the Department of Education, possibly along the lines of including a compulsory road safety awareness segment in Year 10 at high schools, together with improved accessibility to practical training. In introducing the provision, however, the government is mindful that, if there are more people on the road at a given time, there is scope for more accidents or injuries. The government is anxious to minimise the adverse implications of the change. Tied to this is a growing awareness at a national level of the importance of minimising the extent to which learner and provisional drivers are in a high risk situation. This relates not only to 16-year-olds but to all new drivers. Although a range of other aspects is being examined, the only extra provision in this bill is to require 12 months' licensed driving before a 'C' class licence can be taken out. This will allow the development of road sense and improved capacity to react to situations, given the bigger potential for large vehicles to inflict serious injury on others.

Known high risk situations for new drivers include the use of alcohol, particularly for those who might be learning to drink at about the same time of life, and for young people driving with only their peer group. There are also extra demands and risks when driving at night. Night driving is most likely to combine both alcohol and peer group elements. Several states have already introduced extra controls related to alcohol for first-year drivers. The practicality of this in the Northern Territory is still being examined to see whether controls could be introduced in this Assembly and be ready to commence at the same time as licensing for 16-year-olds. The other situations relating to driving at night and with the peer group are more complex and our inclination at this stage is to take a watching brief on developments elsewhere.

In conclusion, I would point out that considerable preparatory work is needed by my department to gear itself to a major increase in licence applications in the initial period. Some 1800 may become eligible to apply on the date of commencement. Work will also be needed to incorporate some further upgrading in testing in line with developing national approaches. For this reason, a specific commencement date has not been set in the bill, but it is unlikely that it will be able to be commenced for several months. The bill is designed to provide an equal opportunity for all 16-year-olds to obtain driving licences, to ease possible hardship involved with an age group which is seeking first employment and, possibly, further education and training. It does so in a way which will minimise the extra safety risk involved. Mr Speaker, I commend the bill.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Attorney-General)(by leave): Mr Speaker, I move that so

much of Standing Orders be suspended as would prevent 3 bills (a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee report stage, and the third readings of the bills together, and (b) the consideration of the bills separately in the committee of the whole.

LOCAL COURTS AMENDMENT BILL
(Serial 318)

RECORDS OF DEPOSITIONS AMENDMENT BILL
(Serial 316)

INSTRUMENTS AMENDMENT BILL
(Serial 317)

Bills presented together and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bills be now read a second time.

Mr Speaker, the Local Courts Amendment Bill provides that a fee, as fixed by the act, will now appear in the Local Court Rules of Court. It is more proper that fees appear in the rules. In fact, in most Territory acts, within my province as Attorney-General, they appear either in the Rules of Court or in regulations.

Clause 4 provides that fees relating to judgment by default will appear in the Local Court Rules. By clause 5, bailiff fees will likewise appear in the same rules. By clause 6, the schedule of fees formerly applying will be repealed. The relevant schedule will now appear in the Rules of Court.

Mr Speaker, the bill in relation to the records of deposition amendment will allow the Administrator to make regulations under the Records of Depositions Act. This will enable fees under the Record of Depositions Act to be fixed by regulation rather than the act itself. This will make the process of fee review easier. By clause 4, the present section 20 of the Records of Depositions Act which deals with fees is repealed and substituted for by a new section 20 which provides that regulations may be prescribed under the act.

Mr Speaker, finally, the Instruments Amendment Bill merely provides that the fees payable under the act shall now appear in Instrument Regulations rather than in the act. Clause 4, in particular, provides that the fees payable for certain services performed shall be prescribed by the regulations. This will enable fees fixed under the act to be reviewed and increased by regulation at an appropriate time.

Mr Speaker, may I say while mentioning that fees will be increased or reviewed by regulation at appropriate times, the comments that relate there apply to each of the bills before us. At a previous sittings, I introduced a bill relating to fees. I have assured honourable members that it would not be the intention of this government to increase fees while there was any perceived hope of a wages and prices freeze being in effect.

Debate adjourned.

GRAIN MARKETING BILL
(Serial 271)

Bill presented and read a first time.

Mr TUXWORTH (Primary Production): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the Grain Marketing Bill aims to introduce orderly marketing to our developing grain industry. This will help assure it of a sound commercial future in the very competitive world of grain marketing. While this bill represents new legislation for the Territory, the concepts embodied in it are certainly not new. The first legislation of this type was introduced in Queensland in 1926, in New South Wales in 1927 and federally in 1924. There was compulsory acquisition of agricultural products during World War I under emergency regulations. There are now some 103 institutions set up under similar legislation to serve various agricultural industries throughout Australia.

In 1980, ADMA was set up to promote and develop agriculture, particularly grain, in the Northern Territory. Even though it has been charged with a range of marketing powers, it does not have compulsory acquisition powers. The authority believes that it cannot guarantee the development of the orderly marketing of grain without access to such powers. Indeed, the experience throughout Australia with a wide range of agricultural commodities, particularly grain, has proven this to be so.

We all know that it is not feasible to develop the production side of any industry without developing the marketing side at the same time. This is equally true in agriculture. In fact, in the past, the nexus that exists between production and marketing has been used as an excuse for the lack of development in the agricultural section in the Northern Territory. With the advent of the Grain Marketing Board, this problem will have been overcome. Farming can develop because marketing devices are available and marketing services can now develop because farming is now possible.

Because this is a new concept, I would like to outline the advantages of orderly marketing through our grain industry. They include grain growers having substantial input into marketing policy, ensuring Top End users have a regular supply of quality products, enabling orderly marketing of the grain at the best possible price, ensuring the use of sophisticated grain storage and handling facilities currently funded by the Northern Territory government, reducing the need for producers and consumers to invest in costly storage and handling equipment and assisting producers in arranging finance to grow their crops each year.

The functions of the Grain Marketing Board will include compulsory acquisition of declared commodities, determination of pricing policy for grain, establishing marketing strategies, and determination of financial policies aimed at helping the development of the grain industry, in particular the marketing sector. The Grain Marketing Board will be largely an administrative policy-making institution. It should be noted that the government has equal representation on the board and the reason for this is that the grain industry is an infant industry which is still developing under government sponsorship. The government is providing all the funds for the grain handling facilities and heavily subsidises the operational costs. The government is providing all the loan funds for prompt payment for first advances to the grain growers. Operational, administrative and staffing problems associated with the new marketing board are considerable. The service of the Agricultural Development and Marketing Authority can be utilised to help overcome these problems. During the initial stages, it will delegate all physical functions, such as receival, storage and processing of the grain as well as administration of the system and payment of growers through the Agricultural Development and Marketing Authority.

The ownership of all the assets deployed in the grain depots will remain with the authorities. This is the usual practice throughout the industry when the marketing and the handling of the product are carried out by separate institutions. This means that initially the Grain Marketing Board will not need to employ staff and will have minimum expenditure, the only cost that will be attributable to the Grain Marketing Board being the cost of its board meetings and certain audit and administrative expenses. The structure outlined here is not envisaged as being a permanent institutional structure. This is a transitional phase which should give adequate time for the board to become established and to overcome and benefit from initial teething problems that are bound to emerge.

Mr Speaker, I must also remind the Assembly that the role of the Grain Marketing Board is very closely allied to the operation of the Agricultural Development and Marketing Authority. As the legislation for this authority expires in June 1985, I believe it is timely to consider the future of the Agricultural Development and Marketing Authority. With this in mind, the government proposes to bring before the Assembly later this year legislation which will reflect the future role of ADMA so that continuity and stability can be maintained with the considerable expertise which has been built up within ADMA's ranks. I think all honourable members will agree that ADMA has been a very successful venture and its presence has given great heart to the advocates of agricultural and horticultural development in the Northern Territory.

Informal discussion between the authority's staff and the grain growers resulted in general agreement that orderly marketing for grain was essential to protect all grain growers' interests. I would like to point out that no organisation or individual has in fact opposed the concept. Authority staff have researched and developed the concept over the past 2 years. It has been raised in various forums culminating in a public meeting in Katherine on 6 April this year.

The approach used in the preparation of this bill has been one of consultation in order to arrive at consensus. Discussion with the industry, including the Katherine District Farmers Association, the Northern Farmers and Pastoralists Association and, in particular, the Northern Territory Grain Growers Association, has resulted in a basic consensus being achieved. As a direct result of industry input, 2 amendments have been made to the bill since tabling of a draft bill in March this year. Firstly, the definition of the term 'commodity' has been redefined to allay producers' fears as to the scope of the bill. 'Commodity' means grain sorgum, maize, panicum, millet, rice, triticale, cowpea, navy beans, mung beans, soya beans, other dried edible beans, peanuts, sunflower seeds and similar grain crops. The intended scope of the bill is now quite clear. It is intended for and obviously covers the grain industry. It should be noted that not all the grains are automatically declared commodities. It simply provides the Grain Marketing Board with the power to declare a grain to be a commodity if the need should arise in the future.

Secondly, the number of grower representatives on the Grain Marketing Board has been increased from 2 to 3 at the request of the industry. This will facilitate active grower participation in the decisions of the Grain Marketing Board which directly affect the viability of the farmer. This change resulted in a technical problem as to the number and geography of electorates in the grain industry. Consultation with the Northern Territory electoral office has resolved this issue by doing away with the concept of electorates completely. The whole industry will now vote to determine all 3 of the grower representatives. Consultation with industry will continue

up until the committee stage of the bill. This will result in 5 months of industry discussion and consultation.

The Grain Marketing Bill provides a statutory framework for the provision of marketing services which should meet the needs of the Territory's grain industry for some years to come. I commend the bill to honourable members.

Debate adjourned.

ADJOURNMENT

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I rise somewhat reluctantly this afternoon in the adjournment debate. I feel I have no choice but to do so. I wish to discuss 2 matters this afternoon. I wish to discuss certain events that happened during the last sittings of the Legislative Assembly. The reason I have decided to do so is because it is essential to set the record straight and also because I have just been advised in the last 15 minutes that at least one other honourable member in this Assembly in fact saw these particular events occurring.

I also wish to discuss some documents that have been placed on my desk today and on the desks of some other honourable members of this Assembly, one of which certainly I have never seen before, although it was referred to by another honourable member. I must admit that, having had for the first time the opportunity to carefully examine it, it does deserve some comment and hopefully a response from the honourable minister.

Mr Speaker, during the last sittings of the Legislative Assembly, I raised with the honourable Minister for Primary Production certain matters regarding what I considered to be purely and simply allegations made about ministerial interference in the public service. I wish to state categorically that, throughout this entire affair of ministerial interference in the public service, I have had one contact and one contact only with the ACOA. I have in fact had no verbal communication with any officers or indeed members of the ACOA apart from the ones who contacted me. I have initiated no contact except one letter that passed between myself and the ACOA. The reason for that letter was because the ACOA and myself were acting entirely independently on the matter. Certain suggestions that I put forward as to how this could be resolved were not to the satisfaction of the ACOA. In fact, it disagreed publicly with the procedures that I had proposed, which was that the Ombudsman would be ideally suited for the conduct of such an inquiry.

In the adjournment debate tomorrow, I will be discussing an excellent report from that particular gentleman who, I think, is doing a first-class job investigating complaints people have with the public service. I thought the Ombudsman, appointed under the Inquiries Act with staff at his disposal, would not create any additional cost to the Northern Territory taxpayer and would be an ideal person to carry out this particular inquiry. The ACOA disagreed. The one communication I had with the organisation was to write to it simply to put to it my views as to why this particular course should be acceptable to it. I said that I certainly accepted its view that it was not. As far as I was concerned, the ACOA and I would simply have to disagree on the resolution of the problem.

Mr Speaker, the one thing that prompted me to become involved personally in this particular matter can be sheeted home directly to the minister. A

comment he made to me was entirely responsible for my taking up this matter. It is perfectly true that, during the last sittings of the Legislative Assembly, I had a number of conversations in the Chamber - but not during debate - with the minister in which I indicated to him that I wanted this particular question answered because I considered it important. I said to the minister that I thought, because of the nature of the allegation, he should take the opportunity to lay it to rest. As another honourable member recalled to me just a few moments ago, we had to adjourn to Government House during that particular day to present an address in reply. Over a very pleasant 10 minutes, drinking orange juice and so on, I said to the minister: 'I really do want an answer to that question, you know'. In his usual patronising fashion, he metaphorically patted me on the head and said: 'Don't worry Roberty-Bob, you'll get your answer'.

When we returned to the Legislative Assembly, I then raised the matter in debate and failed to get the answer. It is perfectly true that I then confronted the minister - not in an aggressive fashion - but in a friendly fashion. I stood in front of him at the bar and said to him before we left: 'You did say you would answer my question. I really think you should lay this to rest. It may go further. Are you or are you not' - and I remember the words I used very well indeed - 'are you or are you not vetting positions in the public service?' His answer to me, Mr Speaker, through clenched teeth, I might add, was: 'Yes, of course I am'. I was astonished. I then said to the honourable minister: 'I will write to you immediately and have that confirmed in writing', and I carried that out instantly, Mr Speaker.

I might accept an explanation from the honourable minister that he made that comment to me with his tongue in his cheek although I think it is a bit difficult to have your tongue in your cheek when your teeth are clenched. But, I was astonished. Certainly, I did proceed to carry out what I said I would do. Although the hour was late, I went back to my office, immediately drafted a letter to the minister and had it hand delivered to Block 8. Subsequently, I received my one-paragraph reply on notepaper. I say quite categorically that it was that comment to me by the honourable minister himself that provoked my interest in this particular matter. There was no connection whatever with the ACOA. One piece of correspondence has passed between the ACOA and myself which was when we disagreed quite publicly as to how the matter could be resolved. I guess that that is yet another lesson for me on how to deal with ministers of the government.

To turn to the last matter, I think it is extraordinary that this document was tabled by the minister himself. It is the first time I have seen it. It is marked C108. It is clearly headed on departmental letterhead, not on ministerial letterhead or a distinctive letterhead such as Cabinet members use. It is the letterhead of the Department of Community Development: 'To the secretary from Director, Management Support Services, Staffing and Manpower Controller Executive E2'. I must say, having read it now for the first time, along with another honourable member of this Assembly, I believe it compounds the issue and does not make it any clearer. This Department of Community Development paper has been given to other people. They can read the complete detail themselves. It says: 'I refer to your approval of 4 February 1982 to exchange the existing E1 Manpower Controller position ...'. What I make clear is that this is not a question of being advised of the curriculum vitae which is possessed by people in his department after the event as the honourable minister said. I think it is laudable for a minister to make himself familiar with the kind of talents and skills available in the departments that he is responsible for. It has nothing to do with that. Clearly, it has nothing to do with creating or approving any new positions in the public service. The position clearly exists. This minute is entirely

concerned with the individual who will fill that position. Although it has been issued publicly by the minister, I will follow the previous member's example, and use another name. It says:

> *Our selection for the position is (Mr Bill Smith) who is an existing E2, and the position is another E2, and is currently Director, Consultancy Services Branch in the office of the Public Service Commissioner. He has a very strong background in the personnel management field with particular strength in organisational analysis, classification, manpower planning, the development and implementation of computer-based management information systems. I am confident that (Mr Smith's) skills would be a significant asset to the department.*
>
> *Recommendation: It is recommended that you seek the minister's approval for the appointment of (Mr Bill Smith) to the position of Manpower Controller Executive Level E2 Management Support Services.*

It is not a question of being advised what the qualifications are after the appointment, nor of a ministerial quibble about the level of the position because, of course, the minister has that control. He controls the amount of money the department gets. It is for a position that exists and relates to the transfer of a person into that position and specifically refers to the individual who has been given preliminary approval by the public service but requires the minister's approval. To my further astonishment, I then see that there are 2 signatures appended to the minute. The first is P.J. Bartholomew, Director. That is perfectly reasonable. The second is N. Lynagh who, of course, is the secretary. It is a very familiar signature to me because I have many letters which bear that signature. However, what is interesting is that Mr Lynagh's name has been struck out and the signature of the minister is appended to this document.

At least 2 other honourable ministers are still present in this Assembly and perhaps they could respond. I am curious. Is it normal practice, in other departments, for ministers to sign departmental minutes? I ask the 2 ministers who are still present in this Assembly whether they have ever signed public service minutes on their own letterhead paper. Have they, indeed, ever struck out the name of the senior public servant whose signature should be appended to them and affixed their own signature? These minutes, which I have read for the first time, cloud the issue rather than clarify it. I think it is a fairly interesting practice if it is followed by other ministers. I ask the Minister for Primary Production, who has the opportunity of participating in the debate this afternoon, to give some further explanation of these minutes.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, during the course of this week the eisteddfod has been held in Darwin schools and at the Darwin Community College. I wish to report some good news of a success story which started in Alice Springs at the beginning of this year. The Department of Education has a couple of senior officers in the Southern Region who have nostalgic memories of successes in eisteddfods when they were in the teaching field, particularly in the bush schools. It was decided that a couple of schools should be selected from the Southern Region to take part in this eisteddfod. One of the schools which was chosen was Mt Ebenezer in the electorate of the honourable member for MacDonnell. The 2 teachers there are Miss Angela Falkenberg and Mr Ian May. I might point out that Miss Falkenberg is in her first year of teaching and Mr May has been teaching for 3 or 4 years. They were selected to put the students through their paces. They put together a recorder group and came up to the eisteddfod to compete.

The Department of Education was quite supportive of this venture. It helped out with uniforms which I have been told look really great on the children. It supported them with bus travel and with accommodation at Kormilda. As well as that, it has been brought to my attention that the parents of the children have been extremely supportive of their children. They were quite generous with the money and clothes for these children and generally supported the whole venture. The really pleasing aspect is that there has been a spin-off in that the attendance of children at school has increased greatly. They hated missing out on their opportunity to take part in this recorder group. Community pride has increased and the kids have more self-esteem. The good thing about it is that, on Monday, when they competed against 16 other schools, they did not choose the hardest piece of music to play, but what they played they played faultlessly. That is a very pleasing thing. I am sure the honourable member for MacDonnell would be keen to add his congratulations to the staff and students of the Mt Ebenezer school.

Mr Bell: Hear, hear!

Mr D.W. COLLINS: Another thing that pleases me is that all the practices were held after school hours. No school time was taken up. I would see that as a feather in the cap for the staff and students involved. An officer from the department said to the staff down there: 'If you can win this section, I will see what I can do about getting you a new staff room'. Apparently, the 2 teachers only have a small section of a caravan as a staff room. I have been told that the 2 teachers took great delight in ringing up this gentleman and saying: 'You had better get on with it'. I think they richly deserve it.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, we have heard much in the last few weeks about Kerry Packer taking over VRD and Newcastle Waters and also Humbert River. Mr Packer is a businessman and one reason for his coming here is to take cattle down to New South Wales and Queensland from these stations. That is fair enough. If he buys the stations, he is entitled to do what he likes with the cattle, but it might not be the best thing for the Northern Territory. We hear a lot about restocking but we do not know where we will restock from because there is a shortage of cattle right throughout Australia. The Northern Territory is about the only place to restock from. I am not against Kerry Packer. The honourable Minister for Transport and Works would know Kerry Packer's main manager Tony Clark. He used to be on Wave Hill for years and later at Nutwood. He then went south. He is a top man but we have top men up here too.

There are 3 leases on Newcastle Waters, 4 leases on VRD and Humbert River is a separate lease. If this government wants development, I think it is about time it bought these places and split them into the leases which comprise them and then started young Territorians on them. I have been talking to them for many years. They want land. They do not expect to get half of VRD or anything like that, but they want land. I think it is about time that we did something like that.

Alongside VRD are Killarney, Montejinni and Camfield. They were all part of VRD until the 1950s. The media said that Mr Packer expected to have a herd of 100 000 head. You would never get that many on those 3 places which were cut off VRD 30 years ago. I think Camfield was sold with 15 000 head guaranteed and they turned up 23 000 the first year. I think Killarney is pretty well stocked and so is Montejinni. I am not asking for these places to be chopped up as small as Moroak. But, when you chop up these places and run them separately, with owner-managers, a better turnoff usually

results. I am sure the honourable member for Ludmilla would agree that Humbert River was run a lot better 10 or 15 years ago. It could not have been run better because the owner was managing it.

I am sure that Mr Packer would say that he would not destock these places and that, if he did destock, he would restock with better cattle. I heard that about Elsey in the early 1950s when Smorgons bought the place. They told the then manager, Peter McCracken, to shift all the rubbishy cattle off and kill them at their works and then restock the place with good quality cattle. That has not happened yet. I suppose times changed and something happened. The Smorgons sold Elsey and the place has never produced much since. I was very disappointed - as other people were - when Alexandria Station was given back all its leases. That is a pretty fair hunk of country. I do not care who owns it. When the leases ran out within the last 10 years, it should have been split into its leases. It is pretty good country down there. It has pretty good cattle. One of my sons is managing one of the outstations and that is big enough for one person.

I put to the government that it buy the leases for Newcastle Waters, VRD and Humbert River and then split them up into suitably-sized economic areas and sell them. It would probably have to provide backing for Territorians to develop them. If we want development in the Northern Territory, I think 8 Territorians would do more than Kerry Packer.

Mr SMITH (Millner): Mr Deputy Speaker, every one of us, from time to time, gets chain letters. I received mine yesterday. I think the contents of chain letters are fairly well known to people. There is pretty strong pressure placed on people to keep the chain going. I will just read out some of the rewards and punishments in this particular chain letter. If you send it on within 96 hours, as an RAAF officer apparently did, you get $70 000. Another fellow received $450 000 and lost it because he broke the chain. In the Philippines, some poor fellow lost his wife 6 days after receiving the letter and not forwarding it on. It goes on, Mr Deputy Speaker. It is not unusual. It is a deplorable practice but it is not unusual. What is unusual is that I received mine in a Telecom Australia postage paid envelope. There are concerns, from time to time, about the costs of Telecom services. I think perhaps Telecom might have a closer look at what happens to its envelopes, particularly its postage paid envelopes. I would have thought that perhaps the person who sent this chain letter could have made a chain telephone call. Instead of sending out 20 letters, he could have made 20 telephone calls.

Mr Deputy Speaker, there are 2 more serious matters that I want to raise. One concerns acquisition of some land along Gulnare Road in the rural area. As I understand it, the government wanted to acquire land along the side of Gulnare Road for widening purposes and for the provision of easements for services. This is a normal practice. The government is involved in a process of upgrading rural roads and rural services. Quite a number of roads, which were developed before the present Planning Act requirements were introduced, have to be widened.

Meetings were held and agreement was reached with about 17 out of the 20 people who were affected. The remaining 3 people wanted to exercise their rights to object under the Lands Acquisition Act. All that is perfectly all right. I would like to congratulate the departments on the way they go about consulting people before action is taken in land acquisition matters. I think they have a very good technique developed now and it certainly provides the opportunity for everyone to have his say. After that process, 3 out of the 20 people still wanted to object. On 23 March, notice of

intention to acquire land was given in the NT News and people were given 28 days in which to object. But, on the very same day, the minister indicated that he had acquired the land. These 2 bits of conflicting information went out on the one day: notices of intention to acquire and the minister's negation of that by indicating that he had acquired the land.

Mr Deputy Speaker, I understand that it is a fault in the present act that, even when the minister intends to acquire land, he still has to give notice of intention, even though the notice of intention has no application. Perhaps the government could look at that. But I think what has happened in this case is that the government, unnecessarily and certainly without warning to the public, has proceeded with haste to acquire the land when it really would not have mattered all that much if it had given the 28 days notice that the act provides for. I understand that the Department of Lands acted on behalf of a client department, the poor, beleaguered Department of Transport and Works. I do not want to make my criticism of that beleaguered department too strong. Certainly, I think that it was probably unwise in that situation. The Department of Transport and Works had not indicated at any previous stage that it considered the matter to be urgent. Certainly, the people in the area were upset that the right of which they had been assured, that of objecting to the proposed acquisition, was cut from under their feet.

Mr Deputy Speaker, there is one other matter related to that. As I understand the Lands Acquisition Act, where the minister proceeds to acquire land in the manner that I have outlined, he is required, under section 44 in part III, to table in the Legislative Assembly, within 3 sitting days of the publication of the notice of the acquisition in the Gazette, a statement of his reasons for the acquisition. If I am correct in my assumptions on this matter, the 3 sitting days would have expired last Thursday. I would appreciate a response tomorrow from the responsible minister as to what exactly is going on there.

Mr Deputy Speaker, very briefly, my last comment refers back to remarks made by the Chief Minister on the vexed question of the coastal surveillance contract and NTAW. The honourable Chief Minister seemed to place the blame, fairly and squarely, on the Hawke Labor government for the problems that NTAW are faced with. But the point remains that the specifications for the contract made it impossible for NTAW to put in a realistic tender with its Nomad aircraft. The specifications discriminate quite clearly against the provision of Nomad aircraft and, equally clearly, favour Shrike Commanders or similar types of aircraft that are presently being used both to the east and to the west of the current NTAW contract.

I believe it is most unfair of the Chief Minister, and most unfortunate that, in this situation, he has blamed the federal Labor government. Basically, the situation that it has found itself in is something that it has inherited. It behoves the Chief Minister to act in a bipartisan manner on this particular matter so that we can see what assistance can be provided to the pilots and other staff who have been rendered redundant by NTAW and to put as much pressure on the federal government as possible so that those staff will be picked up by the new contractor.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, in rising in the adjournment debate today, I speak in support of the petition that I presented this morning regarding the establishment of an ambulance station in the rural area. I do not think anybody would disagree with this proposal. It is becoming more and more of a necessity to have an ambulance station there. The nearest stations out there are at Jabiru, Batchelor, Darwin and Katherine,

which does not help my constituents.

Propositions have been put forward for some time to establish an ambulance station in the rural area. I will be pursuing this matter further because it was drawn to my attention only last week. I would like to comment on that. I believe, from memory, that there were 764 names on that petition, and it had only been circulated in the rural area for a little more than a week. Clearly, that shows how much people want an ambulance station. It was proposed some time ago to approach the police authorities to see if an ambulance station could be put at the Fred's Pass Police Office. I think there was some misunderstanding at the time because the people who made the inquiries from the rural area were told that the police office could not stay open outside its business hours and therefore the toilets would not be available. What was intended was to put a self-contained caravan or demountable in the grounds of the police office and that area was chosen for safety reasons. I do not think that, at the beginning, this ambulance station would be manned 24 hours a day. I think the reason for having it in the security area of the Fred's Pass Police Office would be that it would not be manned at times and it would need to be locked securely.

Over Easter, 3 people suffered severe accidents at the Berry Springs Reserve. First aid was administered to them by the ranger there. One of them injured himself so badly that, without adequate first aid, he may have died. To get an ambulance into that part of the rural area from town takes about 55 minutes. I have been told that most severe road accident victims die in the first hour if there is no help. If good first aid is available to save a person's life in the first hour, he stands a much better chance.

At the recent Fred's Pass Show in May, there were 2 ambulances because horse and motor cycle events were being held. At one time, both of the ambulances were away at the same time taking people to hospital. I understand the people in the St John Ambulance Association in the rural area have approached the Fred's Pass Reserve trustees to see if they can have an ambulance station at the Fred's Pass Reserve. They have been told they can. I might add that there is quite a large area of Crown land still available between the Fred's Pass Police Office and the pumping station which would be suitable for the ambulance station. St John Ambulance has a lot of support in the rural area. At the moment, it only has about 18 to 20 members. Many people have been trained and they have a very active cadet group. However, people's interest wanes very quickly when they do not have the focal point of a station. I have been assured that, if a station is established in the rural area, St John Ambulance personnel or volunteers will literally come out of the woodwork.

Everybody wants to do their bit, even Telecom. We often hear about Telecom taking a blue age to put in telephones. Telecom have reserved a pair of lines in anticipation of the opening of an ambulance station in the rural area. It has not yet been decided whether it would be better to start with a self-contained demountable or establish a permanent building immediately. No doubt the relevant authority, which has more specialised knowledge of this matter, will make a decision. I shall pursue it further.

Mr Deputy Speaker, I would like to comment on answers to 2 questions that I asked yesterday and today. I asked one of the Minister for Conservation: 'What is the Conservation Commission doing about the increasing number of marauding dingoes?' For those members who do not know what 'marauding' means, I suggest they consult the Oxford Dictionary. All honourable members probably know that I breed dingoes. I like them. But, fair is fair; there are too many of them in the rural area and their numbers

have to be thinned out. I put out a press release about 3 weeks ago about this and I had many people coming in to see me and ringing me up to tell me that they agreed with me. A chap down on the Arnhem Highway, right out past the hotel, lost 9 little pigs. There was a chap at the 17-mile who had lost dogs. We ourselves have lost young stock and small stock and other people in Howard Springs have lost poultry. My observations were backed up also by the local veterinary surgeon who reported a great increase in the number of injured dogs which had been brought to his surgery. He put this increase down to altercations with wild dingoes.

I do not believe in or condone the complete eradication of any animal but I feel that dingo numbers have to be kept down a little. I have approached the Conservation Commission and certain people in the Police Force. My reason for calling on those government departments is that I know there are marksmen in both of them. The honourable minister said that it was not feasible to put poison baits on 5-acre and 20-acre properties in the rural area and he said that shooting might occasion some problems. Nevertheless, I feel that, at the hands of a marksman, culling of dingoes could be done quite safely.

I asked the honourable Chief Minister a question regarding uncontrollable stock in the rural area. I was not talking about straying stock. Straying stock is domestic stock that has wandered off, perhaps through an open gate or a broken fence. Mr Deputy Speaker, I think that all honourable members would know what marauding, uncontrollable stock were if they had 20 wild buffaloes from a Conservation Commission area on their back lawn one night. This area is not very far from where the honourable member for Sanderson lives. I do not know whether such buffaloes visit her back lawn but it is rather dangerous if they do.

Pet meat shooters have been approached to resolve the situation but they cannot and will not do anything at night. They are very well aware of the dangers of shooting at night. So far I have not had any help from either the Conservation Commission or the police. Both have marksmen in their ranks. However, I feel that, in the interests of continued peaceful living for my constituents in the rural area, these wild buffaloes must be disposed of one way or another. In addition, there are wild cattle which present problems. It is no good telling landholders that adequate fences will keep them out. Adequate fences will not keep out wild cattle and wild buffaloes. Whilst they may not be a hazard to traffic on the roads because mostly they come out at night, they present quite a problem to my constituents. I think it can be thrashed out within the Conservation Commission or between the Conservation Commission officers and the police.

Mr LEO (Nhulunbuy): Mr Speaker, in relation to a question asked of the honourable Minister for Transport and Works last Thursday, I would like to address my remarks during this adjournment debate to the problems being experienced by the horse-racing industry in the Territory and the way the Labor party sees these difficulties being overcome. It is no secret that the horse-racing industry is at the crossroads with respect to its financial viability and its future.

Investigations I have carried out in recent weeks point to a crisis in confidence amongst those in the horse racing fraternity. The crisis is the making of the Northern Territory government and, in particular, the Chief Minister and the Treasurer who reaffirmed during the week their opposition to the introduction of Totalisator Agency Board operations in the Northern Territory. The reason that this government puts forward for opposing TAB is as shallow and as fuzzy as its attempts to explain away the scandalous

financial and administrative arrangements for the roll-on roll-off wharf. The Chief Minister puts forward the proposition that TAB will lead to illegal SP betting and the corruption of the Police Force. I find it very difficult to understand how the Chief Minister could arrive at that conclusion. Really it is absolute nonsense. All members of the Assembly recognise the outstanding quality of the NT Police Force, yet the Chief Minister has the absolute gall seriously to suggest that the integrity of the force will be compromised by SP operators if TAB is introduced.

Quite apart from reflecting on the reputation of Territory police officers, the Chief Minister's argument has a basic flaw in it. It fails to acknowledge that illegal SP betting already is carried out in the Territory and, to my knowledge, with no adverse effect on the honesty of the constabulary. That is not to say that I condone SP betting. I am simply pointing out the fact that it already exists in the Northern Territory.

Mr Steele: Whereabouts?

Mr LEO: I would suggest to the honourable Minister for Transport and Works that, with his meanderings through the rural areas of the Northern Territory, he is probably more familiar with those activities than I am.

I have also read with interest statements made by the Treasurer on the liberalisation of bookmaking arising from the Racing and Betting Bill. The thrust of the bill is to give bookmakers a wider field of operations and to allow them to operate on sporting events other than horse racing. I have no objection to this initiative. In fact, it is a natural process in the development of bookmaking. However, it does demonstrate that this government cannot see the wood for the trees. Cosmetic legislative changes favouring bookmakers will not resolve the very grave crisis that the horse racing industry in the Northern Territory finds itself in. The crisis is evidenced by an annual decline in off-course turnover of almost $20m since 1975-76 and the very real possibility that the Darwin Cup carnival, which is nationally recognised, could cease to exist.

Mr Speaker, the horse racing fraternity, and the Darwin Turf Club in particular, are extremely concerned about the future viability of horse racing in the Northern Territory. I point out that revenue is contracting to a stage where a no-growth situation is the best that they can hope for unless changes based on the introduction of TAB are brought about. The financial squeeze is being felt at all levels of the industry. On the present levels of prize money offered at the Darwin Turf Club, a horse must win 11 races a year for its owner to break even. The poor things must be absolutely exhausted going around the course 11 times a year. Jockies have to hold 2 or 3 part-time jobs to supplement their earnings from riding and Darwin Turf Club officials admit that their racing calendar will be planned on a day-to-day basis if financial input into the industry does not improve.

The nub of the crisis is money or rather the lack of it. While every state in Australia is showing substantial turnover growth, the Territory is going backwards. In 1975-76, the off-course turnover in the Territory was $51.5m. When the turnover tax was introduced in 1978-79, the turnover dropped 32% and has fluctuated around $33m for the last 2 years. Simple arithmetic will show most members that that represents a substantial drop in turnover. From these figures, it is obvious that off-course turnover cannot be taxed successfully and massive tax avoidance is occurring. The net result is that the government is deprived of considerable tax revenue and the racing clubs do not have the benefit of being able to draw from a steadily growing pool of revenue so that they can improve their facilities for the race-

going public and offer satisfactory prize money.

The Labor party firmly believes that the problems confronting the racing industry at the moment can be overcome to everybody's benefit through the introduction of TAB. In this respect, I would draw the Assembly's attention to the enormous transformation that resulted from the introduction of TAB in Tasmania, which in many respects could be used as a yardstick for the Territory. In the year before the TAB was introduced in Tasmania, in 1974-75, off-course turnover in that state was $40.7m while on-course turnover was about $21m. Since the TAB's first year of operation, when it recorded a turnover of $9.7m, there has been a progressive growth in TAB and on-course turnover. In 1981-82, TAB turnover was $62.3m - 50% more than off-course betting shops ever recorded. At the same time, on-course turnover was about $50m a year and that was an increase on any previous figures from off-course operations. TAB commission for 1981-82 was $10m of which the government's share was $2.9m.

Using the Tasmanian experience, and I point out that Territorians wager considerably more per capita than Tasmanians, the initial TAB pool that the Territory could expect is in the order of $15m to $17.5m. On a pool of $15m, a 4% tax levy would return the Territory government $600 000 in the first year. Working on a 3% share of that pool, the racing industry would receive around $450 000. On-course revenue from a 1% turnover tax on bookmakers would return the government and the racing clubs a further $250 000 each. From discussions I have had with the racing people, the Darwin Turf Club would benefit to the tune of about a further $200 000 through increased bar turnover and attendances.

Mr Speaker, it is obvious from these figures that TAB can be a source of valuable revenue for the government and racing. It can also be deduced from these figures that the Northern Territory government and the racing industry have lost between them $7m and $8m by not implementing the recommendations of the 1976 Neilson Report which advocated TAB for the Territory.

I will point out some of the other benefits that flow from TAB. By comparison with the 100-200 people presently employed in the betting shops, TAB would immediately create work for about 1000 people in agencies and sub-agencies and through increased computer and record systems staff. That is a guesstimate. The flow-on effect of a rejuvenated, financially healthy racing industry would also mean the creation of more jobs at race meetings. The betting public would be offered a wider range of betting services; for example, trifecta and quadrella betting which pay substantial dividends for a comparatively small wager. Another important consideration is the appeal TAB has for women. It is a fact that women, who contribute one third of TAB turnover in the states, are loath to use betting shops. Quite frankly, after having been to a couple of betting shops, I can understand that.

Mr Speaker, as to the cost of introducing TAB, it is my understanding from many people of authority and standing in the racing industry that one of the states would welcome the Territory being linked into its computer system. Agencies and sub-agencies would need to be established and, initially, this could be done through rented premises and, for some of the outlying areas, through smaller agencies fitted with computer terminals. It is also my understanding that the actual mechanics of introducing TAB betting is not a complicated and time-consuming undertaking. Specifically, on the cost aspect, the experience elsewhere has been that initial expenditure is rapidly recovered through the TAB's commission.

I would like to conclude my address by drawing attention to the fact that the future of the Darwin Cup carnival has been placed in jeopardy by the continuing no-growth state of the horse-racing industry. The Darwin Cup carnival is the biggest tourist event on the Northern Territory calendar, attracting a massive influx of interstate tourists. I might add that airline companies recognise this. There is quite an increase in air travel, as the Minister for Transport and Works would know, around the time of the cup carnival. It creates a saturation point in all accommodation outlets. In fact, Hotel Darwin is one place which has committed bookings until the 1988 cup year.

The interstate tourists are renowned for being big spenders - something I am quite sure the Chief Minister would be interested in. The resultant spin-off to all sections of the community is enormous. The carnival is gaining maximum recognition on a national scale. This year, it boasts interstate participation in TAB betting in South Australia, Western Australia and Victoria. That is remarkable. You can bet on the Darwin Cup with the TAB anywhere in Australia but in Darwin. Inquiries have been made in regard to expanding the carnival tourist packages to the South-east Asian region where there is also a great deal of interest in racing. The government's stick-in-the-mud approach to TAB is directly holding back the racing industry and depriving the race-going and betting public of facilities available in every state. It is about time the government gave the race-going public in the Northern Territory a fair go and introduced TAB.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in today's NT News, there is an article and a letter to the editor concerning the people of Yarralin on Victoria River Downs, pointing out that they have been virtually neglected as far as all talk about purchases is concerned. The people have been forgotten. In a recent press statement, the Chief Minister said that, should the Kerry Packer company be successful in obtaining the lease to Victoria River Downs, it would donate some of the area as a national park and would reduce the extent of its holdings in the Northern Territory below the permissible and legal level which a company is permitted to hold.

I have been closely connected with the people at Yarralin since its institution. In fact, I shifted in there myself and undertook negotiations together with Mr Alex Bishaw who is Deputy Director of Conservation. In October 1973, with Mr Bishaw, I was involved in negotiations with the Hooker Pastoral Company in obtaining a block of land on VRD on which the former employees of this station and their families could settle. The chief official of the Hooker Company with whom we held discussions was at that time a Mr Halstrom and the manager of the station was Mr Ian Michaels. I should have mentioned, Mr Speaker, the Aboriginal people had a mass walk off from VRD and its outstations some months earlier, as well as walking off Montejinni and Humbert River Stations. In fact, it was quite a to-do; it was almost as big as the Gurindji walk off at Vesteys.

In any event, Mr Bishaw and myself were successful in the negotiations and the Hooker Company gave assent to the people to return to their home country. I say 'home country' with some reservation as Yarralin, the country that I took them back to, was really home country by right of having lived there for some 100 years although, in many cases, it was not their traditional land. There were various peoples such as the Mudbra, Gurindji, Walpiri and others. Through many years of occupation, they had come to regard VRD as their own country. Many of them had been dispossessed of their original lands through the establishment of a large number of cattle stations in the VRD area.

In 1973, I was involved in shifting this conglomerate group of people back to Yarralin, the former site of the old Gordon Downs outstation. I physically moved about 200 of them in many different operations from Dagaragu on Wattie Creek back onto VRD, together with all their goods and chattels. It has been said that Aborigines are not an acquisitive people but you would change that idea if you saw the amount of gear they wanted to take back.

Since that time, they have been consciously trying to get some sort of a tenure over the country in which they are living but to no avail. Last September, at the request of Mr Charles Perkins, I went down to Canberra to talk with him about Aboriginal-owned stations and Yarralin was the chief subject of our discussion because they have no form of tenure whatsoever. They are becoming desperate because of this and their apprehension regarding their future at Yarralin is pathetic to see. They are a singularly depressed and fearful people who are greatly disturbed about their future. Many have had psychiatric treatment and many are on anti-depressant pills because they are so frightened of being pushed off the place. They are only there because of Hooker's good offices at the moment.

If Kerry Packer does succeed in eventually obtaining the lease to VRD, a worthwhile gesture from him would be to grant a lease of 230 km^2 to the unfortunate Aboriginal people who have been trying to get it for nearly 10 years. At no time have they been really satisfied that they will be permitted to remain there any longer. Their plight is pathetic and quite desperate. A number of them have had to have psychiatric treatment as I said. A sister visits them from VRD and many are taking pills to stop depression. Mr Packer could make them much less distressed and more certain of their future if he could offer them their land back. It is only an area of 230 km^2 which is only a cattle or horse paddock on VRD. It would still leave him plenty to donate to the nation as a national park.

I ask that the Chief Minister approach Mr Packer as a matter of urgency - presuming that he will eventually purchase VRD - with a view to his making the offer to the people of Yarralin of the return of the Ngaringman people's land. As I said, for some it is only their land by virtue of having lived there for so long but it is in fact Ngaringman land and the greater number of them are Ngaringman people. He could show his interest in the original inhabitants of this country by a very significant gesture of goodwill towards the people. VRD was originally built by Aboriginal people, one might say, because it would never have existed without them. It would be a gesture of goodwill towards the Aboriginal race and result in better relationships between all peoples in the Territory. It would be a wonderful gesture to these poor devils who cannot get any land at all even though they have tried for so long.

Mr Deputy Speaker, before I close, I would like to support the honourable member for Elsey in his request to break up some of these giant beef empires and let this land come up for lease by smaller people. In a debate in May 1980, when the leases for Alexandria came up for grabs, I spoke at length. I will quote a little bit of what I said:

> *In any case, whoever really owns the company should not be permitted to retain such an enormous tract of land and exclude smaller operators from having the opportunity to take up pastoral leases. This government has continually promoted the idea of closer settlement in the north and this is an ideal opportunity for it to prove how genuine its words are. My information is that the Land Board has not made a final decision on renewing all 5 leases, reapplied for by the company.*

They did, in fact, give them back to the company. They got first bite of the cherry. I continued:

> *I believe the government should step in and arrange for at least some of the blocks to be balloted for by interested parties. As you well know, Mr Speaker, there are interested parties. I believe also that the old legislation, which has resulted in an automatic roll-over of a certain number of leases held by companies with ridiculously large land holdings, would still apply. I would urge this government to have a good hard look at the matter if they are genuine in saying they desire closer settlement of the Territory and that they want people to stay in this country.*

I referred to what happened with Camfield, Montejinni and Killarney. As the Speaker told the Assembly, they were once part of VRD but they were balloted for.

> *If these leases had not been excluded from the joint VRD holding, instead of now being viable pastoral leases on which considerable development and improvements have been carried out, they would in all probability still be undeveloped, unimproved parts of Victoria River Downs and it would be fortunate if they were mustered once in 2 years.*

That is still my opinion, Mr Deputy Speaker. They do not need all this land. Alexandria did not need 5 leases. They could have occupied the place and run it at a profit just as well as they do now with 3. However, they are just so land-hungry that they will not agree to the land being balloted out. I can assure you that Killarney, Montejinni and Camfield are 3 of the best stations that I have ever seen, and I have seen a hell of a lot of them. They have been improved by smaller developers instead of a giant company, like an octopus, holding all the land.

Mr VALE (Stuart): Mr Deputy Speaker, I want to take up where the honourable member for Nhulunbuy left off concerning racing clubs. He mentioned both the Darwin and Alice Springs racing clubs being in severe financial difficulties or, in his own words, 'at the financial crossroads'. He went on to say that the nub of the problem was a lack of money.

I am not quite sure what the problem is with Darwin. I can only refer to the activities of the Central Australian Racing Club. In fact, today's Centralian Advocate has a quarter-page advertisement pertaining to a race meeting which is presently under way in central Australia. The headline is quite clear: 'The Central Australian Racing Club presents the third day in its $100 000 Alice Springs Cup Carnival'. That is hardly the wording of an advertisement for a club that is 'at the financial crossroads'. The advertisement goes on to talk about '$7000 FAI Northern Territory Guineas'. There is a top field of 3-year-olds, including horses from Adelaide 1000 miles away and Darwin 1000 miles to the north. It is expensive to truck horses to central Australia so the prizes must certainly be there. The advertisement continues: '7 excellent supporting events programmed, full bar and food facilities, closed circuit TV in the members' bar'. Those are hardly the facilities provided by a broken-down racing club. Last but not least is: 'On-course bookmakers betting on local, Adelaide, Melbourne and Sydney races'. The facilities of the racing club in central Australia are a great credit to that racing club and the hard work and activities of its members. It is also a great credit to the Northern Territory government for the financial assistance which it has provided and also to local sponsors who have obviously come to the fore for this 3-day racing carnival which is presently under way in central Australia.

This afternoon's debate on alleged political interference in the public service was interesting in its dying moments. I must say that I have a deep sympathy for the public service because, in the dying throes of that important debate, the public service union representatives walked into the Assembly. That happened 5 minutes before the debate finished. I refer to Mr Ellis and Mr Cavenagh who took up seats in the public gallery in the dying minutes of that debate. So much for the care and concern for the outcome of an important debate in this Assembly which they could have related back to their members.

Mr Deputy Speaker, the honourable member for Alice Springs congratulated Mt Ebenezer on its success in the eisteddfod. I am not quite sure what the word 'eisteddfod' means. I will check with the honourable member for Tiwi. I thought it meant 'carnival' but she thinks it means 'gathering'. I guess you could say that the honourable member for Tiwi is right. There has been an eisteddfod of dingoes and buffaloes out in the Howard Springs area. I think it means 'concert'. I will have to check the dictionary. The honourable member for Alice Springs advised me late this afternoon that, not only was Mt Ebenezer successful - and I would say that anything the MacDonnell electorate can do the Stuart electorate can do as well - but the Aboriginal pupils from Ti Tree were first also in their section.

I am not quite sure how the eisteddfod is run but, if it is like football, they would probably have semi-finals, preliminary finals and then the grand final. I hope that the administrative staff of the Department of Education in central Australia have not said to the teachers in Ti Tree that, if they win in Darwin they will get an additional room. One thing that the Ti Tree School does not need is additional classrooms or facilities in the Taj Mahal. I would like to take this opportunity to congratulate the staff of the Ti Tree School and their entrants who travelled all the way to compete successfully in this eisteddfod. Last but not least, I congratulate the organisers of the eisteddfod in Darwin.

Mr BELL (MacDonnell): Mr Deputy Speaker, I thank both my honourable colleagues from central Australia for their contributions, particularly the honourable member for Alice Springs, in highlighting the success of the students in the eisteddfod. I was not aware until I read the item in the NT News this afternoon that they were, in fact, in Darwin and I am hoping that they may be able to see part of the deliberations of the Assembly while they are here. That is one of the unfortunate things about central Australia being so far away. It would be a shame now that they have come so far and the Assembly is in session, if they were not able to be here for some part of the proceedings.

The 2 items I want to raise tonight come within the purview of the Minister for Housing. The first item relates to the operation of the Tenancy Act and what I see as a need to publicise aspects of that particular act so that landlords and tenants are aware of their rights and responsibilities under it, particularly as it applies to caravan parks. Honourable members would be aware that legislation in this regard was passed last year. They may not be aware, however, that certain aspects of that legislation have yet to be tested. In fact, it may be that the act will require minor adjustment, as I hope I will be able to explain this evening. I believe there is a need to highlight the existence of the act so that it can operate in the way that was intended, for the benefit of landlords and tenants, and in this particular case, tenants in caravan parks.

The particular problem that I want to mention came to my attention because my office was approached by tenants of a caravan park who are

seeking assistance with a particular difficulty. They had been told to leave the park in which they had been long-term tenants. They had been resident there for something like 12 months. The manager had refused to supply them with written advice of the reasons for their eviction, as he is obliged to do under the Tenancy Act, assuming that that particular action on his part comes under the provisions of the Tenancy Act. That is where some confusion arises. Apparently, whether or not the act applies is determined not by the Commissioner of Tenancies but by a Tenancy Tribunal which is, in effect, a magistrate sitting as a Tenancy Tribunal. The end result of the situation, to which I will briefly refer, was that the particular family was advised to bring the matter before the Tenancy Tribunal. In formulating this advice, public service officers encountered some difficulties with the wording of the act and I would ask the honourable minister to follow up this particular aspect. Unfortunately, the situation had dragged on for some time before advice was given and was becoming progressively more difficult.

I might take the opportunity to read some of the comments made by the tenants involved so that the honourable minister is aware of the problems that have arisen. These very copious notes provided by the tenants involved indicate the seriousness of the situation which developed. The notes relate to problems of the manager of the caravan park turning off the power and generally harassing the people involved. The management had withdrawn various services from the tenants, including power, water, mail delivery and the use of the telephone on the caravan site. The legality of withdrawing services in that way may be questionable but this does not detract from the fact that it was most distressing for the people concerned.

Why this Assembly should be interested in this case is that the people were sent from pillar to post when they attempted to establish their rights. The family concerned contacted a host of individuals and agencies, including the police, the Ombudsman, legal aid, a private solicitor, consumer affairs, the media, Telecom, Australia Post, the Alice Springs representative of the Commissioner of Tenancies and, in extremis, my own office. Whatever honourable members may consider about the advisability of contacting my office in those circumstances, suffice it to say that, given the list of people they had contacted, the tenants, quite clearly, were in difficult circumstances. I am able to advise that the matter has been sorted out but it certainly will require more consideration on the part of the honourable minister.

Apparently, when the family was referred appropriately to the Clerk of Courts in order to request a hearing of the Tenancy Tribunal, it was referred inappropriately to a solicitor. Because this was a situation which had not arisen before and the act had not required interpretation, the people involved were unsure of what was required of them. In this case, the Clerk of Courts was unaware that a person could initiate a hearing of the Tenancy Tribunal. I intend no criticism whatsoever of the people involved. I mention these matters so that the need for information and publicity about people's rights can be highlighted and so that the honourable minister will be aware of it.

Because of the lack of information and the inappropriate referral, the situation became confusing and distressing to the people involved and quite ludicrous to the casual observer. At one stage, for example, in response to a phone call, numerous police cars converged on the scene expecting a siege of the caravan concerned. Fortunately, the owner was not at home at the time. This situation need not have developed had both parties been aware of their rights and responsibilities under the Tenancy Act. Conversely, it may have been established that the act did not apply, in

which case the parties would know where they stood.

Turning to what might be appropriate in terms of government action, it seems to me highly desirable that the government should initiate the production of a pamphlet of some sort which would outline the rights and responsibilities of tenants and landlords. Perhaps such a pamphlet could include information on what to do and where to go in case of a dispute so that matters may be speedily and satisfactorily resolved. I believe that that is particularly important in the Territory where we have such a high proportion of tenants in flats, houses and caravans. I hope that the honourable minister will give that due regard.

I turn to a matter which comes within the purview of the Minister for Housing: the portability of Northern Territory government home loan schemes. The particular case I will mention tonight relates to a staff home loan scheme. In the statement that the honourable minister made this afternoon, he said that consideration will be given to the development of a scheme of portability of Housing Commission mortgages. In that context, he might find what I have to say this evening of interest.

Mr Deputy Speaker, a citizen of the Northern Territory, a single officer, applied to purchase a unit in which he was resident. At that stage, he was not entitled to purchase a house under the government's staff home loans scheme. As is the way with both the male and the female of the species, they contract marital obligations that frequently result in the issue of children and this erstwhile single officer now finds himself in the position of requiring accommodation for himself and, soon, a first child. Quite obviously, the accommodation which he has at the moment is not the place to raise a family. The gentleman concerned would like to exchange this unit for a government staff house.

He applied to the Housing Commission and there seems to be some doubt as to whether in fact he can do that. It seems to me - and certainly I would be interested to hear the honourable minister's view in this regard - that, if the Home Loans Scheme is intended to adapt to the varying needs of Territorians at different times of life, it is highly desirable that such portability of mortgages be encouraged. Certainly, it would seem to be in the spirit of the statement that the honourable minister made to the Assembly this afternoon. At this stage, it seems unclear whether this particular gentleman will be able to transfer his mortgage in the way common sense would dictate. The Housing Commission has responded to him saying that the policy on the transfer of current mortgages to other properties is currently subject to review and a final decision should be reached in the future. I mention it this evening, Mr Deputy Speaker, in the hope that the honourable minister will take into consideration the plight of this particular man and his family and endeavour to adjust the Home Loans Scheme in such a way as to meet the needs of this family.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, I would like to raise once again the matter of the relocation of certain dumping operations which are presently carried out at Leanyer. Yesterday, I noticed a short news report in the local newspaper which attributed to the honourable member for Tiwi certain remarks that she may or may not have made in respect of the proposed relocation of wet dumping operations to a possible site in the rural area. This report said that 2 sites were under consideration, one near the Leanyer bombing range and the other in the vicinity of the Howard River at Howard Springs. It was further reported that the honourable member for Tiwi had said that she would not want to see the dump relocated in the rural area because this would mean that the Darwin City Council would have control of

the land and the people in the rural area do not want this.

Mr Deputy Speaker, as you can imagine, and I hope the honourable member for Tiwi appreciates, I am very anxious for a quick resolution of the subject of the future dump. The reason I am probably more anxious than most members is that the dump is presently located within my electorate and the residents of Sanderson have put up with some extremely trying conditions for a considerable number of years. The residents of Sanderson and their area have played host to the rest of Darwin area in so far as their dumping operations are concerned. I am pleased that the Darwin City Council has made a decision that, within the next few months, wet dumping will cease and, in the longer term, the dump will be relocated altogether.

It is also quite clear that there are areas within Darwin which either by reason of their soil or proximity to water courses or lagoons and so on would be unsuitable to be used for dumping. It is also quite clear that the lessons of the last few years should be heeded and that a new dump should be located where it is unlikely to interfere with residential development. If the attitude of the honourable member for Tiwi has been reported correctly, I must say that I am extremely disappointed, especially at the reason given by the honourable member for Tiwi as reported in the newspaper. It is clear that 2 sites are under active consideration. I would urge the honourable member for Tiwi not to pre-empt in any way the eventual siting of the dump by reacting in a knee-jerk fashion to what the city council is doing.

Mrs Padgham-Purich: It may go down at the end of Langton Road.

Ms D'ROZARIO: It may well go down to the end of Langton Road, in which case I would claim that the dump was being placed near residential development. But, the Howard River, Mr Deputy Speaker, as you would know, is not in the vicinity of any rural residential development. Most of the subdivisions lie well to the south of the site that is being considered. I am well aware of the problems that can be caused to residents by having a dump located near residential areas. After all, I have suffered this problem in my own electorate for several years now. However, this situation will not occur if the dump is situated in the vicinity of Howard River.

I think that the honourable member for Tiwi is confusing control of the land with general control of the rural area. It is quite true that rural area residents have made it very plain indeed that they do not want the rural area to be subject to control by the Darwin City Council. But, that is not the same as saying that the Darwin City Council cannot have the management of a parcel of land within the area. Management of one parcel of land there does not amount to wholesale control of the rural area.

In my own electorate, I have a very large residential neighbourhood known as Leanyer. This residential community in my electorate lies to the north of Vanderlin Drive and it is not, at the moment, under the control of the city council. It has not been handed over and it looks as if it will be some time yet before it is. That is a fairly recent residential development. Here we have a large area of land within the general environs of the City of Darwin which is not under the control of the Darwin City Council. Similarly, the Darwin City Council has occupied a parcel of land on the north side of Vanderlin Drive, in my electorate, which it has used as its depot. Whilst it is used by the Darwin City Council, the council has control of it only as the occupier of the land. It is quite obvious that many people have control over various parcels of land all over the place, including the rural area. Merely to occupy it for specific purposes does not amount to wholesale control by the local government concerned. I well know her reasons, having

expressed such reasons to her myself. The point I am making is that the honourable member for Tiwi is knee-jerking on this particular issue.

Mrs Padgham-Purich: You just want it out of your electorate.

Ms D'ROZARIO: I certainly do want it out of my electorate, Mr Deputy Speaker. My residents have had to put up with it on their doorstep for 8 years. I well understand that hardly anyone wants to be living next door to a dump.

The point I am making is that the Howard River site - probably it is a mistake to refer to it as the 'Howard River site' because people will then claim that somehow or other the Howard River will be placed in jeopardy, which is not the case. I merely use the term as a general location reference point. The Howard River site is not within cooee of any rural residential subdivision. The subdivision that I live in is one of the northernmost subdivisions. Whilst I would not be happy to have the dump at the end of Langton Road, I would be perfectly happy to have it in the Howard River area. I hope that the Darwin City Council and all the other authorities who are responsible for delineating a new site would be allowed to get on with the job of doing a proper assessment of the site before having options unnecessarily closed by the attitudes expressed by the honourable member for Tiwi.

Mr Deputy Speaker, last week, I asked the Minister for Primary Production for some information relating to the proposed Berry Springs zoo. In answer to a question by the honourable member for Tiwi this morning, the minister gave us some details of civil works that had commenced in relation to implementing the Berry Springs zoo plan. A reference to the Hansard will show that I asked whether a detailed site plan was available. I very much appreciate the information and the plan that was circulated to members this morning, but it is entitled the Berry Springs zoo concept plan. In fact, it is several stages removed from what I would understand to be a detailed site plan.

Members will note that it is a print of a sketch plan which has been superimposed on a photo mosaic. It cannot in any ordinary sense of the word be thought to be a site plan. However, it does indicate broadly what features will be included in the Berry Springs zoo and also the types of animal exhibits that will be housed there.

I have been very interested to study the plan, particularly in the light of the minister's advice that certain money has been expended already in building roads etc. One of the things that strikes me is that there are some very interesting watercourses in the near vicinity of this land and these will largely be beyond the perimeter fence. I wonder whether the site plan could perhaps have included these watercourses, particularly in view of the fact that there is to be a mangrove and crocodile exhibit. When one looks at the mangrove and crocodile exhibit, one will see that it is outside the perimeter and there is no indication as to how people will get from another part of the zoo to that particular exhibit. Certainly, there is no road shown and roads are generally shown on this concept plan. That is really only one point that I raise by way of example because this is not a detailed site plan at all.

The concern that I wish to express is that money is now being expended without knowing precisely what the overall zoo will look like. I have noted also, for example, that there is to be an area near the main entrance gate which is designated to be the main formal area. It will consist of a major

car park, a reptile exhibit, a nocturnal house and an acquatic exhibit. The clear impression is given that most people who visit this particular zoo will be interested mainly in those particular features. Some kilometres on, we have the large Australian animal enclosure. I would have thought that most people who would visit a zoo in this part of the world would like to see those species which are peculiar to this particular area. I must say that it seems to me that the people will be required to spend a lot of time in their cars travelling between these exhibits. I for one think that is an extremely bad idea. Nevertheless, probably people more expert than myself have turned their heads towards this problem and came up with this particular notional concept.

Mr Deputy Speaker, there are also a number of wet areas and some of them are proposed to be developed into additional lagoon areas. There is no real indication as to how these areas are to be used or indeed how the public will have access to them.

These are points which occur to me after a quick look at the plan. I would ask the minister to have a detailed site plan prepared quickly so that the civil works can continue. I am very interested in this project but I would not like to see any money misspent because of changes which may have to be made to this concept plan. The sooner a detailed site plan is prepared, the sooner the people of Darwin will have their Berry Springs zoo constructed and opened to the public.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

TABLED PAPER
Auditor-General's Report on Emergency Purchase Orders Issued by NTEC

Mr ROBERTSON (Mines and Energy): Mr Speaker, following the advice of the Chairman of the Northern Territory Electricity Commission regarding 2 instances of misuse of emergency purchase orders, the Auditor-General conducted an audit to examine the adequacy of and adherence to controls and procedures applicable to the use of this method of purchase. He has now reported to me pursuant to section 67(1) of the Financial Administration and Audit Act. I table his report.

The 2 instances of misuse were by a senior executive of the commission and related to the purchase of a typewriter costing $943 and a display-typewriter costing $10 221. In both cases, the goods were apparently for use in a private business in Darwin. The suppliers' invoices were directed to a private box number. The EPO forms used to effect these unauthorised purchases were created originally in order to facilitate small purchases of an urgent nature. They are issued in books of 50 to delegated officers within the commission and each form is printed in quadruplicate. The misuse by the senior executive involved the issue of the original to the supplier and suppression of the other 3 copies. In this form of malpractice, the person issuing the order may obtain the benefit of discount and would avoid the payment of sales tax. However, he, and not the commission, would pay the supplier.

Mr Speaker, the senior executive is no longer employed by the commission and the second order placed by him has been cancelled. A cancellation fee was paid by the commission and recovery action for the amount of the fee was instituted against the former employee. As an aside, I am unable to tell the Assembly whether that has been paid, but I would not be surprised if it had.

The Auditor-General's examination of the use of EPOs was supplemented by an investigation already commenced by the commission's internal auditors. A review was conducted of EPO books returned since 1 January 1982 or in use during March 1983 which revealed a number of instances where all copies of cancelled EPOs were not retained. The commission has obtained declarations from each person signing the EPOs that they were raised for official purposes and cancelled in good faith without prejudice to the commission. Some instances were noted of forms being signed by persons not delegated to do so and others were made out for amounts in excess of the delegation, but there was no evidence of a serious breakdown in procedures.

Mr Speaker, the Auditor-General has indicated that, apart from the 2 instances of misuse referred to earlier, and the non-retention of cancelled EPOs noted above, no further evidence of EPO forms being used for private purchases and gain could be specifically determined. He has also indicated that corrective action taken or proposed by NTEC, when fully implemented, should minimise the potential for future misuse of EPOs.

TABLED PAPER
Ninth Report of the Subordinate Legislation and Tabled Papers Committee

Mr HARRIS (Port Darwin): Mr Speaker, I present the Ninth Report of the Subordinate Legislation and Tabled Papers Committee and move that the report be noted.

I would like to inform honourable members that the Subordinate Legislation and Tabled Papers Committee has established a register which lists the authorities that are required under statute to table papers before this Assembly. That has been a lengthy exercise. It was performed by a member of the staff of the Assembly and I take this opportunity to thank very much Mr Norm Gleeson for his work in that respect. It has always been a problem to know just which papers are supposed to be presented before this Assembly. Hopefully, with this register, we will be able to keep a close check on it. Two members of the Subordinate Legislation and Tabled Papers Committee will look after that register: the honourable members for Alice Springs and Fannie Bay. They will refer to the committee if there are any problems in that area.

Mr Speaker, a concern of the committee in the past has been the late tabling of some reports and financial statements. We have 2 examples of that before us at present: financial statements for the Darwin City Council, paper No 372, and the Alice Springs Town Council, paper No 394. Both those financial statements relate to the years ending 1980-81. There may be good reason for those reports coming at this late stage. However, the committee has asked me to prepare a written report on the late tabling of those particular statements, and I will attach that written comment to the next report of the Subordinate Legislation and Tabled Papers Committee.

Mr Speaker, 2 papers have been deferred: Nos 336 and 342. These papers have been referred to the Department of Law for further comment and they do not appear in this particular report. The only other question I have been asked to raise is in regard to paper No 373, tabled by the Chief Minister, and relating to the Executive Trustee of South Australia. I commend the report to honourable members.

Ms LAWRIE (Nightcliff): Mr Speaker, there are in fact 3 tabled papers which have not been included in this report as honourable members will see at a glance. One is paper No 336 to which the honourable member for Port Darwin referred. That deals with the Home Loans Scheme regulations. The minister in charge of that particular area may wish to seek the advice of the chairman as to why we have deferred consideration of that paper.

I wish to refer to paper No 359, which is the school councils regulations. It was also discussed in some detail in committee. I have reservations with it because I think part of the regulations are unduly restrictive. I will be asking the minister, by way of a letter, if he would consider an amendment to those regulations. It deals with the election of the chairman of a school council. The regulations state: 'A school council shall, as the occasion requires, appoint one of its members referred to in regulation 418 to be its chairman'. Regulation 418 relates to parents of students attending the government school, other than parents who are teachers at the government school, elected at an AGM. What this regulation means is that nobody, other than the parent of a child attending the school who is not also a teacher, can be elected as a chairman of the school council. I point out to the minister that Nightcliff High School Board of Management at its AGM this year, with the knowledge of what these regulations say, elected a teacher as chairman of that board. It is the first time we have had a teacher as chairman but, from recollection, and I was present at the meeting, the voting was unanimous. If the high school wishes to incorporate as a council under these regulations, we would have to have another election and, under no circumstances, could that person stand for election.

Mr Speaker, I do not see why there should be such a restriction in the regulations. I am well aware that they were drafted with a view to maximising parent input but, as parents are in a majority on the school

councils anyway, they have the opportunity to elect one of themselves as chairman if they so wish. I would be in the same position. I am Chairman of Nightcliff Primary School Council as a community representative and a parent of children who attended the school previously. I must make my personal position quite clear too. However, my particular concern is with what has happened at the high school. It was a deliberate decision of the board to elect this teacher, who is doing an excellent job and is an excellent chairman in whom we have a great deal of faith. Quite clearly I shall be asking the minister if he could insert a regulation stating: 'or as otherwise approved by the minister', which would get around the problem experienced by at least 2 school councils of which I have personal knowledge.

I would also add that it is not the chairman's role on a school council to enter into debate but to conduct the business of meetings. To insist that a parent has to occupy that role will remove that person from the general debating procedure and could well work in the opposite way to that envisaged by the government. It will, in fact, silence a parent-representative. It is not the role of a chairman to enter into debate, as honourable members are well aware. You, Sir, as Speaker observe that propriety.

Another paper in this report which has not been approved is that relating to the Darwin Private Swimming Pool Bylaws. Concern has been expressed in the committee, certainly by myself, that the council's interpretation of the swimming pool bylaws may not be in accordance with the regulations. Some publicity has been given over the past 10 days to relaxation of the rules by aldermen who are instructing council staff as to the interpretation of what constitutes an effective barrier. I have no quarrel per se with that and I think that the instructions being given to the inspectors are wise and in the community interest. However, if they are not in accordance with the regulations, legally they cannot be followed through. Knowing this, and being a member of the subordinate legislation committee, I rang council officers and raised my query with them. I received an assurance from them that they were just as confused as everybody else and would welcome clarification.

I bring this forward because not only is it a burning issue within the community at the moment but also large sums of money will be involved if people have either to build or modify barriers. If this is not done in accordance with regulations, they will incur further expense notwithstanding the goodwill of aldermen and inspectors who gave them certain advice which was later found to be incorrect and, in fact, ultra vires. I have suggested to the chairman that we consult urgently with senior officers of the council and aldermen with a view to settling this problem so that, when the bylaws are accepted, there will be no doubt as to their legality. There is not only a concern that the statute books be in order but also a real concern for the members of the community who are outlaying money at the moment which perhaps is being spent unwisely.

Motion agreed to.

MINISTERIAL STATEMENT
Local Government Act Review

Mr TUXWORTH (Community Development): Mr Speaker, I would like to bring to the attention of members the paper circulated this morning called the 'Local Government Act Review Discussion Paper No 2'. Honourable members will recall that the first discussion paper was tabled in the March sittings. I had hoped that faster progress would be made on the review of the Local Government Act. I would appreciate honourable members' responses to the

points raised in this paper.

SURVEYORS BILL
(Serial 323)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

It is not often that this Assembly has the opportunity to review legislation that is celebrating its 50th anniversary this month since becoming a law of the Northern Territory. It is also quite remarkable that, during those 50 years, only 2 rather minor amendments have been made to the existing Surveyors Act. This bill will replace the 1933 act which governs the practice of land surveying in the Northern Territory. Land surveying is one of the steps in the process whereby the government guarantees title to land. With increased development and the consequent pressures placed on land, it is appropriate that the Northern Territory government bring the legislation controlling this important activity into step with similar functions in the rest of Australia.

The main purpose of the bill is to provide the machinery whereby surveyors may control their own profession, regulate the professional activities of those undertaking surveys and examine suitably-qualified people wishing to practise in the Northern Territory. The present act provides that only surveyors registered elsewhere in Australia may seek registration in the Northern Territory while the actual practice of surveying in the Territory is governed by regulations controlled by the Surveyor-General. I might mention that the Northern Territory's long-serving Surveyor-General, Mr Peter Wells, is sitting in the gallery today and I am sure that this bill is a tribute to his efforts.

The bill provides for the setting up of a surveyors board which will examine, register and control surveyors and regulate the practice of surveying. The intention is that the board, through its activities and expertise, would seek reciprocal rights with surveyors boards in other parts of Australia and New Zealand for the recognition of qualifications obtained in the Territory. The Territory is not yet at the stage where suitable tertiary education is available to provide the academic knowledge needed by surveyors. However, that is only part of the story as approximately 2 years' practical experience, followed by oral and practical examinations, is necessary after obtaining academic qualifications for a person to be registered as a licensed surveyor. Present requirements mean that Territory people with acceptable academic qualifications have to spend a further period outside of the Territory to acquire the experience to pass the practical knowledge test. The provision of a local surveyors board and the implementation of the necessary reciprocal arrangements will mean that those persons wishing to obtain their first registration as a licensed surveyor may do so in the Northern Territory and know that they will have recognition in the rest of Australia. It is interesting to note that, since 1973, 21 graduates in surveying have been employed in the Territory but have had to seek their registration in other states. The number might have been higher had we had our own examining board.

Along with registration goes control and discipline of the profession. If surveyors have acted unprofessionally, the board will have the right to suspend their licence to practise. The bill of course provides a right of appeal so a surveyor cannot have his livelihood taken away without just

cause. It is proposed that surveyors will pay an annual registration fee so that a live register of those qualified to practise can be maintained. The present register contains approximately 300 names going back to 1933 and it is certain that many of these old time surveyors have long since ceased to practise. An annual fee will also offset the costs of the board.

The bill further provides for delegation of the powers of the Surveyor-General. With the many statutory requirements of this position and the increasing development of land, it is appropriate that suitably qualified persons should carry out some of the Surveyor-General's functions so that a better service can be provided to all concerned. As under the old act, members of the public are protected against persons falsely claiming to be licensed surveyors by the provision of appropriate penalties for misrepresentation.

Land is one of the fundamental resources of any country. It is essential to have legislation which will enable government to have confidence in the ability to maintain the integrity and thus the indefeasibility of land titles. It is also appropriate that consistency and uniformity of survey practice and its related activities be maintained. The surveyors board will be charged with the responsibility for control and maintenance of these standards. Were Mr Goyder here today, I am sure he would be delighted with the provisions of this bill and that the Territory has at last come of age with the establishment of a surveyors board to match those long established in the Australian states. I commend the bill to honourable members.

Debate adjourned.

TENANCY AMENDMENT BILL
(Serial 307)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

When a dispute arises between lessor and lessee as to the disbursement of moneys held as a security deposit, under section 39 of the Tenancy Act the matter must be referred to the Commissioner of Tenancies for determination. At present, the commissioner may only consider the condition of the premises when making a determination; he cannot consider the matter of unpaid rent. If the dispute is about unpaid rent, at present the matter can only be settled in the courts. A claim related to the same money may therefore have to go before 2 separate tribunals. This is an unnecessarily complex procedure for the lessee. It is in the interests of all parties for the dispute to be settled quickly and without undue cost. These matters should be settled under the act which was created to deal with tenancy matters. The amendment will enable the commissioner to consider all relevant matters, including that of any unpaid rent, when settling the dispute and thus dispose of the matter in one action.

Clause 3 of the bill is a technical amendment which corrects a previous drafting omission. It merely brings section 40 into line with section 39(2). I commend the bill to honourable members.

Debate adjourned.

MOTION
Inquiry into Freight Costs

Mr TUXWORTH (Community Development): Mr Speaker, I move that this Assembly, pursuant to section 4A of the Inquiries Act, resolve that a board of inquiry consisting of 3 persons recommended by the Executive Council be appointed to inquire into, report on and make recommendations within 6 months on the direct and indirect costs for all sectors of the economy of freight to, from and within the Northern Territory by road, sea, air and rail transport in 2 parts dealing with major centres along the Stuart Highway and other locations, and with particular reference to: identifying the nature and level of consumer complaints on freight costs and services; identifying freight costs as a component of the prices of goods and services; identifying sales tax on freight as a component of prices of goods and services; identifying the ways in which freight costs, general distribution costs and prices interrelate; the economy and efficiency of freight industries as they relate to the Territory; whether freight charges are reasonable in terms of the industry's costs and the efficiency and quality of service provided; the adequacy of existing legislative and government financial and administrative arrangements relating to freight and other distribution costs; measures, including those utilised interstate and overseas, that may usefully be applied in ameliorating any problems identified; and any other matter considered by the board to be relevant to the inquiry.

Mr Speaker, honourable members will recall that the Administrator, at the commencement of the second session of this Assembly in mid-March, announced the government's intention to establish an inquiry into freight costs and the way in which they are passed on to the consumer. As the Administrator announced, it is hoped that an inquiry will establish the facts about freight charges once and for all. In my time as minister, a number of freight-related complaints have been brought to my attention. I am sure that this inquiry will be welcomed by consumers and businessmen throughout the community as a means whereby the dimensions of freight contribution to the so-called Territory factor can be determined.

I was pleased that this initiative was welcomedby honourable members in the Assembly and that a number of useful ideas regarding the nature and scope of the inquiry were suggested. It is my view that, for the inquiry to address the freight problem and all areas of public concern properly, widely drafted terms of reference are necessary. The proposed terms of reference have been drafted with those considerations in mind. I draw honourable members' attention to the fact that they encompass all sectors of the economy, all modes of transport and all areas of the Territory.

The terms of reference have been designed to ensure that total distribution and costs are considered along with the economies and the efficiencies of freight industries in the Territory. The terms of reference cover all matters of concern to the Territory. If the terms of reference are open to criticism, it would be on the basis that they cover too many matters and may result in a complex and time-consuming inquiry. This is hard to avoid, however, but it is proposed that the inquiry be required to report within 6 months. This is with a view to keeping the inquiry within manageable proportions. It does not preclude the board from reporting on whether specific areas may fruitfully warrant further inquiries.

In view of the possible complexity of the subject matter of the inquiry, it is apparent that considerable expertise will be required in members of the board. If this motion is accepted by the Assembly, I would expect early action to be taken to appoint members to the board. I am happy

to announce that Mr E.B. Williams, formerly Deputy Managing Director of Brambles and a former President of the Master Carriers Association with more than 20 years' experience in the freight industry, has accepted the chairmanship of the board if the motion should pass the Assembly. The other 2 members will be selected on the basis that they will bring to the inquiry relevant consumer and or industry experience.

I would like to make it clear that the Territory inquiry will not conflict with the federal government's proposed national inquiry into the road freight system. Quite to the contrary, it will complement and assist the national inquiry. By moving as proposed, the Territory will in fact be making a significant contribution to the national inquiry. I commend the motion to honourable members.

Mr SMITH (Millner): In the last session of the Assembly, the opposition indicated its support for an inquiry and urged at the time that it should be a wide-ranging inquiry with wide-ranging terms of reference. In our view, the terms of reference that are proposed for the inquiry are sufficiently flexible and wide-ranging to allow a full investigation of all matters connected with freight costs in the Northern Territory. I made the point at that time that, in our view, all matters concerning costs, from the time goods left the warehouse to the time they arrived in retail shops, should be considered in such an inquiry. I believe that these terms of reference will allow that to take place.

I would like to congratulate the government particularly on the inclusion of a specific reference to small communities. I think that too often we forget that small communities pay additional costs well above those paid in the major centres along the Stuart Highway. Certainly, I would hope that the inquiry will come up with some relief for the extremely high charges that some of those small communities pay for very basic commodities.

I too share the concern of the honourable minister that this will be a complex task. Perhaps 6 months may not be long enough to get to the bottom of it. I would indicate to the honourable minister that, if 6 months is not long enough, we would certainly support an extension if he wished to come back to the Assembly after receiving an interim report from the inquiry.

I was pleased to note that the honourable minister seemed to imply that this government will support the road freight inquiry proposed by the federal government. I share his belief that these inquiries will be complementary. The federal government inquiry is looking at the structural basis of the road freight industry. I share his belief that the inquiry that the Northern Territory government is undertaking will add something to that inquiry but I would also hope that the Northern Territory government is considering making a separate submission as well on other aspects of the proposed federal inquiry. Mr Speaker, this matter has our full support.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the motion that has been put forward by the honourable Minister for Community Development. I think everyone in the Northern Territory heartily welcomes a freight inquiry. There was a need for wide-ranging terms of reference to be given. As the member for Millner has already indicated, these are wide-ranging terms of reference. It is important that all modes of transport are covered; that is, road, sea, air and rail. It is also vital that the whole of the Territory be covered. It is good to see that we have split it into 2 sections: the major centres along the Stuart Highway and other locations as well. It is important that we identify where differences in freight costs occur

in those 2 different areas.

I believe that many Territorians have been taken for a ride over the years and this inquiry will spell out once and for all if that is the case. It will not be easy. I take the comments made by the honourable minister and the honourable member for Millner that it is a complex issue. It will also be an extremely difficult issue. The difficulty is in identifying, for example, freight costs as against service costs. I think most people do not mind paying for freight if they know that is what they are paying for. But there are additional charges which I call the compounded freight costs. For example, phone calls to place an order, and the collection of freight from one point to take it to another. These extra charges are difficult to identify and that will be a problem area.

On top of this we have that obnoxious tax which is charged on freight, about which I have received many representations. Not only do you pay for the freight but you have to pay a tax on that freight charge. It is important that that component be identified.

Mr Speaker, another problem area that I can see concerns bulk items and single items. Bulk items are those items which go mainly through supermarkets; for example, a carton of matches where the freight is passed down to the individual box of matches. That is different to the freight charged on one particular item such as a motor vehicle. There are these 2 areas.

Because we live so far from the normal areas of manufacture and supply, freight charges will continue to be a very serious problem in the Territory. I do not think there is a great deal we can do about that. I think we will still hear of instances where the freight component costs more than the actual item itself. This mainly occurs when an item is air-freighted to the Northern Territory. The main thing is to identify the exact situation: are Territorians being ripped off? What is the freight component? I welcome this inquiry and look forward to discussing the issue further at some later stage.

I have not heard anything further about the proposed Commonwealth inquiry into the national road freight industry that has been spoken about. I hope the federal government will pursue this issue. I hope that it is not like the rail and several other projects which appear to be slipping backwards. I support the inquiry and I hope that the national inquiry proceeds also.

Mr LEO (Nhulunbuy): Mr Speaker, as the member for Millner pointed out, the opposition supports the government's motion. I think it is fitting that I should say something on this matter. I have consistently pointed out that, if Darwin is the dearest city in which to live in Australia, then Nhulunbuy would have to be the dearest town. The consumer price indicators consistently point to the fact that it is anything up to 15% dearer to live in Nhulunbuy. I am sure you would understand, Mr Speaker, that that is a considerable amount of money just for living expenses. It is even more ridiculous when it is realised that the Townsville Trader goes right past Nhulunbuy's front door. It goes straight past it, and still we pay more for goods.

I noticed from the minister's motion that this inquiry will be conducted in major centres along the Stuart Highway. I was a bit nonplussed by that. However, underneath I see 'other locations'. I would assume that refers to substantial urban communities which do not happen to be located on the Stuart

Highway. One of them is Nhulunbuy, the third largest town in the Northern Territory. I would assume that that is what the minister means by 'other locations'. There are also very substantial Aboriginal communities in Arnhem Land: Elcho Island is not a small community, and Groote Eylandt has a very substantial community. They share with Nhulunbuy the very real problem of the cost of living in those isolated parts of Australia.

While the road freight inquiry is certainly necessary for Darwin residents, equal emphasis should be placed on sea freight, because that is the only way that freight gets to Nhulunbuy. The honourable member for Millner has indicated the opposition's support for the inquiry. I hope that it is a full inquiry and that it points out what we are paying for and how much of it is justified. I wish the minister every success with it.

Mr STEELE (Transport and Works): Mr Speaker, the Minister for Community Development has moved in the Assembly for the establishment of a board of inquiry into freight costs and their influence on prices in the Northern Territory. The emphasis of the inquiry will clearly focus on the freight component of the prices of goods and services to the community. However, there are also important considerations in the terms of reference that have an influence on my portfolio. I have instructed my department to cooperate fully. This underscores the importance the government places on the inquiry.

Mr Speaker, the terms of reference are very wide-ranging, and I would see the inquiry taking into account the areas of high cost produced by the need to transport goods to the Northern Territory by air. In particular, I would see the inquiry delving into the reasons for the sales tax component which several federal governments have threatened to remove. They have failed to lift the sales tax on freight over quite a number of years. I do not believe that this present federal government will be any different in that respect.

Recently, I wrote to the Commonwealth Minister for Transport on the national inquiry into the road freight industry. As the Minister for Community Development has said already, the Northern Territory inquiry will be complementary to the national inquiry. In fact, its findings may be of assistance to that national inquiry given that our inquiry is likely to be completed first. I would remind the Assembly, however, that the Territory inquiry will be concerned with all modes of transport. The national inquiry is to consider the road freight industry. I have recommended that the national inquiry also consider the potential effect of any, or all, of its recommendations on cost structures generally. This is of particular importance to the Northern Territory given the longer distances involved in movement relative to south-eastern Australia. In addition, I have emphasised to the Commonwealth minister the importance of the Australian Transport Advisory Council being kept informed of the national inquiry's progress. ATAC is a cooperative and consultative forum for Commonwealth, state and territory transport ministers. It is, therefore, important that these ministers be in a position to consider jointly the national inquiry's findings and recommendations.

The importance of establishing a Northern Territory inquiry into freight and related costs cannot be over-emphasised. Almost all of the essential goods and services of the Territory have to be imported.

Mr Speaker, I welcome the appointment of Mr E.B. Williams, who is very experienced in transport matters. Mr Williams has been recommended to the government. One recommendation came from Mr Holcroft, who produced a very

important report for the Commonwealth government. The findings of that report were mostly ignored by that government, particularly those that related to Western Australia and the Northern Territory. I hope Mr Williams will burrow in a determined way and I offer my complete support for his deliberations.

Mr BELL (MacDonnell): Mr Speaker, representing an electorate like MacDonnell, I feel that I can hardly allow a motion such as this to be debated without offering some comments from my experience within my own electorate. I would like to offer whatever assistance I may be able to extend in ensuring that appropriate information from the very isolated communities in my electorate comes before the inquiry.

I would draw the honourable minister's attention to a Commonwealth investigation into the effects of isolation in various forms, and not just in terms of transport costs. If my memory serves me rightly, it was conducted in 1980. I remember thinking at that particular stage that people living in isolated communities - whether it be on pastoral leases, in Aboriginal communities or wherever - were isolated at 2 removes. That particular investigation obtained a lot of information from Alice Springs which, of course, is an isolated town. I am sure you, Mr Speaker, would be aware that people living out of the major locations feel themselves to be isolated at a further remove than people living in the larger town centres in the Territory.

The need for such an inquiry was highlighted by reference in the adjournment debate by the honourable members for Alice Springs, Stuart, and myself last night to students from a school in central Australia. I think that the problems of transport were remarked on in that debate - the difficulties of actually getting bodies from one end of the Territory to the other and the satisfaction of overcoming those problems in one particular case. It was a triumph. I think it highlighted the sort of difficulties with which I hope this inquiry will come to terms.

Returning to the specific relationship between transport and the supply of goods, there is one particular issue about which I would be remiss if I did not mention it: the difficulty and the cost of providing perishable goods to the very isolated communities some 300, 400 or 500 miles removed from any of the town centres. In my electorate I refer particularly to places like Docker River and the Walanguru community at Kintore Ranges. Much heavier cost disadvantages are suffered by those communities than by the ones that are relatively close to Alice Springs; for example, Papunya and Yuendumu in the honourable member for Stuart's electorate and places like Areyonga and Hermannsburg that are closer again. Transport costs are in direct proportion to distance and those very distant communities that rely on air travel for perishables are severely disadvantaged. They are doubly disadvantaged, too, because the money that people have available to buy those perishable goods derives, to a large extent, from social security payments. As you would be well aware, Mr Speaker, social security payments are not weighted in consideration of distance from the source of supply of goods.

I am sure that the honourable minister will take those sorts of issues into consideration. In closing, I congratulate him for the initiation of this inquiry.

Mrs O'NEIL (Fannie Bay): As other members have pointed out, there is no doubt that the issue of freight costs is of great concern. It affects people in every part of the Northern Territory but, as honourable members

from the remote areas have pointed out, the issue of freight costs for people living far from the larger centres is a greater burden and concern. Over a number of years, I have had many complaints from people concerned about the cost of freight. They have expressed feelings that they are being ripped-off by unwarranted charges, alleged to be freight costs, being added to the price of goods that they purchase in the Northern Territory. These things have been difficult to quantify and it is certainly going to be a major step forward if this inquiry can get to the bottom of this grave problem and the very real fears of consumers in the Northern Territory.

Honourable members will know that this is regularly referred to in the reports of the Consumer Affairs Council and those of the Commissioner for Consumer Affairs. I note that, for nearly 12 months, we have not received a report from the Commissioner for Consumer Affairs. That is something that my colleague, the honourable member for Alice Springs, and I will have to have a look at in our new roles with regard to the subordinate legislation index. Nevertheless, in the past those reports have always referred to freight costs and I am sure that, when we receive the report for 1981-82, it will also refer to problems of freight. I was interested to note in the revealing departmental minute that the Minister for Community Development tabled yesterday, that the position of Commissioner for Consumer Affairs is to be downgraded from E2 to E1. That is unfortunate because this is an important area that should be gaining greater resources rather than experiencing a downgrading of status or staff numbers. The area has been served by some very experienced officers in the past. My understanding is that some of those have already left or are likely to leave the service of the department. It is important that we attract experienced people for those sorts of positions. To do that, they must be offered jobs at appropriate levels. I would have thought that E2 was more appropriate than E1.

Mr Speaker, along with all other members of the Assembly, I welcome this inquiry. I trust that, when appointing people to the board, some consideration will be given to ensuring the inclusion of a consumer representative who is able to provide appropriate input. I look forward to seeing the outcome of the inquiry.

Ms D'ROZARIO (Sanderson): Mr Speaker, this motion appears to be supported by members on both sides of the Assembly and that is the support required by a board of inquiry set up on this important matter. Like the Minister for Community Development, I too have doubts as to whether the task that we have set this board of inquiry can be satisfactorily completed within 6 months. On the other hand, some priority ought to be given to the submission of a report as soon as possible. The suggestion of the honourable member for Millner is a good one. If the time limit of 6 months cannot be met, this Assembly should consider extending it.

It is a daunting task to be performed within 6 months because what we are really asking this inquiry to do is to undertake a detailed examination of the structure of the industry. The structure of the industry, in its many forms, could be quite complex. We are not only asking a board to look at the structure of the industry but also its conduct with regard to pricing. That is the nub of this motion.

Paragraph 5 says that it must have regard to the economy and efficiency of freight industries as they relate to the Territory. One of the difficulties we may find is that many of these industries are not local to the Territory. There are many interstate operators within the industry and, presumably, the board of inquiry will have to examine these. I hope that the industry cooperates with the board of inquiry. Without the cooperation of the

industry and operators within it, this board of inquiry is not likely to come up with recommendations that can be usefully applied by the government in its wish to apply ameliorating measures later.

Industry profiles or examinations are not often carried out within Australia. They are most often conducted here by the Industries Assistance Commission looking at national industries and the reasons why they should or should not obtain government assistance by way of tariff protection or other means. I think that this board would have to perform almost the same scale of task in order to get to the bottom of the particulars which we have identified in the motion. While consumers are bound to come forward in great numbers to cooperate with the board and its members, we would require also the same degree of cooperation from operators within the industry.

Mr Speaker, I look forward to looking at the progress of this board of inquiry in 6 months time. I think it is a very important motion that has been put. It is an extremely high cost factor for industry which we are asking the board to look at. From that point of view, all members of this Assembly support the inquiry and commend the minister for having brought forward the motion.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I welcome the inquiry too. I would like to highlight one problem which I believe is the crux of the matter. Basically, I would say that Territorians have a tendency to rip one another off. I believe this is a self-defeating procedure, and a fairly normal business practice. When someone receives goods, he works out the cost down south, adds the freight, and then adds a percentage of both the cost and freight to determine a retail price. That is a pretty normal way of doing things. However, I appreciate that money tied up in the form of stock depreciates in value. I may be pre-judging the situation but I would like this to be a point for the board of inquiry to consider. I think that is fair enough. I may be wrong. I will accept that. I would suggest that this is a possible problem area. The key might be to carry a small supply of stock but, in isolated areas, that has problems. We cannot control the weather and its effect on the supply of goods.

Sometimes companies down south do not seem too keen to supply the Territory. I have been looking for goods in the building line over the last few months and I was very surprised at the difficulty local suppliers have in obtaining materials from down south. One would have thought that, during a recession people would be as keen as mustard to sell as much as they possibly could. That is not so. One wonders at the psychological attitudes during a recession. I have been assured by retailers of some building materials that there are quite a lot of goods that they are having great difficulty in obtaining.

I suspect that everybody tends to do retail costing the way I mentioned. It makes goods dearer. A result of this is that wage demands are high. One must pay higher wages to attract people to particular jobs. That tends to take the cream off the profit. Another aspect is that most people in the Territory try to go south every couple of years. They go on holidays and engage in big buying sprees. Then we have cries that people do not support local enterprise. As far as I can see, the only real winner is the tax man who takes his share from the higher taxes that the higher wages attract.

I welcome the inquiry. I hope that it takes this aspect on board. I will be very pleased to see its findings in due course.

Mr TUXWORTH (Community Development): Mr Speaker, I thank honourable

members for their support. I would hope that that support continues in terms of positive contributions towards the committee's work.

The honourable member for Millner queried the likelihood of so much being accomplished in 6 months and raised the possibility of an interim report. I share the concern of the honourable member for Millner and other members. I am happy to advise the Assembly that I have discussed this issue already with Mr Williams. We have a tentative arrangement that he will tender at least an interim report within the 6-month period. If he sees a need before the 6 months are up, he will focus on any issues that he believes need the immediate attention of the Assembly or myself.

In answer to the honourable member for Nhulunbuy, I would like to advise the Assembly that it is the government's intention that the committee sit in all major centres and have the ability to travel to those other centres that it believes it should visit in an effort to get a feeling and an appreciation of problems from people who wish to make a contribution. I believe that Nhulunbuy and Groote Eylandt will be 2 such places. I do not doubt there will be other large communities in the Territory that the committee would want to visit.

Mr Speaker, I noted the honourable member's comments on the sales tax component of freight. I think sales tax on freight is the most iniquitous impost that has ever been put on a people by a government. I believe it will need a political struggle to have it removed because the bureaucrats will never bend in the matter. I would make the point that all treasuries are the same on that issue. I will be encouraging every effort to identify the effect that that sales tax component has in the Northern Territory on freight and how we can best remove it. I would give every encouragement to the federal government to move quickly on this issue and remove from the sales tax provisions the ability to put a tax on freight.

It is my intention to send Mr Williams a copy of today's debate supporting the motion so that he can get a feeling of the very strong attitude that the Assembly has on the issue. I would like to say too that it is the government's intention to equip the board of inquiry with a very strong secretariat with full knowledge of Northern Territory conditions. Mr Speaker, I thank honourable members for their support.

Motion agreed to.

ELECTORAL AMENDMENT BILL
(Serial 308)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

Section 128 of the Electoral Act provides that no appeal or proceeding shall lie from or in relation to a decision of the Supreme Court when the court is dealing with disputed elections. The reason for the insertion of this provision originally was to prevent delay in the declaration of a poll which could be caused by protracted litigation in the courts.

Legal opinion from the Department of Law has indicated that it may be possible that an appeal would lie from a decision of the Supreme Court in an electoral matter to the Federal Court of Australia under the Federal Court of Australia Act. Section 24(1) of the Federal Court of Australia Act gives

the Federal Court jurisdiction to hear and determine an appeal from a judgment of the Supreme Court of the Northern Territory. It would appear that part XIII of the Electoral Act does not, in its present form, establish a separate electoral tribunal but merely vests the Supreme Court with power to hear disputes on electoral matters in its jurisdiction as the Supreme Court of the Northern Territory. On this approach, section 128 of the Electoral Act, which purports to prohibit appeals from a decision of the Supreme Court, could be invalid because the Federal Court of Australia Act, which is a Commonwealth law, is considered to be superior legislation in relation to electoral acts. Because of this inconsistency between the 2 acts, section 128 of the Electoral Act may be invalid in limiting appeals on decisions in electoral disputes.

Mr Speaker, this is an unsatisfactory situation which could lead to lengthy delays in the declaration of a poll while complex legal issues are argued before the Federal Court. The High Court of Australia, in considering this question in relation to the Supreme Court of Western Australia and the exercise of jurisdiction under the Electoral Act of Western Australia to deal with disputed elections, held that the court was not the Supreme Court of Western Australia but a special tribunal set up by parliament. For this reason, the appeal did not lie to the higher courts from the decision of the Supreme Court acting as an election tribunal. The Western Australian Electoral Act clearly changes the function of the Supreme Court by investing it as a Court of Disputed Returns. The Electoral Act of the Northern Territory does not make this distinction. Therefore, it can be argued that part XIII does not establish a separate tribunal, but merely invests the Supreme Court with the power to hear disputes under the Electoral Act in its existing jurisdiction as the Supreme Court.

The purpose of the Electoral Amendment Bill, which is based in part on the Western Australian act, is to remedy this defect in the act and make it clear that the Supreme Court is not hearing appeals under the Electoral Act under its existing jurisdiction, but is exercising an administrative function of an electoral tribunal which cannot be appealed to a higher court.

I turn now to the bill itself. Clause 4 repeals the whole of part XIII of the Electoral Act and substitutes a new part XIII. The proposed new section 119 establishes a tribunal to be known as the election tribunal. The tribunal shall be constituted by a judge of the Supreme Court. Proposed section 120 sets out the method of disputing the validity of an election. The previous section required that an application under this part be commenced by an originating summons. The new provisions will require an aggrieved party to address a petition to the tribunal. The petition will set out the facts relied on to invalidate the election and provide that the petitioner must state the relief he is seeking from the tribunal. The petition must be filed not later than 21 days after the date fixed for the return of the writ. The new provision also requires that the petition be served on the candidate whose election is being challenged and that person then has a right of reply.

Proposed section 124 gives the tribunal the following powers: to compel attendance of witnesses and the production of documents; to examine witnesses upon oath, affirmation or declaration; to regulate the form of proceedings and amendment of the petition; to declare that a person who was returned as elected was not duly elected; to declare a candidate duly elected who was not returned as elected; to declare an election void; and, finally, to punish for contempt of its authority as if it were the Supreme Court.

Proposed new section 125 restates section 125(2)(c) which provided that the Supreme Court shall not inquire into the correctness of the roll.

The new section clearly states that the tribunal shall not inquire into the correctness of the roll and that an election shall not be declared void on the grounds that a person whose name appears on the roll was not qualified to be enrolled or, since being enrolled as an elector for that division, has lost his qualification.

Mr Speaker, the remainder of the bill is based on the previous part XIII of the act except for proposed section 137C which gives the judges of the Supreme Court the power to make additional rules for the practice and procedure of the tribunal. I feel that this provision will give the tribunal flexibility on procedural matters.

Debate adjourned.

TAXATION (ADMINISTRATION) AMENDMENT BILL
(Serial 305)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

This bill extends existing government initiatives by providing a further concession to persons purchasing a home in the Territory. As anyone who has purchased a home would be aware, delays may often be encountered in the finalisation of a loan to finance that purchase. In some cases, this can mean that the vendor is not prepared to wait until the loan has been settled and the would-be purchaser misses out on the home of his choice. To avoid this possibility, some people make arrangements for bridging finance as a short-term arrangement while the long-term finance is being settled. Under the act as it stands, these people must pay stamp duty on both the loan instrument drawn for the bridging finance and on the instrument for the later loan which pays out and takes the place of bridging finance.

Clause 5 of the bill provides for some relief from liability in these circumstances by ensuring that the amount of duty to be paid on the later loan instrument is reduced by the amount of duty already paid in relation to the bridging loan. The concession is available only to those people who are buying a home for their own occupation. The purchaser, when claiming relief, will have to satisfy the Commissioner of Taxes that this is the case. I commend the bill to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 322)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bill be now read a second time.

There are 2 main objectives to be achieved through this bill. The first relates to provisions of the act which enable the Commissioner of Police to promote members of the Police Force. That power includes the promotion of members to and within the ranks of commissioned officers excluding the ranks of deputy and assistant commissioners. Queen's commissions are issued to military officers and to commissioned officers of the South Australian, Western Australian, Tasmanian and Federal Police Forces. In

Victoria, Queensland and New South Wales, appointments to commissioned rank are signed by the Governor. It is apparent that each state has its own individual requirements. There is no provision in the act which allows the granting of commissions. This bill seeks to provide the Administrator with the power to issue a commission to all officers of or above the rank of inspector.

The second objective of the bill is to incorporate provisions in the act which allow the Administrator to award a medal to be known as the Police Service Medal to any member who has completed 10 years' continuous meritorious service in the Territory Police Force and, for the purpose of computing service, for the commissioner to take into account service performed in the police force of a state or another territory of the Commonwealth. Mr Speaker, I commend the bill.

Debate adjourned.

FIRE SERVICE BILL
(Serial 297)

Continued from 24 March 1983.

Mr LEO (Nhulunbuy): Mr Speaker, this bill has been a long time coming. There have been disciplinary, structural and industrial problems within the Fire Service in the Territory for a long time. It is interesting to note that, in 1979, the Williamson Report came out with a number of recommendations. This bill attempts to address itself to a number of the proposals.

However, it goes a little further than that in that the structure of the Fire Service, as proposed by this bill, will be altered significantly. Really, it does not address the heart of the problem as perceived by Mr Williamson in his report. Perhaps the most crucial part of his observation is directed at the structure within the Fire Service itself; that is, that the differentiation between industrial organisations is based on rank. He notes that of great concern is the friction that exists between the 2 industrial organisations representing members of the brigade - the Northern Territory Fire Officers Federation and the Northern Territory Firefighters Association. Some officers are members of the Firefighters Association, some are members of the Fire Officers Federation and some are members of neither. Promotion appeals are being held up due to this dispute and the general efficiency, morale and discipline of the brigade is being affected. The report goes on to say that this matter must be settled or a proposed recommendation to improve the operation and efficiency of the brigade will be worthless. Mr Williamson wrote with a fair degree of insight. From my investigations, his observations were very accurate. The government has proposed a number of amendments which, in the long run, will probably address this very crucial matter. I will speak to those amendments during the committee stage.

What is of grave concern to the opposition is the other principal matter in the bill. The Director of the Fire Service is to be made subservient, in an administrative sense, to the Commissioner of Police. I can appreciate that, in other states and other places, this is done for a very specific reason in that fire brigades are used for crowd control. However, I have not seen any evidence of rampaging or marauding crowds, to use the honourable member for Tiwi's term, and I really do not believe that we will see them in the future in the Territory. The minister, in his second-reading speech, did not provide any reason for this administrative arrangement so I can only

assume that that is the reason. If there is some other reason, I would be pleased to hear it in his reply.

The opposition has proposed a number of amendments, and the government has proposed similar amendments, dealing with the various penalty clauses in the bill. This bill will very largely govern terms of employment for firemen within the Territory. We do not feel that it is appropriate that these penalty clauses be inserted in the Fire Service Bill. Indeed, if somebody needs to be prosecuted for dereliction of duty or because he has not performed his job adequately, then there is ample opportunity to do that under any amount of other legislation. I am pleased to see that the government, after some consultation - and I commend the minister for that consultation - has seen fit to withdraw many of those penal clauses.

Mr Speaker, as I say, the main objection the opposition has to this bill is the position of the Director of the Fire Service within the structure of the Fire Service. We feel that he should have direct access to the minister rather than through the Commissioner of Police. The Commissioner of Police has an extremely onerous task as it is. The Police Force is spread widely throughout the Territory. There are many problems involved in the provision of police services throughout the Territory. The opposition does not feel that he should be encumbered with this added responsibility.

The opposition cannot support this bill while it provides for this administrative arrangement whereby the Director of the Fire Service does not have direct access to the minister, as he should. The opposition will oppose this bill as long as the government intends to proceed with this arrangement. I have not seen any amendments that provide for any change in that structural arrangement. Therefore, the opposition cannot support this legislation.

Mr HARRIS (Port Darwin): Mr Speaker, I would like to speak in support of the bill. I wonder if the opposition spokesman on this particular matter has had discussions recently with the Firefighters Association. My understanding is that most of the issues that have been of concern between the firefighters and the government have been resolved.

It has never been the intention of the government to interfere with the independence of the firefighters of the Territory. I believe that they have done a good job in the past and all the comments that I have received have been full of praise for the firefighters themselves. I do not believe that anyone would like to interfere with their independence. It is clear that there has been a great deal of misunderstanding as far as this bill is concerned. I believe that most of the issues that have been raised by the Firefighters Association in its submissions to the government have been addressed and those issues have been satisfied.

Mr Speaker, in many cases it is only a matter of sitting down to a conference table and having a talk. I would like to say here that, if the firefighters were sincere in their efforts to seek amendment of this particular piece of legislation, they should have realised that there is a government requirement to see any submissions that they make. I was rather disappointed at the time that the submission of the Firefighters Association did not come to members of the government. I will qualify that and say that one member of the government received a particular submission: the member for Tiwi. I know that the opposition members received the submission. It was a good submission. It put forward their case in a proper fashion. But I would have thought that at least the firefighters themselves would have come to see the government members. After all, we are the ones who should be

lobbied to put pressure on the ministers for any necessary amendments. I was a little disappointed about that.

After the orderly demonstration outside the Assembly by the Firefighters Association, I mentioned to the member for Nightcliff that I had not received this particular submission. She said that I could have her copy. I made comment at the time that they knew where I was and, if they wanted to present me with a submission, I would be only too pleased to accept it, to look through it and make representation. Nothing was forthcoming from the Firefighters Association until I rang the Daly Street Fire Station and asked for a copy of that submission. I was then given a copy.

I believe that there has been a complete misunderstanding. I hope the association does not see my line as being against the firefighters. All I am saying is that - and I put out a press release on this some time ago - if the public had any concern about the initiatives of the government or if the public or any association or group wished amendments to be made to proposed legislation, it would be reasonable to expect that the government members would be approached in relation to that particular legislation. I think that is quite a reasonable request to make to people. There has been a lot of misunderstanding about the Fire Service Bill. There are a few things that need to be pointed out right from the start.

I comment to the honourable member for Nhulunbuy that the Chief Minister has said on a number of occasions that the Fire Service, because of its size, has always been part of a department. The director has always been in a position where he is subject to control and direction from the head of that department. Nothing is to change; that situation will continue. I think it important to make that quite clear at the outset. Because of its size, the Fire Service has always been part of a department.

The other thing we all need to remember is that we hope that, eventually, all positions in the Territory, whether in the public service or in the professions or elsewhere, will be filled by people from the Northern Territory. I believe that is what we would all like to see in the future, Mr Speaker. In fact, one of the reasons why we are pushing for the establishment of a university is so that, eventually, all of the people who fill positions in the public service, the Fire Service or whatever, will come from the Northern Territory. At present, we are still developing and provision needs to be made for appointees to come from outside the service. The other thing to stress is that, if a position can be filled from within by a member of the Fire Service, then that will be the case. The only situation where the government looks to bring someone from outside is when a position cannot be filled satisfactorily from within the service itself. I look forward to the day when those positions can be filled by Territory people.

One of the problems with filling senior positions is that people who have had 15 to 20 years' experience are set in their lifestyles. Their children are established at a school and their families are established in the areas where they live. They have security and their future is set. It is very difficult to entice such experienced people to take up positions in a place that is foreign to them. We all know how trying the weather can be here at times, particularly during the transition period from the Wet to the Dry, and that can cause problems within the family, particularly if the family is not from the Territory. Often, because of pressure and the desire to keep the family together, a person may have to resign. I think it is everyone's intention that, eventually, all positions will be filled by Northern Territorians.

Mr Speaker, in the matter of powers to the police, there needs to be provision for police officers to take charge of proceedings if, for some reason, fire officers are not available. It needs to be emphasised that, if there is a fire officer available, the police will not become involved. My understanding is that these particular provisions are already in the Fire Brigades Act under paragraphs 10(3)(a) and 10(3)(b). There is no intention for police officers in any way to exert pressure on members of the Fire Service who are proficient at their job and doing it effectively.

Mr Speaker, in clause 77, I am very pleased to see that, when authorised by the director, a member is able to have properties cleared of long grass and rubbish if it may cause problems for adjoining properties as far as fire is concerned. We have all tried on occasion to have properties cleaned up. I know this will not relate to metals and materials that cannot burn but there is provision now whereby the director will be able to require people to clear their properties of long grass and other debris which can cause danger to life or property. If people do not comply, the director can have the work done and then bill the owner. That is something that we have been trying to have inserted into the statute book for some time and I am pleased that, at last, a slot has been found for it.

Mr Speaker, clause 200 deals with offences. By paragraph (b), a person who drives a vehicle over a fire hose is subject to a penalty of $1000 or imprisonment for 6 months. I think there is an amendment that will reduce that penalty. Fire hoses could be protected by a piece of timber or other material. Such hoses are used, on occasion, for filling swimming pools and they occasionally go across roads. If one put a cover over the hose to protect it and drove over that, would one still be liable to that penalty?

I would also like to mention the areas where the regulations may conflict with the Building Act. This was discussed the other day. Property developers may have to expend considerable funds to meet the requirements of the Fire Service. Provided that these requirements are in the Building Act, there is no problem. However, I would hate to see a situation where fire officers are able to completely change an approval. For example, in a high-rise building in Darwin, a fire display unit was approved by the fire protection officer. The building was just about completed when another fire protection officer indicated that the board could not be situated in that position and it had to be moved. That type of thing can cause a great deal of expense. It is not necessary. Even though these things are in this bill, I hope they are also included in the Building Act.

Mr Speaker, the prime function of the Fire Service is the protection of life and property. It is a disciplined body. The existing position of the members of the Fire Service is protected. It is a pity that there has been the misunderstanding that I mentioned. At this stage, I believe that, after consultation with the Commissioner of Police and the government generally, the Firefighters Association is in agreement with the bill as it is proposed to be amended. I cannot understand why the opposition spokesman on these matters said that the association will definitely oppose this bill. The firefighters have agreed to the amendments that have been proposed. They have been consulted. In many cases, that is all that is required. Consultation and discussion bring about the passing of a bill that everyone can work with.

Mr Speaker, I support the bill.

Ms LAWRIE (Nightcliff): Mr Speaker, I am surprised at the honourable member for Port Darwin's remarks. He appears aggrieved that members of the

Northern Territory Fire Service did not approach him in the numbers he would have liked and apparently have not had the confidence in him to express their particular point of view. I guess that is the penalty he pays for being a backbencher in the Everingham CLP government. By and large, people really do not see why they should bother talking to backbenchers when they are so subject to the rule of the Cabinet. My remarks would seem to be borne out by the facts of this case. It is a backbencher of its own party who is complaining that he has not received representation which was his due.

I can only speak for myself, but I can assure members that I have had long conversations with members of the Fire Service who are concerned about their future and the future of a service in which they have a justifiable pride. On about 10 occasions in his speech, the member for Port Darwin said that there had been a lot of misunderstanding. Indeed there was. I suggest it is not on the part of the firemen but on the part of senior officers and politicians who appear to have misunderstood completely the legitimate concerns of members of the fire brigade of the Northern Territory.

The honourable member for Port Darwin went back into history and said that, at all stages, both the police and the fire brigade had been members of the one department. I think he was referring to the General Services Branch. We had a head of the fire brigade and a head of the Police Force and an administrative structure. Unfortunately, in those days, the minister concerned lived in Canberra. No one denies that these 2 disciplined services are complementary. What the firemen resent is any inference that their hierarchy and chain of command should be in any way subservient to any other disciplined force. They have no quarrel with the Police Force. Indeed, they have paid fine compliments to their brothers in that disciplined force. What is very important and why a lot of misunderstanding still obviously exists is that they see at the end of their training, their years of meritorious service, an opportunity for advancement to the head of their own autonomous structure.

The honourable member for Nhulunbuy outlined his party's major objection to the passage of the bill and its amendments in this form. It is an objection with which I agree. I am surprised that the amendments brought forward by the Chief Minister have not taken any notice of what, I believe, is the valid objection of the vast majority of members of the Northern Territory Fire Service.

For years, these people have advocated more training, stricter training, better training and an expansion of their knowledge of modern firefighting techniques. They do not try to pretend to be backwoodsmen, because they are not. Many of them have a family history of service within this particular branch of the public service, which they are proud to carry on. It is annoying to them to be treated as somehow lesser fellows and deserving of the condescension - a pat on the head - with which I believe they have been greeted at certain times in the very recent past.

I was a close friend of Chief Fire Officer Robbins when he headed the force and also of Peter Holtham, and some of my closest friends are presently members of the fire brigade. I will mention 3 by name because they are among the people who put forward submissions: Robert Bonson whom I have known for over 20 years, Paddy Peckover, whom I have known for about the same time, and Roger Millard, whom I have known for about 12 years. I make it quite clear that these people have expressed to me on numerous occasions a concern to continue protecting lives and property in the Northern Territory. They wish for better training and advancement within their own discipline to allow them to keep abreast of new techniques as they emerge. They most

definitely want also the opportunity for a versed, skilled and trained fireman to become the head of a fire service of which any part of Australia could be proud. That is why they resent the clauses in the bill which bring in other disciplines.

Let us look at the constitution of the Fire Service in clause 7: 'The Fire Service shall consist of the Commissioner of Police and the Director of the Fire Service and other members of prescribed ranks appointed and holding office under and in accordance with this act'. Mr Speaker, they cannot understand the reference to the Commissioner of Police. They believe he has a particular, arduous and demanding job which needs precision training within his own discipline. They too have the same vital need. All senior firemen and all junior firemen have the same reply to the question: what is your role? It is not, as the member for Port Darwin said, the protection of lives and property. They say it a little differently: the protection of lives, then the protection of property. They understand the particular role the Police Force has within a community and they appreciate it. Theirs is a slightly different role but a complementary one.

The only pleasure I have in addressing this bill at the moment is that some of their concerns have been taken care of by way of amendment. There are sheaves of amendments from the Chief Minister and indeed from the opposition. I will not go through the bill clause by clause because that will be done in the committee stage. However, I wish to voice my concern that a significant group of people within the Territory is being treated with a degree of disrespect that it does not deserve. These people like their jobs. They like their training. They only wish they had more of it. They have a pride in their service and they serve the community well. In talking of volunteer fire brigades, their main concern is that members of those fire brigades receive adequate training and remuneration and that everything is dealt with in a right and proper manner. If there is misunderstanding, it is not on the part of members of the Northern Territory Fire Service but on the part of the government which has chosen not to listen to them.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this bill I must say at the outset that I would like to refute some of the remarks of the honourable member for Nightcliff in suggesting that the minister has brow-beaten the backbenchers on the government side of the Assembly. I do not think that is the truth. We are in the Country Liberal Party by choice and not by coercion. On occasion, the backbenchers have expressed frank views against government legislation. I would like to refute most strongly that I have been brow-beaten. I have always voted by choice.

Mr Speaker, I have known members of the fire brigade for a number of years. I have spoken of this before. Unfortunately, I have come to know them because they have come out to our place to put out fires. I have come to know the conditions under which they work and the lack of equipment available to them. I have come to know the personality problems. I know that there has been disquiet and disharmony in the fire brigade for a number of years.

There has been frank and full discussion between public servants and union representatives representing the firefighters and I do not think there is any argument with the bill and the amendments as presented. I have a very good memory. I remember going along a couple of years ago to an arbitral hearing in the Supreme Court building with some firemen. It was in relation to work conditions at the 14-mile fire station. Unofficially, most of the firemen said to me that the fire brigade should be divorced completely from

the control of the Department of Transport and Works. I had to agree with that. I conveyed their views to the relevant minister at the time. I could see the justice of their request. They also said that they would like to be under the control of or somehow connected with the Police Force. I do not know whether any of those people remember that but I can put names to the conversations at that time.

In reading through the legislation, I have made particular note of the fact that the Commissioner of Police will be dealing with the Director of the Fire Service. I do not think it proper for there to be integration of the Police Force and the Fire Service right down from the top to the bottom. The Fire Service, as I see it, will still be an entity in itself, responsible through its director to the Commissioner of Police. I think the honourable member for Nhulunbuy used the example of police and firemen controlling a crowd and conjectured as to which would be in overall control of the situation. If he had read clause 75, he would have seen: 'A member of the Police Force shall give such assistance ...'. It does not say that a member of the Police Force shall take over.

I think the operation of the Fire Service with the Police Force would be to the advantage of both disciplines in that the members of the Police Force who come in contact with fire brigade members and officers will have a broader appreciation. I think that the fire brigade will benefit greatly by the larger administrative facilities that the Police Force has.

When the legislation was first presented, I had several reservations about the punitive clauses. I had representations from firemen who live in my electorate. They could not swallow the fact that they would be fined very heavily or sent to jail for what they regarded as misdemeanours. Since those provisions will be removed, the representatives of the firefighters will accept the legislation. I think this legislation will work very well. I believe it is the first time in Australia whereby a fire brigade will work with the Police Force under legislation of this kind.

I was a bit confused by the definition of 'occupier'. Paragraph (b) of the definition says that an occupier 'includes a person in occupation of land belonging to the Territory or the Commonwealth or of a state or another territory of the Commonwealth, notwithstanding any want or defect of title to occupy that land'. It seemed to me that this could relate to people squatting on land illegally. If they are squatting illegally, they would not be legal users of the land. Would this legislation have any more force when applied to them than tenancy legislation?

Amendments are proposed to clause (4). Clause 8 deals with delegation. Subclause (4) says that the Commissioner of Police may exercise the powers and perform the functions of the director. This is rather unusual in that it is the first time a person in a senior position will use the powers of a person in a junior position. In that sense, the Commissioner of Police will have quite strong powers.

Under the legislation, the minister will appoint the Director, the Chief Fire Officer and the Deputy Chief Fire Officer. I hope that this remains because the Fire Service will have direct access to the minister through those appointments. Although the Commissioner of Police is in charge of the Fire Service through the Director of the Fire Service, I hope that he will not be able to intervene directly in the appointment of officers. I would like to see retained the provision that the minister appoints the Director, the Chief Fire Officer and Deputy Chief Fire Officer.

Correspondence that I received from fire officers indicated that this legislation is modelled on the Police Administration Act. However, the definition of a 'member' is different. In the Police Administration Act, a member is a person up to but excluding the rank of inspector. In this legislation, a member includes even the 3 top officers.

I found difficulty in interpreting clause 13(6). I can see the reason for its insertion but it took me a while to come to grips with it. It relates to a person who has been delegated to take over the duties of another. It says that anything done 'shall not be called in question by reason of a defect or irregularity in or in connection with his appointment or on the ground that the occasion for his appointment had not arisen or that the appointment had ceased to have effect'. One could look at that in the worst light and say that it is Rafferty's rules. People could be giving contradictory orders. If a person were acting in the best interests of the Fire Service, that situation would not arise because the directions given by the delegatee would be based on proper decisions.

In clause 20, which relates to probation, a period of 12 months is stipulated. This is in contrast to legislation we have just passed whereby the length of probation in the Police Force could be increased from 12 months to 18 months at the discretion of the commissioner.

I spoke to one of the officers about a query I had in relation to disciplinary matters whereby a person could be demoted, suspended or fined. Some years ago, for disciplinary reasons, members were sent to other fire stations. I do not think that was a good idea. It has been pointed out to me that, because there are not many stations in the Territory, the receiving station involved gets a reputation as a sort of jail where naughty boys are sent.

In reading through this legislation, especially the clauses dealing with the appeals board and the promotions board, it appears that members of the Firefighters Association will have ample opportunity to have their wrongs redressed if they feel they have been wronged.

In conclusion, I think that the legislation will work well. There has been a great deal of discussion about it. The first 6 months of the working of this legislation may develop into a proving time because there may still be a hard core of resistance within the Fire Service. The first 6 months will prove whether it is workable. I feel it will work well. In the past, even when there was disquiet and disharmony in the Fire Service, the firemen still fulfilled their duties in the community. I believe that they always will.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I rise briefly in the debate to ask a single question of the Chief Minister which I would like him to address in his reply. I thank the honourable member for Tiwi for the contribution she has made to the debate. A number of points that she covered were of concern to me. I agree with the honourable member for Tiwi.

Mrs Padgham-Purich: It is not very often that you do that.

Mr B. COLLINS: Very rarely, Mr Speaker, but on this occasion I do. She took some exception to the suggestion by the honourable member for Nightcliff that members of the government backbench are brow-beaten by the ministers. I do not think that is true. Certainly, in my view, with some of the members of the government backbench, it would be very hard to find a brow to beat.

I am concerned that there seems to be some conflict between the honourable member for Tiwi and the honourable member for Port Darwin on this. The honourable member for Port Darwin said in his address that the Firefighters Association had in fact accepted what was being offered to it by the government. Because we have had considerable consultation with the Firefighters Association, this does concern me and perhaps the Chief Minister could comment. The Chief Minister can correct me on this but I would hate to see the position of that association misrepresented in this debate. It is my understanding that, on the very crucial question of being put under the control of the Commissioner of Police, the association's attitude - in my view very sensibly - was that it would get nowhere with the government on that major issue of principle. It then went ahead and negotiated all the other amendments that could be negotiated. I do not think that it is fair to represent the association's position as one of acquiescence on that particular matter because I believe that it is a fair interpretation of its position that it accepted that the government would not budge and so negotiated those points that could be negotiated. However, the association is still very much opposed to being placed under the control of the Commissioner of Police. Perhaps the Chief Minister could explain who is correct: the honourable member for Tiwi or the honourable member for Port Darwin. The member for Tiwi said that she thinks there could be a hard core of resistance.

In conclusion, members on this side of the Assembly, along with the honourable member for Tiwi, have not the slightest doubt that, even though there may be some aspects of this bill that the firefighters are not happy with, they will continue to serve this community in the way in which they always have. I have no doubt of that and I do not think any other member has. However, perhaps the Chief Minister could clarify the question of the current position of the firefighters on that major issue of principle.

Ms D'ROZARIO (Sanderson): Mr Speaker, the member for Nhulunbuy outlined quite succinctly the major remaining objection to this bill. It is simply the matter of maintaining the Commissioner of Police at the head of the chain of command in a fire service. The honourable member for Tiwi said that, in her discussions with firemen, they had made it very clear that they wished the Fire Service to be removed from the control of the Department of Transport and Works. In that the honourable member for Tiwi is quite right. That is exactly the view that firemen have put. The reasons for that are precisely the reasons why they do not wish to have at the head of their command the Commissioner of Police. The arguments are the same: rank structure, the specialised nature of the service that they provide to the community and the prospect of experienced officers actually commanding the Fire Service at some stage of their career.

The honourable member for Tiwi said that particular constituents of hers said that they were not unhappy about being under the control of the police. We must draw a distinction here. It has never been suggested that the Fire Service should in any way be under the police. What we are speaking of is the fact that the person at the apex of the triangle would be the Commissioner of Police in his capacity as head of the Fire Service. In that, the honourable member for Tiwi slightly misunderstood the situation. What has consistently been put, particularly since the emergence of the Williamson Report, is that the Fire Service should be an autonomous service responsible to the minister who is responsible for the Police Force. That is not the same as saying that it should be under the control of the police. The members of the Fire Service have always made it clear that the connection they wish is a ministerial connection and not a connection with the Police Force.

Mr Speaker, I am very sympathetic to this particular desire. I think it has been put with the very best of motives. The motive is to provide a professional service from the top down. That is not a reflection upon the Commissioner of Police because he is a highly-qualified person in so far as the supply of police services is concerned. The Fire Service officers believe that the Fire Service should have persons at the top of the command and right through the rank structure who are highly qualified in what is an extremely specialised service. I think that that is what the community would require. The community has a right to be confident in its Fire Service. The service, as has been mentioned by several members before me, is vitally concerned with the protection of life and property. It is certainly the desire of the community that those highly-specialised and technical functions be discharged with a high degree of professionalism.

I have had several discussions with serving members of the Fire Service in my electorate. I am in no doubt whatever that the views expressed by them, through the secretary of their association, in a very extensive submission which has apparently been circulated to quite a few members, including the member for Port Darwin now, are put with the very best of motives and are put as their reaction to how the Fire Service and morale in the Fire Service could be improved.

Mr Speaker, when the Williamson Report was submitted 3 or 4 years ago it contained a number of recommendations, some of which have been taken up in the present bill. One of the major recommendations was that there be an autonomous Fire Service, set up under its own act and regulations. No doubt, this particular bill is an attempt to do that. What we are now arguing about is the person who should command it.

I will just go back to the point that the association has been making in respect to the new bill. It is not objecting to the fact that a new bill has been brought in. In fact, that has been its desire for quite a number of years. But it has made a number of representations on the content of the bill. I am very pleased to see that a large number of its concerns have been dealt with. I see before us a schedule of amendments in which a large number of its objections have been overcome. The objectors were particularly vocal in respect of the penal clauses which are now substantially overcome by the amendments.

The report was brought down as a result of a continuing and sustained lack of morale in the service and also public criticism of the service prior to the report being commissioned. I think that Mr Williamson, the person appointed to make this report, put very clearly the type of organisation that the community should expect in a fire service. He stressed that the Fire Service was a specialist organisation. He spelt out the requirements of such an organisation. They are listed on page 5 of his report. One of the things he listed was that there should be specialised equipment and specialised training. No one, particularly those people who have ever had to avail themselves of the Fire Service, as the honourable member for Tiwi has had to do, would deny that specialist equipment and specialist training are essential to a modern fire service.

Another requirement which Mr Williamson spelt out is the last remaining point of major dispute in this bill between the opposition and the government. Mr Williamson said that a further requirement was good liaison and relationships and a full understanding of the duties and responsibilities of all other emergency services, including the police, the Bush Fire Council, emergency service organisations, the ambulance service etc. He went on to note: 'This can only be achieved if the person or body to whom the Chief Fire

Officer is responsible has a full and complete knowledge of fire service operations and procedures. If this is not so, then the priorities of purchasing and commissioning the vehicles and equipment of a suitable type and the general administration of the Fire Service may well be out of sequence'. That is the basis of the objection to having the Commissioner of Police at the head of the Fire Service. He is not a person who can be expected to be cognisant of the requirements of a fire service. He is highly qualified in so far as the discharge of police services is concerned.

I would urge the government to consider this particular matter. I have no doubt whatsoever that, whether or not this particular point is acceded to, the serving officers of the Fire Service will continue the very high order of discharge of duties that the community has come to expect of them. I do not think that anyone in this community will ever deny that serving fire officers have performed their duty to the best of their ability whether or not they have always agreed with the management decisions with which they have had to comply. In that way, I find that Fire Service officers are very much like nurses. The community has always come first in their deliberations and, for that reason, they ought to be commended.

I urge the Chief Minister to give some serious thought to this one outstanding objection to this bill because I think that it is essential for the good management of a Territory fire service.

Mr BELL (MacDonnell): Mr Deputy Speaker, it appears that I am the only member of the Assembly from central Australia who intends to speak on this bill. I think that is regrettable.

In common with many other members of the Assembly, I have received representations in relation to this bill. My purpose in rising to speak today is chiefly to say 'me too'. I received representations both in writing and personally about a number of issues in relation to this particular bill and about the way it has been debated publicly. I particularly wanted to emphasise the points raised by the honourable member for Sanderson and the honourable member for Nhulunbuy in relation to who should be in charge of the Fire Service.

Judging from the tenor of the representations that were made to me, there is a very strong feeling in the Fire Service in central Australia that the chief officer in that service should be somebody who has come up through the ranks. As the honourable member for Sanderson said, if the Fire Service is to be moved out of the Department of Transport and Works and placed under the Commissioner of Police - perhaps out of the frying pan and into the fire might be a slight exaggeration - certainly, it will not contribute to improved morale in that service.

Finally, I wish to raise some questions about the rather pious nonsense uttered by the member for Port Darwin. It appears that he was slightly miffed that people had failed to approach the government but had approached the opposition. I would remind that honourable member that the opposition is part of the Assembly and part of the government process in the Northern Territory. If citizens of the Northern Territory wish to make their representations to this Assembly through the opposition, they should be treated as bona fide representations and not be subjected to the sort of criticisms that the honourable member made.

In closing, I would like to reiterate that, whereas I am happy to hear that a large number of the objections that were raised by the Firefighters Association have been incorporated into the amendments that have been

circulated, I regard it as a distinct shame that the point about a professional firefighter being the head of that service has not been incorporated as well.

Mr VALE (Stuart): Mr Deputy Speaker, there are a few points that I would like to raise in support of this legislation. Despite the protestations of the honourable member for MacDonnell, the member for Gillen and myself met with a number of firemen in Alice Springs in recent days to discuss this legislation and we are concerned about it. I might say that some of their points were well taken and well made. Following close consultation with those firemen and subsequent discussions that the member for Gillen had with the Commissioner of Police and others in Darwin, I was advised this morning that: 'The Alice Springs fire officers are fairly happy with the final outcome at this stage'. I think that the amendments proposed by the Chief Minister are the main reason for the message being forwarded from Alice Springs this morning from the firemen. I am thankful that the Chief Minister was willing to listen to submissions made on their behalf.

Mr Deputy Speaker, may I make 2 points. The honourable Leader of the Opposition commented on members of the government side being brow-beaten. The honourable Leader of the Opposition is very smart with words but, to coin a phrase, he would not know if his backside was on fire when it comes to what happens on the government side of the Assembly. Probably he does not have to brow-beat his members: he would only have to sit on them and, with his weight, he would crush them into submission.

Mr Deputy Speaker, the honourable member for Nightcliff also raised some issues. Every time she rises in the Assembly to speak about the police, her paranoia reveals itself. It does not matter whether it is in relation to fisheries' inspectors, drunks in the parks or firemen.

Ms Lawrie: We have the best police force in Australia,you little nit.

Mr DEPUTY SPEAKER: Order, order!

Mr VALE: Despite her interjections, I will go back to what I said. The honourable member for Nightcliff is paranoid when it comes to police having control over anything other than matters directly related to the police service. I support the legislation. As I said, the firemen did meet with people on the government side other than just the honourable member for Tiwi.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, it is a shame that the debate could not have continued along entirely rational lines and that the Leader of the Opposition had to reduce it to a pretty basic level with his usual personal vituperation. He seems to think that it is perfectly in order for him to advise members of the government backbench that they are morons who are brow-beaten.

This debate has really been a surprise to me. Amendments were agreed to by the officers of the police and fire authorities with members of the Firefighters Association, who are now either represented by or swallowed up in the Federated Miscellaneous Workers' Union. I might say that, since the matter of consultation was raised by the honourable member for Nightcliff, I should perhaps set out a chronology of the consultation that we attempted to have with members of the Firefighters Association. I can quite understand why they would not approach a member of the government's backbench because the backbencher might well have come to me and found out the facts. This is a chronology of events from the time the preliminary draft was prepared.

On 9 March, 2 copies of the preliminary draft were delivered to representatives of the Firefighters Association and the Fire Officers Federation, and a meeting was requested for 11 March to discuss the bill. On 11 March, the Firefighters Association did not appear at the meeting and no explanation was offered. Representatives of the Fire Officers Federation did appear and some suggestions were put forward by them.

On 15 March, a letter was delivered to the Secretary of the Firefighters Association, Robert Bonson, advising him of a meeting on 17 March to discuss the bill. He gave an assurance he would appear personally. He did not appear. On 17 March, representatives of the association, led by senior station officer, Chong Wee, handed over a letter at the meeting saying that the association needed more time. They would not discuss the bill. On 21 March, 2 copies of a further draft of the bill were delivered to both the association and the federation.

On 14 April, a letter signed by Mr Bonson, with 2 sets of comments accompanying it, was received. It appears that one set of comments was prepared by the Federated Miscellaneous Workers' Union. On 20 April, the federal research officer of the FMWU, Mr M. Smith, reported to the public service, the police and fire representatives that the FMWU would absorb both the association and the federation. On 26 April, a meeting was tentatively arranged with Robert Bonson for 3 May to discuss his comments on the bill. He was to confirm that date but, in fact, it was confirmed by the president of the association, Mr Roger Millard.

On 3 May, the meeting was attended by Mr Millard and Mr Ray Ciantar, representatives of police and fire authorities who came to discuss the written comments made by the association. It was put forward that the members present did not represent the viewpoint of the association and that more time was required. The comments of the police and fire authorities were requested in writing. Comments were provided in a letter to the association which I sent.

On 13 May, the Commissioner of Police personally chaired a meeting attended by Messrs Millard, Smith and Chong Wee, representing the association, Mr Ciantar and police and fire representatives who included Alan Ferris, the Chief Fire Officer. Again, there was reluctance to discuss the bill because of alleged insufficient time to examine it. That was on 13 May. It was requested that the Commissioner of Police recommend the bill be deferred.

On 18 May, a letter was received from the Northern Territory Trades and Labour Council expressing concern in regard to the proposed Fire Service Act. A reply to their general objections was made by myself. On 24 May, a street demonstration was held in front of the Assembly building.

You can see the numerous attempts at consultation by the police and fire authorities, Mr Deputy Speaker. These attempts at consultation to settle differences arising out of the firefighters' interpretation of the bill were completely frustrated by the efforts of the Firefighters Association.

There was a need to establish within the bill a disciplinary code, as this was a matter raised by the consultant in his report. An effective code was required and it was felt that the disciplinary code which currently prevailed in the Police Administration Act could be an appropriate one. We heard the member for Nightcliff talk about the Fire Service being a disciplined force but, apparently, it took exception to being as disciplined as all that. It only wanted a certain measure of discipline.

I am told that discussion with representatives of the Firefighters Association about the bill has been frustrated by suspicion on their part of a tough disciplinary code that will mean control by policemen, attempts to delay discussion with the view to delaying the passage of the bill, fear on the part of the officers involved in the association of having responsibilities imposed on them contrary to their self-imposed code which precludes them from submitting adverse reports on their fellow members and a lack of understanding on the part of the Federated Miscellaneous Workers' Union of any of the issues involved. I must say that lack of understanding on the part of the Federated Miscellaneous Workers' Union changed very swiftly on Monday when a chap, whose name I cannot remember, came up from Sydney in place of Ray Gietzelt who had sought to speak with me. I had agreed to discuss the matter with Ray Gietzelt but he sent a research officer in his place. This bloke was a bit switched on and I locked him, the police and everyone else in the room next to mine and the whole matter was sorted out in 2 hours. It had been going on for 3 months because the people out there cannot read the bill or presumably cannot understand it and would not discuss it.

We heard the extraordinary objection to the legislation by the member for Nhulunbuy who said that the kernel of the opposition concern about this legislation is the friction between the 2 employee organisations. I just ask honourable members to consider that. According to the member for Nhulunbuy, the government is apparently to dictate to the members of the Fire Service what employee organisation they will be in. That is what he is saying because that is the only way we could resolve friction between 2 employee organisations. In any event, the Federated Miscellaneous Workers' Union now seems to be getting into the act so, hopefully, reason of a kind may now begin to prevail. That is my earnest prayer.

Someone raised the matter of direct access to the minister by the Chief Fire Officer. I have been dealing with the police and the emergency services since before self-government. I might mention that Victoria recently established a ministry of police, fire and emergency service. The minister is none other than Mr Race Matthews. If it is good enough for Victoria, it could well be good enough for the Northern Territory. The Director of the Emergency Service can come and see me any time; he does not have to go through the Commissioner of Police. He knows that and I am sure that the commissioner would not do anything to stop him.

From an administrative point of view, the Emergency Service organisation is a tiddly-wink. It has about 30 people at the most and the fire brigade is not all that much bigger in bureaucratic terms. It would be lost if it were just an isolated, outrider organisation. Let us hope that, in the future, the Chief Fire Officer will come from the ranks of Northern Territory fire-fighters. Let us hope that, over the course of the next few years, we will see the Fire Service become a well-organised and well-disciplined force and we can introduce legislation to see that officers in the Fire Service receive the Administrator's commission.

How could you confer the Administrator's commission on officers who have a self-imposed code which precludes them from submitting adverse reports on their fellow members? Are they accepting responsibility as officers or are they not?

It is essential that there be an administrative head of these 2 small organisations: the Emergency Service and the Fire Service. It seems rational and convenient that the administrative head be the Commissioner of Police for the time being. I will certainly be remaining the ministerial head. As I said, the Directors of the Fire Service and the Emergency Service can come

to see me when they want to, provided they have something worth while to talk about.

We heard something too about the firemen not wanting to be put with the police. I have had representations from firemen over a long period that they want to be taken out of the Department of Transport and Works. Almost all the firemen who spoke to me said that they wanted to be placed with the Police Force. I was surprised at what was said by honourable members opposite, especially the member for Nhulunbuy, about how much the Fire Service detests the idea of having the Commissioner of Police as its administrative head.

Have a look at clause 26 of the bill, Mr Deputy Speaker. It relates to discipline. It says they will do their duty and, if they do not, they will be dropped on from a great height. It also gives a right of appeal. At the meeting on Monday, the firefighters asked for the amendments which are before the Assembly today and which I do not think too many honourable members have bothered to read. They asked for amendments 155.7 and 155.8 and another one that is being typed at the moment to amend clause 26(3) by removing 'Director' and substituting 'Commissioner of Police'. That was at the request and behest of the firefighters. That would negate all of the arguments advanced by the people over there who are a lot less intimate with the firefighters than they appear to think they are.

The fact is that the firefighters are very cautious about this code of discipline. That is their main wariness with this legislation. If we are to have the disciplined force that the member for Nightcliff talked about, then we must have a code of discipline. It has been somewhat ameliorated by the proposed amendments. I do not see why firefighters would not be happy to submit to the same code of discipline as policemen but, apparently, they are not. I hope that the new reign of rational discussion that commenced on Monday with the representative of the Federated Miscellaneous Workers' Union on behalf of the firefighters will continue for many a long day.

I hope that the opposition will withdraw its objections to this bill and that the honourible member for Nhulunbuy will withdraw his amendment schedule because these are amendments agreed to by the people concerned.

Motion agreed to; bill read a second time.

In committee:

Clause 1 to 3 agreed to.

Clause 4:

Mr LEO: I move amendment 156.1.

This proposes to substitute 'Director' for 'Commissioner of Police'. The minister in his second-reading speech said his proposed amendment came after consultation with representatives of the Federated Miscellaneous Workers' Union. My advice from those union representatives is that, in fact, the inclusion of the Commissioner of Police in this bill as the administrative head was accepted because the Chief Minister and the commissioner would not budge. That is the only reason it was not pursued any further.

Mr EVERINGHAM: I can only oppose the suggested amendment for the reasons that I have already stated. It seems surprising to me that, at the same time, the member for Nhulunbuy says that the firefighters are requesting

the amendment of clause 26 to have 'Commissioner of Police' inserted.

Amendment negatived.

Clause 4 agreed to.

Clause 5 negatived.

Clause 6 agreed to.

Clauses 7 and 8 agreed to.

Clause 9:

Mr LEO: I move amendment 156.5.

This would reduce the number of appointed positions to 2. Since we already have the appointment of the Commissioner of Police, the appointment of the Director of the Fire Service and the appointment of the Chief Fire Officer, it seems to me that half the Fire Service will be made up of appointed persons. It is interesting to note that the Police Force itself has only 2 appointed positions. The minister in this bill will be making provision for the appointment of 4 people if the Commissioner of Police is counted as the head of the department. In fact, there will be 4 appointments of heads of the Fire Service.

Mr EVERINGHAM: The honourable member for Nhulunbuy seems to have some detestation, which he has not explained, for appointed positions. In view of the lack of an explanation of why he detests these positions being appointed by the minister, I would oppose his amendment.

Mr LEO: Mr Deputy Chairman, it was felt by the members of the Fire Service to whom I spoke that the position of Deputy Chief Fire Officer should be within the normal rank structure. That is the case in the Police Force. I do not see why it should not be that way in the Fire Service.

Amendment negatived.

Clause 9 agreed to.

Clauses 10 to 19 agreed to.

Clause 20:

Mr EVERINGHAM: I move amendment 155.1.

This will permit an appeal to the Commissioner of Police against the decision of the director to terminate the appointment of an officer whilst on probation and illustrates another area where agreement has been reached with fire officers where they seem to wish to avail themselves of the services and, indeed, perhaps the tender mercies of the Commissioner of Police.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21:

Mr LEO: I move amendment 156.16.

Representatives of the Firefighters Association whom I spoke to suggested that 'skill' was far too embracing a term when speaking on promotions and they would prefer that the term that appears in subclause (2) be substituted by 'qualifications' which very specifically refers to their accreditation as firemen.

Mr EVERINGHAM: My answer to that very simply is that it is a different thing. Clause 21(1) relates to the nature of the advertisement, in effect, of the vacancy and qualifications are relevant in that context. I dare say that qualifications are relevant in considering the appointment itself. But a person may be qualified but not necessarily have the skill.

Mr LEO: I find it difficult to accept how a person can be qualified without the skills necessary for that qualification. I really do find that hard to accept. The firefighters certainly feel that it would enable them to move with some assurance through their rank structure rather than being continuously subject to outside appointments over and above what they would normally expect.

Mr EVERINGHAM: It is a provision in relation to outside appointments which, as I understand it, affects the firefighters' interests.

Amendment negatived.

Clause 21 agreed to.

Clause 22:

Mr EVERINGHAM: I move amendments 155.2, 155.3 and 155.4.

The clause provides that a member intending to resign shall give 28 days' notice of his intention so to do. The amendment provides that the period shall be reduced to 14 days and the penal provisions of the clause are removed.

Amendments agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 25 agreed to.

Clause 26:

Mr EVERINGHAM: I move amendments 155.5, 155.6, 155.7, 155.8 and 158.1.

The provision currently provides that an appeal against a lawful order or instruction may be appealed against to the director. The amendment provides that the appeal is now to the Commissioner of Police. Pending the lodging of the appeal, the lawful order or instruction is to be complied with. Provided that it relates to the permanent transfer of a member, the transfer is not to be effected before the appeal has been determined.

Amendments agreed to.

Clause 26, as amended, agreed to.

Clauses 27 to 29 agreed to.

Clause 30 negatived.

New clause 30:

Mr EVERINGHAM: I move amendment 155.9.

The new clause provides for the constitution of the promotions and appeals board and provides that the appointment of the appropriate available nominated member - that is, the peer group representative - is to be provided for by regulation. This provision is necessary in view of the anticipated change in union representation.

New clause 30 agreed to.

Clauses 31 to 60 agreed to.

Clause 61:

Mr LEO: I move amendment 156.23.

It deals with the member's right to engage in certain activities outside of his work. The members of the Firefighters Association, shortly to become members of the Federated Miscellaneous Workers' Union, were incensed at the idea that the permission of the director would have to be sought for a number of what could be termed miscellaneous activities even if they did not conflict with their duties or in any way affect their performance at work. This amendment will ensure that a member must obtain permission in writing from the director for activities which conflict with his duties or in some way affect the performance of his duties.

Mr EVERINGHAM: As the honourable member for Nhulunbuy says, the firefighters were incensed that they might have to obtain the director's permission to engage in employment aside from that of being a firefighter where, in their opinion, such outside activities did not conflict with their work or adversely affect their ability to carry out their duties as firefighters. I think that a person in that situation is rather subjective about whether outside activities would conflict with his primary duty as a firefighter and I believe that, to seek permission from the director, is quite reasonable and fair.

Ms D'ROZARIO: Mr Deputy Chairman, I would like to support the amendment proposed by the member for Nhulunbuy. The difficulty here is in paragraph (b) of subclause (1) which says that, except with the permission in writing of the director, a member shall not accept or engage in remunerative employment other than in connection with his duties as a member. It has been put to me, and I certainly accept this, that a number of fire officers would wish to do things like joining the reserve forces. I am led to believe that there are serving members of the Fire Service who are members of the Army, Navy and Air Force reserves. As we know, this is remunerated.

The other example which occurred to me is that a person would have to seek the permission of the director in order to stand for election as a local government alderman because, again, allowances and remuneration are paid to those persons. I think that this is unnecessarily constraining the rights of people to contest local government elections.

In the case of the reserve forces, and I stress that I am told that there are members of the Fire Service who are members of the Army reserve, it would unnecessarily deprive people of the right to engage in this sort of community service. Surely the point here is that a member's other activities should not interfere with his activities or duties as a fire officer.

Although I am sure that the director may give permission to people to join the reserve forces, I am not altogether certain that a person should be required to seek the permission of the director in order to contest local government elections.

Mr LEO: Mr Deputy Chairman, I agree with the honourable member for Sanderson. I really do not see what business it is of the director's what a member of the Fire Service does in his off-duty hours as long as it does not inhibit or in some way adversely affect his performance as a fireman. Remuneration applies to a wide range of activities. Remuneration for what? He might pick up a load of dirt for a neighbour and receive remuneration. He might play football. It could be any one of a number of active pursuits. I really do not see why that should require the permission of the director before it can be done. I would ask the Chief Minister to consider carefully amendment 156.23 before he nobbles the government.

Ms LAWRIE: Mr Deputy Chairman, if the fireman's performance is so impaired that it is obvious on the job, he will suffer disciplinary action anyway. He is subject to assessment all the time within the service. Therefore, I agree with the amendment. Many activities are engaged in by people throughout the community which are ancillary to their normal working ability. They add to the enjoyment of life. Even playing football may attract remuneration. I would think that the Chief Minister could accept this amendment, bearing in mind that, if a member's performance as a fireman was obviously impaired, that would come to the notice of his superior officers and he would be chatted about that on the job.

Mr EVERINGHAM: I have every confidence in the reasonableness of the director to make an objective decision. Unfortunately, Mr Deputy Chairman, I feel that a decision taken by a person wanting to engage in some activity would be rather more subjective. We have heard the heart-rending cries about joining the reserve forces and standing for election for local government but there is more to be considered.

As I said before, the Northern Territory Fire Service is a very small service. It is an essential service and a service that is highly trained. A lot of taxpayers' money goes into training these people to a pitch of efficiency over a period of years. Because the service is so small, they must be required often to be on call. Frankly, as an essential service, it will not always be possible to grant permission for people to join the reserve forces. I make this clear now, because I understand that is the position. It may be that, if someone wants to engage in aldermanic activities, then he will have to choose whether he wants to be an alderman or a firefighter. The service is small and its members could well be needed at times when the other duties might take them away.

Amendment negatived.

Clause 61 agreed to.

Clauses 62 and 63 agreed to.

Clause 64:

Mr EVERINGHAM: I move amendment 155.10.

This provision relates to disciplinary offences. Paragraph (c) is amended to provide that disgraceful and improper conduct relates only to a member's conduct in his capacity as a member of the Fire Service.

Amendment agreed to.

Clause 64, as amended, agreed to.

Clauses 65 and 66 agreed to.

Clause 67:

Mr EVERINGHAM: I move amendment 155.11.

This is merely a consequential amendment.

Amendment agreed to.

Mr LEO: I move amendment 156.26.

Clause 67(4) states that, at a hearing under paragraph (1)(a), a member may appear in person but may not be represented by any other person. The firemen feel that there could be circumstances in which they may require representation at a hearing.

Mr EVERINGHAM: I oppose the amendment. This is a hearing before the director. The firefighter will have provision to appeal. I see no good reason for the involvement of other representatives at that stage of the proceedings. If other representatives are required, no doubt they can be availed of at the appeal.

Ms LAWRIE: Mr Deputy Chairman, I understood that there would be an amendment to clause 67(5). It was my understanding that the firefighters thought that this is quite unfair. They felt that they should have the right to remain silent.

Mr LEO: Mr Deputy Chairman, it is not on my amendment schedule.

Amendment negatived.

Clause 67, as amended, agreed to.

Clause 68 negatived.

New clause 68:

Mr EVERINGHAM: I move amendment 155.12.

This provision relates to the punishment of members for breaches of discipline. The bill provides that the director may impose a fine not exceeding $200 and the amendment provides for a fine not exceeding 50% of a member's weekly salary. The bill provides that the board may impose a fine not exceeding $1000 and the amendment provides for a fine not exceeding 100% of a member's weekly salary. The bill currently provides for the board to impose as a punishment that the member be reduced to a rank below that held by him. The amendment retains that provision but introduces as an alternative that the board may reduce a member in rank for a specified period.

New clause 68 agreed to.

Clause 69:

Mr EVERINGHAM: I move amendment 155.13.

This provision allows for a member who has been suspended from duty for a breach of discipline to receive his salary. The amendment will provide that, whilst on suspension, he shall be paid the salary, allowances and penalty payments that he would have been entitled to had he not been suspended.

Amendment agreed to.

Clause 69, as amended, agreed to.

Clause 70:

Mr EVERINGHAM: I move amendments 155.14, 155.15 and 157.1.

This provision allows for a member, who has been suspended from duty following his conviction in a court of an offence, to receive his salary. The amendment provides similar provisions as to salary as the amendment to the preceding clause.

Amendment 157.1 provides that, where a member is dismissed in relation to a criminal charge and where the conviction has been quashed or otherwise nullified, the director may reappoint the person as a member.

Amendments agreed to.

Clause 70, as amended, agreed to.

Clauses 71 to 78 agreed to.

Clause 79:

Mr EVERINGHAM: I move amendment 155.16.

This is a consequential amendment.

Amendment agreed to.

Clause 79, as amended, agreed to.

Clauses 80 to 84 agreed to.

Clause 85:

Mr EVERINGHAM: I move amendments 155.17 and 155.18.

This provision provides for the punishment of a member who, when having ceased to be a member of the Fire Service, fails to deliver up property which has been on issue to him. The amendment provides that an offence is only created where he fails to do so without reasonable excuse.

Amendments agreed to.

Clause 85, as amended, agreed to.

Clause 86:

Mr EVERINGHAM: I move amendments 155.19 and 155.20.

Subclause (1), which relates to neglect of duty, is to be deleted because the disciplinary provisions already provide for that. Subclause (3)

states that the recovery of fines in relation to the clause may be deducted from the member's salary. The amendment deletes this clause. Such fines will be recovered through a court of law.

Amendments agreed to.

Clause 86, as amended, agreed to.

Clauses 87 to 89 negatived.

Clause 90:

Mr LEO: I move amendment 156.36.

The firemen really did not understand the point of this. Surely any application made to any position in the public service would carry some penalty if the questions that were asked were not answered truthfully. It is just another penal clause within this bill. I fail to understand the purpose of clause 90.

Mr EVERINGHAM: It is a penal provision for a false representation in relation to the employment. I oppose the amendment.

Amendment negatived.

Clause 90 agreed to.

Clause 91:

Mr LEO: I move amendment 156.37.

We have a penal provision for communication of information. Clause 91(2) says: 'A person, after he has ceased to be a member, shall not publish or communicate a fact or document which, if he had still been a member, he would not have been entitled to disclose'. He can go down the road for 3 months for that. Once again, it is a penal provision within a document which dictates a person's working conditions. I really do not see the need for it. I imagine that there are similar provisions in the law anyway. People are not supposed to communicate documents. I am just wondering why it is in this bill. What is the absolute necessity for it? There does not seem to be any necessity for it. I would like the honourable Chief Minister to answer me. Why is clause 91 necessary?

Mr EVERINGHAM: The honourable member for Nhulunbuy answered himself really when he first stood up, but then he proceeded to properly confuse himself. The penalty for that wrongful act can be as high as $500 or imprisonment for 3 months, if the court judges the communication of the document as a serious breach. Why should it not be? This is a disciplined force and people joining it should realise that.

Amendment negatived.

Clause 91 agreed to.

Clause 92 agreed to.

Clause 93:

Mr LEO: I move amendment 156.9.

Once again, Mr Deputy Chairman, I really cannot see the need for these penal provisions in the Fire Service Bill. There does not seem to be any point to it. The offence of bribing public officials is adequately catered for in any amount of legislation. I really cannot see the point of penal provisions in the Fire Service Bill which is supposed to lay down the conditions of employment for a member. The clause reads: 'A person shall not directly or indirectly - (a) offer or give a bribe or reward to; (b) enter into an agreement with; or (c) seek an undertaking from, a member for the purpose of that member forgoing any of his duties as a member'. It seems to me eminently reasonable to have a punishment but there is adequate legislation to cover these offences. The Fire Service Bill is supposed to deal with firemen. Why is there any need for these clauses within the bill?

Mr EVERINGHAM: Mr Deputy Chairman, obviously this document is a lot more than a statement of firemen's working conditions. We are creating an offence of someone offering a bribe to a fireman. We are not seeking to penalise the firemen. We are seeking to protect them. The honourable member for Nhulunbuy wants the penal provision removed.

Mr LEO: Once again, Mr Deputy Chairman, there is adequate legislation for this elsewhere. We are contemplating the Criminal Code which adequately deals with the attempted bribery of officials. What it is doing in the Fire Service Bill, I really do not understand. Remove the penalties. Take the whole thing out of there. It does not matter. What are penalties of this type doing in a Fire Service Bill? There is adequate provision for that in other legislation. All we are doing is duplicating penalties and offences in our legislation. There does not seem to be any point to it.

Mr B. COLLINS: The Chief Minister is familiar with the particular clauses referred to in the Criminal Code Bill. They certainly do exist. We will be supporting that legislation. It does cover the particular offence mentioned in respect of all public officials. Is it necessary that it be duplicated in this piece of legislation?

Mr EVERINGHAM: There is no Criminal Code and there will not be one for 6 months. I believe that this creates a special offence in relation to bribery or attempted bribery of firemen.

Amendment negatived.

Clause 93 agreed to.

Clause 94 agreed to.

Clause 95:

Mr EVERINGHAM: I move amendment 155.21.

This is a consequential amendment.

Amendment agreed to.

Clause 95, as amended, agreed to.

Clause 96 agreed to.

Clause 97:

Ms LAWRIE: I have a query on clause 97. Whilst I can understand the

Chief Minister's concern about bribery, corruption and coercion of officials, I cannot quite understand why it is an offence for a person, without reasonable cause, to reproduce in any manner the whole or part of the Fire Service Gazette. I point out that the clause does not mention malicious intent or any similar phrase. I do not really see why that should be an offence as it stands.

Mr EVERINGHAM: I take the point raised by the honourable member for Nightcliff. Copies of the government Gazette are reproduced on many occasions. I am not aware why it need be an offence to reproduce this particular gazette. Perhaps my advisers could let me have a note very quickly one way or the other. If there is no good reason for making it an offence to reproduce the gazette, I would certainly be happy to drop that particular penal provision.

Further consideration of clause 97 postponed.

Clauses 98 to 103 agreed to.

Clause 104:

Mr EVERINGHAM: I move amendment 155.22.

Mr Deputy Chairman, this clause provides for penalty where no other penalty is expressly provided. As penalties are provided throughout the bill for breaches committed by members of the Fire Service either in relation to disciplinary matters or offences created in the bill, it is not intended to apply to members of the Fire Service acting in the capacity of a member. The amendment seeks to remedy this.

Amendment agreed to.

Clause 104, as amended, agreed to.

Clause 105 agreed to.

Clause 106:

Mr EVERINGHAM: I move amendment 155.23.

Mr Deputy Chairman, this clause relates to transitional provisions and the amendment provides a new subclause that preserves the existing terms and conditions of employment until any new determination or award provides otherwise.

Amendment agreed to.

Clause 106, as amended, agreed to.

Postponed clause 97:

Mr EVERINGHAM: Mr Deputy Chairman, I agree to the suggested amendment and will support the deletion of clause 97(2). I move that subclause (2) of clause 97 be deleted.

Amendment agreed to.

Clause 97, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

FIRE BRIGADES ARBITRAL TRIBUNAL AMENDMENT BILL
(Serial 298)

Continued from 24 March 1983.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the amendments to the Fire Brigades Arbitral Tribunal Act take into account a number of changes in the schedule of the act. They also clearly define once again the rank structure in the Fire Brigades Arbitral Tribunal. As I said when speaking to the previous bill, one of the observations that the Williamson Report made about the problems confronting the Fire Service was that there existed factions of industrial representation based on rank. The report indicated that, while there was a difference in industrial representation based upon rank, it could not see that these problems would be solved.

Mr Deputy Speaker, the opposition proposes 2 amendments, one of which would clearly indicate that all members of the Fire Service would be members of the same industrial organisation. In the previous debate, the Chief Minister asked how legislation can possibly tell members of any service what union they can or cannot belong to. He asked how legislation can possibly do that. Legislation cannot tell anybody what union they can or cannot be a member of. However, the arbitral tribunal, as it stands, clearly indicates that one must be a member of the Fire Officers' Federation if one wants representation on the arbitral tribunal; that is, if one is at the rank of officer or above. He must be a member of the Firefighters Association if he is a member of the service and below the rank of officer.

The amendments the opposition has proposed seek to delineate that section of the act which prescribes representation in accordance with rank. I feel that the entire arbitral tribunal will have to be rehashed very shortly because it appears, as the Chief Minister indicated, that the majority of firemen are about to be absorbed into the Federated Miscellaneous Workers' Union and it probably will not serve any purpose in a few months' time. However, even within those few months, I think the government can show its intent by supporting the opposition's amendments which would effectively reduce the number of industrial organisations represented within the Fire Service.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr LEO: I move amendment 154.1.

This amendment is necessary to break down this distinction between the firefighters. The clause outlines this rank structure and even goes so far as to stipulate the organisation which those people can join.

Mr EVERINGHAM: Mr Deputy Chairman, the government opposes the proposed amendment.

Amendment negatived.

Clause 6 agreed to.

Clause 7 agreed to.

Schedule:

Mr EVERINGHAM: I move amendments 153.1, 153.2 and 153.3.

These are consequential amendments to correct errors.

Amendments agreed to.

Schedule, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

SUPPLY BILL
(Serial 320)

Continued from 31 May 1983.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, the opposition supports this bill. It is a practice that Labor oppositions have never opposed supply for the continuation of government services in the interim between the close of the financial year and the passing of the budget in September later in the year.

We go through this process at about this time every year. The sums appropriated are required to ensure continuity of government services. I have noticed one or two interesting points about the appropriations in this particular bill. One is outlined in more detail on this occasion than I recollect it to have been on previous occasions; that is, the Advance to the Treasurer where a sum of $7.5m has been appropriated for a particular purpose. On previous occasions, we have remarked on the question of Advances to the Treasurer. However, now, all Treasurer's warrants have been placed before the Legislative Assembly with particulars of the expenditure and we have no quarrel with that particular practice or, should I say, legislative requirement. The Advance to the Treasurer will cover such things as increases in costs which would be incurred as a result of wage increases, and this seems to me to be a sensible contingency. It also ensures money is available to meet escalating costs in the contract prices of capital works.

I also noticed with some interest that there is a substantial sum of $28.4m for the Housing Commission listed under 'other services'. By reference to other budget papers, we can see that this refers to works and contracts in progress and continuing housing loan commitments. Naturally then, we do not oppose the Housing Commission appropriation.

As I mentioned, Labor oppositions have a long history of not opposing the continuation of supply. In line with that practice, we support the bill.

Mr B. COLLINS (Opposition Leader): As all honourable members will be aware, budget debates traditionally can be used as vehicles to discuss any matters touching on expenditure of government money. In that context, I wish to touch on a number of items this afternoon.

I wish to give my qualified approval this afternoon to the change in

approach which the government appears to have taken in relation to 2 important education matters. It seems at last that the government is trying to tackle the problems associated with the Aboriginal Teacher Training Program and the proposed Northern Territory university in a more constructive way. I say 'qualified approval' because, whilst acknowledging this apparent welcome change of attitude on the part of the Territory government in these 2 important areas, I still have serious concerns about aspects of both. I have said in this Assembly on numerous occasions that I believe that one of the most positive and useful initiatives that has been taken by the Northern Territory government in respect of education in the Aboriginal education area is the establishment of Batchelor College. I have also said before that Batchelor College, which I try to visit regularly, is doing an excellent job in its unique role. It is providing an important support base for the Aboriginal education system, and particularly bilingual education which is most relevant to Aboriginal needs.

However, despite what I am sure are the good intentions of most people involved with the program, it has not been without its problems. The most serious problem, and one that I have expressed concern about many times in this Assembly, is that of non-replacement of assistant teachers who go to Batchelor to upgrade their qualifications. As the former Minister for Education would recall, I raised the issue with him on numerous occasions. I thank him for the attention that he gave. It does appear that the solutions which he originally proposed for this problem - I might add, with my complete support - are shortly to be put into action.

It is presently the sad case that many of the schools which, by their own on-site programs, have managed to produce Aboriginal teachers of a high enough standard to be sent to Batchelor to improve their formal education are in fact penalised for that success. The penalty comes, as I have said before, from the fact that there have not been enough funds made available to replace the teachers while they are training at Batchelor. Of course, this puts the principals, particularly, of the Aboriginal schools in a very difficult position. It puts the bilingual programs at those schools at a very great disadvantage. The concern about the non-replacement of these teachers has been expressed again and again by the communities concerned, the Teachers Federation, students and members - not just myself but other members - of this Assembly.

It would appear that the government is at last making moves to come to terms with this issue. I am aware that, from next year, at least first year trainee teachers at Batchelor will be on study grants. Indeed, as I said before, this was in fact the solution proposed by the former Minister for Education. They will be on study grants apparently in an attempt to free money to use in replacing them in their communities.

As long as these students are given appropriate assistance, together with their families and dependants, and as long as the money saved is in fact used for teacher replacement, I welcome this change in government policy. I have suggested before that this system might be adopted for teacher trainees and that all the money saved be used for exactly that purpose. I understand that negotiations are still going on regarding the second and third year trainees to try and ensure that money is available to replace them as well.

Mr Deputy Speaker, I can only express my strong wish that these negotiations are successful and that the problem of replacing these teachers is solved once and for all. It is absolutely vital in my view that the bilingual program in Aboriginal communities not only continues but is enhanced.

I now come to a second change which the government has recently announced in relation to Aboriginal teacher training: the decision to require Aboriginal assistant teachers, who wish to upgrade their qualifications to full teacher status, to undergo up to 2 years' more training at Darwin Community College. Mr Deputy Speaker, while I am aware that this move has the support of many of the students and the people involved in the program, I do know that the announcement came as a complete surprise to some of the third year trainees who thought that they would be able to complete their fourth year at Batchelor. They are concerned about 3 things: the possibility of having to attend 2 extra years rather than one; the need for academic and social support while in Darwin at the community college; and, finally, the need for family accommodation while training in Darwin. I understand that, in fact, many of the students are happy to upgrade at Darwin Community College as long as those support services are provided.

At this stage, I understand that the accommodation question is still not resolved even though I am aware that college people concerned are doing their best to find suitable accommodation. I urge the government to do whatever it can to ensure that both counselling and academic support are in fact available to students attending DCC in this area and also that appropriate accommodation is made available to them. I would particularly hope that the support service is adequate to help those students who can finish the course in one year rather than two. It is also essential that these students receive adequate financial help to enable them to complete the course in Darwin if they so desire.

I must make the point that some of my constituents involved in the program are genuinely apprehensive about certain aspects of the years to be spent in Darwin and are somewhat concerned about the lack of warning they received. This is partially due to the fact that not enough information appears to have been given to the students, and I hope that this will be rectified. I understand that an in-service course is being considered for later this year to help to solve that problem.

But it is also due to a feeling of insecurity as to whether or not the necessary support and accommodation will in fact be available when students begin the course. I think there is some reason to fear that this might be the case. I hope that it is not a question of them starting the course and these things being patched in at some later stage. I do urge the government to liaise closely with the college and provide it with whatever help it needs to ensure that these services are provided. I certainly do not want this positive move to turn out to be one of those policy decisions made without first sorting out the infrastructure and support services which will be essential to successful implementation.

Mr Deputy Speaker, in relation to the Aboriginal teacher replacement initiatives, I would like to commend the government for finally dealing with this issue. I do wish, however, that it had done so much earlier and I only hope that it will ensure that all necessary replacements are in fact carried out.

I would like briefly to turn to the matter of the government's proposal for a Territory university, an issue raised by me many times in the Legislative Assembly over the years. I must say that I was interested and not at all surprised to hear the comments made this week by the Chairman of the Commonwealth Tertiary Education Commission while he was in Darwin. He said that he was pleased to see that the second government submission on the university was much more realistic than the first and that it concentrated much more on the establishment in the first instance of post-graduate research units as a

forerunner to the university.

I am sure honourable members will recall the objections that the opposition raised to the way in which that original submission was proceeding. There is not the slightest doubt that, should any federal government have been foolish enough to have adopted those particular arrangements, it would have been a very serious matter educationally for the university to get off on the footing originally proposed.

The comments of the Chairman of the Tertiary Education Commission were very much in line with the course that the Territory parliamentary Labor Party has been advocating for some time. Why the government did not take a more sensible approach to this matter in the first place is beyond me. I suspect it was due at least partially to the Chief Minister's desire to have a physical monument built when he said it would be built, regardless of the quality of the educational services that would have been provided there. On the basis of that original submission, it would have been an educational disaster.

Mr Deputy Speaker, I commend the government for finally taking a far more reasonable approach to the Territory university and I thank the Minister for Education for making available to me the government's second submission. I have studied it carefully and the parliamentary Labor Party is preparing a response to that submission to the Tertiary Education Commission.

While we consider that the establishment of post-graduate research schools is the appropriate approach and have indicated very clearly to both the government and the university Planning Vice-chancellor that we will be supporting them on this, we still feel the government's submission is deficient in several important areas. We will be highlighting these areas in our submission which we will make available to the government and others for comment. I hope that we can reach bipartisan agreement on the matter this time. I am confident that it is possible.

Mr Deputy Speaker, in the last matter that I intend to raise in this budget debate, I will be looking for a response from the honourable Minister for Primary Production. The opposition has repeatedly accused this government of governing for the benefit of the few at the expense of the community at large. The actions of the Minister for Primary Production, in his previous capacity as Minister for Mines and Energy, in making available a public power supply for Newcastle Waters Station provides perhaps the best illustration of this attitude of the government in general and the honourable member for Barkly in particular. Of course, that station is in the honourable member's electorate.

The cost of power generation in remote communities in the Territory is high. It forms a significant part of the operational costs of cattle stations such as Newcastle Waters. In the March sittings of the Assembly last year, the member for Sanderson asked the Treasurer whether or not NTEC was proposing to install generator sets at Newcastle Waters Station. The question had been on notice for some time but had not been answered by the government. In reply, the Treasurer said that NTEC had installed generators at Newcastle Waters and the sets were commissioned on 10 April 1981. The Treasurer said that the installation of a reliable power supply for Newcastle Waters had resulted from a petition from the townspeople to the honourable minister in October 1980.

As I said in debates earlier this week, to obtain any information, the opposition must absolutely poke and prod this government. I then had to

ask a further question on notice: 'How many consumers, in fact, were at Newcastle Waters that warranted NTEC to become involved in supplying the power?' The answer that I received was that there were 7 consumers at Newcastle Waters. That included the school, a single demountable, and the town water supply. I then posed a series of questions. I asked: 'What was the cost of supplying this public power supply?' The answer to that question was $100 000. I then asked how many people had signed the petition that saw the expenditure of $100 000 to supply power to these 7 consumers. You would recall, Mr Deputy Speaker, that the honourable member had said that this was in response to a petition from the townspeople. The answer to my question was that 6 people had signed the petition.

Mr Perron: That's pretty good - nearly a 100% response.

Mr B. COLLINS: Mr Deputy Speaker, it is worth picking up the remarks of the honourable Treasurer since he takes such a flippant attitude to disbursing $100 000 of the Northern Territory budget. He said: 'That's pretty good - nearly a 100% response'. It is also worth looking at the actions of the then Minister for Mines and Energy and minister responsible for NTEC, the honourable member for Barkly, within whose electorate this cattle station is located, in the context of the general policy of this government on the provision of power to remote communities. I stress that I would like to draw the attention of all honourable members to that policy statement made very recently by the honourable minister responsible for NTEC. As we pointed out the other day, this government has very flexible policies indeed. As the honourable member for Millner said on one occasion, 'they are put together in the morning and thrown out in the afternoon'.

Mr Deputy Speaker, a question was asked in the Assembly last year by the honourable member for Stuart: what steps are being taken to supply electricity to the township of Daly Waters? In reply, the Treasurer said that he understood there were 5 or 6 consumers in the township and that NTEC was not responsible for electicity supply to Daly Waters. The Treasurer said that, at self-government, NTEC took over most of the responsibility for generating and distributing power in the Territory but that quite a number of small communities were still under the control of the federal Department of Transport, and Daly Waters was one of those. He said this was largely because the towns were not served by a major power-station but had small, in-house generators. The honourable Treasurer said that the cost of operating those generators was extremely high, as indeed it is. He said that NTEC was not interested in taking over these small centres because of the losses involved. He said that, in the long term, a solution for these small communities would be provided when the major transmission system of the Northern Territory grows.

In November last year, I asked the Treasurer whether the government was considering the spreading of fees relating to the connection of electricity in rural areas. In response, the Treasurer said that it was a requirement of NTEC that any costs in excess of $2000 for the connection of electricity to a rural block had to be paid for by the applicant. He stressed that the only way to nail these people is by asking 50 questions over a period of 6 months. He said that NTEC was charged with the responsibility of raising as much income as it reasonably could to supplement the very large subsidies that are applied to it. He said that 50% of all power supplied by NTEC is paid for by the Australian taxpayer. I quote: 'It is therefore very difficult to make concessions to one area only of the consuming public'. He said, in conclusion: 'NTEC must keep its accounting systems as straight as it can and be seen to be operating as fairly as possible right across the board'.

Mr Deputy Speaker, we have a rule that says that, if you incur a cost of more than $2000 in having power connected in the rural area - and I direct the attention of the honourable member for Tiwi to this - then you, as the consumer, must meet the extra cost. We are told that NTEC is not responsible for the provision of power in small communities because they are not served by a major power-station. We have no argument with that. It is very sensible.

The reason the Treasurer gave for that policy decision was because NTEC must be financially responsible. Yet we have Newcastle Waters Station being provided with a public power supply by NTEC. According to the honourable Treasurer, two 65 kW capacity generators were installed because of the unrealistically high cost of running a feeder line from Elliott. Mr Deputy Speaker, what has happened to this financially-responsible government? Perhaps the honourable member for Barkly has an answer. As you would recall, Sir, Elliott was the centre of some power problems last year. Because of erratic power supply, a lot of damage was done to electrical appliances used in that community. I am sure honourable members will recall this being raised. In an interview at the end of July last year, the Treasurer told an ABC interviewer: 'We are hoping that, after a long period of unsatisfactory service to Elliott, people from now on know that they will be getting the service they deserve'. The community at Elliott has been struggling with a patched up power-generating system for some time. There are about 50 consumers at Elliott drawing on the system, yet a petition from 6 people resulted in the government spending $100 000 to supply electricity to 7 consumers.

Mr Deputy Speaker, I call on the honourable Treasurer to supply this Assembly with details of all costs involved in the provision of a public power supply to Newcastle Waters and the justification for that expenditure. I also seek from the honourable Treasurer the level of operating subsidy that is required to maintain and operate this public facility. A comparison can then be made between this and other communities in the Territory, such that the whole community can be seen to be treated, to quote the honourable Treasurer, 'in an even-handed manner'.

I would also suggest that all communities with 6 people and 7 consumers, on signing a petition, can justifiably look forward to public power supply in the very near future, particularly those who live in the electorate of the honourable Minister for Primary Production.

Mr PERRON (Treasurer): Mr Deputy Speaker, I will certainly not answer the honourable Leader of the Opposition's queries today in any formal detail. I suggest that he places some more questions on notice. From what he said, the questions that he asked were answered but somehow he expects me to read his mind and answer another dozen questions that he thinks of after he has asked the first one.

I must point out to him that, whilst I no doubt have made statements in the past that NTEC must be seen to be operating, as much as possible, in an even-handed manner in the supply of electricity, his statement, that communities right across the Northern Territory will receive $100 000 to pay for their electricity just because of the 6 people, requires comment. I can assure him that the generation of electricity in remote areas of the Northern Territory, particularly in Aboriginal settlements, is far more expensive than that. I understand that, for most electricity consumers in those areas, there are no charges anyway - a very substantial cost to Australian taxpayers.

Mr Deputy Speaker, in closing debate on the Supply Bill, I reiterate that this legislation is required to be passed during this sittings.

Motion agreed to; bill read a second time.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer): Mr Deputy Speaker, I move that so much of Standing Orders be suspended as would prevent the Supply Bill (Serial 320) passing through all stages at this sittings.

Motion agreed to.

Bill passed remaining stages without debate.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 321)

Continued from 31 May 1983.

Mr DEPUTY SPEAKER: Honourable members, I have received a request by the Chief Minister submitted pursuant to Standing Order 152. I am convinced that not to proceed would cause hardship to the ducks of the Territory. I am satisfied with the request and declare this bill to be an urgent bill.

Mr BELL (MacDonnell): Mr Deputy Speaker, sharing your concern for the ducks of the Territory, the opposition wishes to support this particular bill. We note that the bill allows the minister to regulate the seasons during which protected animals may be killed. We note that it basically provides a framework within which this may be done.

In his second-reading speech, the minister said that he had recently received information that suggests the breeding cycle of some wildfowl, notably magpie geese, had been affected by the unusually late and uneven wet season and that it appears that there may be considerable risk in allowing the normal hunting season this year. The opposition accepts the extenuating circumstances that demand that this bill pass through all stages at this sittings.

However, there is one question that I would like to raise with the honourable minister. I would like him to explain briefly a little more about the season lengths, particularly the lack of control that he referred to in relation to the shooting of wildfowl for recreational purposes. Perhaps he could give a little detail about the deficiencies of the current controls. We also note that there are certain cosmetic redrafts of certain sections of the act. They are supported.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, it is no surprise to anyone that I support this legislation. In the adjournment debate last week, I spoke on this matter and the need, which is known within the minister's own department, for protection at least this year of wildfowl, magpie geese and migratory birds, including some birds which are refugees from southern states. Those states too have had a particularly bad season.

This legislation will allow the minister to state at which time an animal may be killed, the areas where it may be killed and, particularly, the type of equipment that may be used for the killing. It states now that we can have specified periods which can be related to species, and this of

course can vary from season to season. I welcome that. Next season may be good or bad. We will not know until at least February when the nesting takes place for magpie geese. It really is impossible to put policy into a principal act which is subject to change year by year because of seasonal conditions well outside of any particular political interest.

Mr Deputy Speaker, I welcome the legislation, particularly as I know it can be applied from year to year for the benefit of wildfowl and, of course, for the hunting community.

Mr TUXWORTH (Conservation): Mr Deputy Speaker, I thank honourable members for their support.

The honourable member for MacDonnell sought clarification of where the deficiency exists in the act. At the moment, the main deficiency in the act is that there are no controls at all on things like bag limits and the type of equipment to be used. Also, the season is fixed to start at midnight on 30 June and to run for a period thereafter. When the act was first introduced, it followed traditional patterns and there was never any reason to look at it. But seasonal fluctuations in recent years have made it essential to have seasons that reflect the climatic conditions that exist from year to year. I hope the honourable member is satisfied with that explanation of the changes that we are making to overcome the deficiencies in the act.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Conservation)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

SPECIAL ADJOURNMENT

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I move that the Assembly, at its rising, adjourn until 10 am on Tuesday 23 August 1983 or such other time and date as set by Mr Speaker under sessional order.

Motion agreed to.

ADJOURNMENT

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I move that the Assembly do now adjourn.

In moving the adjournment, I would like to place on record my personal regret at hearing of the death a couple of months ago of an Alice Springs and central Australian identity, Mr Pasquale Ciccone better known to most people around Alice Springs as Patsy Ciccone. Patsy was born in southern Italy in 1888 and he died in Alice Springs on 8 January 1983 aged 94 years. He was married in Italy in 1910 and his daughter, Mrs Gagliardi, who was born a year later, is still living in Alice Springs. Patsy first came to Australia in 1924 and worked in Melbourne and Adelaide before moving up to the Alice. He was persuaded to move there in 1926 by Bob Gregory's father to work at the Winnecke goldfields. Many members will know long-time resident of Alice Springs, Bob Gregory, who now lives at the Old Timers' Home. Mrs Ciccone joined her husband in central Australia in 1933 where they worked at mining gold at the Winnecke goldfields until 1940. Their daughter and son-in-law came to Australia in 1938.

During the war, Patsy and his son-in-law, Joe or Guiseppe Gagliardi, mined wolfram at Wauchope and later copper at the Pinnacles mine. From 1943-52, Patsy and his wife mined mica at Harts Range and he was a strong lobbyist to Canberra as president of the mica miners. During this time, Mrs Ciccone worked alongside her husband in pretty tough conditions. When mica mining became unprofitable in 1952 due to discoveries in India, Patsy built the Pasquale Ciccone Building in Alice Springs on Sturt Terrace where he ran a grocery and drapery store. He also obtained a block near the Memorial Club where he built and let rooms. Today, this is the site of the Gagliardi Building. Patsy also owned 2 shops at the Stuart Highway Emporium complex where he proved that he was an astute businessman. He also had many other interests including law, mechanics, electrics and, of course, mining. The original gold battery from Arltunga is in his yard in Alice Springs and this of course is part of Alice Springs' history.

Mrs Ciccone died in 1979 and Patsy and his wife are survived by 8 grandchildren, 16 great-grandchildren and 1 great-great-grandchild. One of the stories about Patsy that does the rounds in Alice Springs is that he and 3 men bogged a truck in a creek somewhere out towards the Harts Range and they spent all day digging it out. They had gone half a mile when Patsy said he had lost his pipe and demanded that they go back and dig up the sand. After about an hour of digging for the pipe, one of the men noticed that it was in Patsy's mouth.

Mr Deputy Speaker, I am told by the honourable member for Millner that last night he raised in this Assembly the matter of tabling some papers pursuant to statute in connection with the compulsory acquisition of part of lots 27 and 53 Gulnare Road in the rural area. These papers were deemed to have been presented on 24 May 1983 according to the Minutes of Proceedings of the Legislative Assembly for that date.

Mr Deputy Speaker, during the course of this week, I was also asked by an honourable member what the situation was in relation to the sale of Housing Commission houses at Nhulunbuy. I have received a copy of a letter dated 28 April from the Department of Law to the Northern Territory Housing Commission. The letter reads:

Re Subleases - Nhulunbuy.

I have at last received from Nabalco a copy of what they say is the final approved document for the Housing Commission subleases at Gove. Although the document is far from favourable to the Housing Commission, or indeed to any purchasers, I think it is quite clear that we have a take-it-or-leave-it situation. You either execute the documents in this form or abandon your sale of homes scheme at Nhulunbuy. We have achieved our major objective in the inclusion in the lease of clause 22 which does give the mortgagee some protection in the event of re-entry by the lessor. I bring to your attention the following undesirable clauses ...

There is a list of them. It seems that we now have something on which we can move forward, although it is a long way from being satisfactory.

During the adjournment debate on Tuesday, the honourable member for Tiwi gave the Department of Lands a bit of a pasting over what it had done to some of her constituents. These are the brow-beaten backbenchers! She outlined various problems experienced by several of her constituents. It is believed - and that is all we can do at this stage; I have asked my staff to try to get it sorted out - that the honourable member was specifically referring to the subdivision of part of section 7300 of Howard which is owned by 'Mr Blank'.

I had better use that form of name at the moment.

It is a standard practice of the NT Planning Authority and the delegate of the minister to require that any easements or reserves required for the purpose of electricity, sewerage, water supply, storm water drainage, roads and communications shall be transferred free of cost to the Northern Territory government or the relevant statutory authority or local authority as a condition of subdivisional approval. It is also generally accepted that a subdivider is responsible for the preparation and cost of a survey plan of the approved subdivision. The Northern Territory Electricity Commission is prepared to bear all survey costs and legal costs in respect of the power easement along the Batchelor Road. Investigations are under way to determine whether Telecom is also prepared to bear costs.

Regarding the reference to an exchange of 50 acres required for road purposes in exchange for 10 acres of old road reserve, this acquisition was in conjunction with the realignment of the Stuart Highway near Batchelor. The owner received compensation of $500 as well as approximately 3.64 ha of old road reserve in exchange for an area of 28 ha required for the new road.

The other reference to a road being constructed about 3 years ago, refers, we believe, to the access to Lake Bennett, which was constructed by the Department of Transport and Works from the Stuart Highway to the lake. There was a need to formalise the road when Mr Bennett proposed to subdivide Northern Territory portion 1678. The survey to create a road reserve revealed that part of the road had inadvertently been constructed on Mr Luxton's property. The Department of Transport and Works requested acquisition action. I am sorry; I have dropped a name. That gentleman has not opposed acquisition. He has objected to a refusal by the Department of Transport and Works to create an additional access to his property in exchange. This would involve acquisition from another block of land owned by someone else, lot 28 of section 69 Hundred of Howard. The Department of Transport and Works does not wish to become involved in a trade-off. The Roads Division is preparing advice on this matter for the Minister for Transport and Works. The Department of Lands is preparing a recommendation to the minister that the road reserve should be compulsorily acquired.

The second landholder referred to by the honourable member for Tiwi would seem to be a 'Mr Blank'. The Roads Division of the Department of Transport and Works was concerned that the roadworks in this subdivision had not been constructed to specification and that they could have failed within a short period. The division therefore insisted that a $20 000 maintenance bond be deposited.

With regard to the other subdivisions referred to, the Roads Division is the responsible authority for the acceptance of roadworks. Depending on the location of the road, volume of traffic and other factors, the required standards of construction do vary occasionally.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, yesterday I was accused publicly by the NT News of misleading this Assembly.

Mr Vale: Hear, hear!

Mr B. COLLINS: Does the honourable member for Stuart want to repeat his interjection? I thought he might like to. It would be the second time in a fortnight that he has said anything at all in the Legislative Assembly.

Mr Deputy Speaker, the statement occurred in the column written by that

well-known roving reporter, Peter Wilson, ace reporter of the NT News, known and loved by us all. I quote:

> *It now seems that the opposition attack on the roll-on roll-off wharf in the Assembly was based on a faulty briefing. Bob Collins claimed that the wharf cannot handle vessels with starboard ramps. The fact is that it can and does. It has handled Koolinda and Pilbara, both of them with starboard ramps. It is not the exclusive province of any one member to mislead the House.*

I would simply point out that not only is it not the exclusive province of any member to mislead the Assembly but it is also not the exclusive province of politicians to mislead Territorians. Indeed, this column, if left uncorrected, would do that. In light of the accusation in the last paragraph of the letter that I did mislead this Assembly, I would like to place the facts once again before the Assembly.

I was also interested to read that apparently my alleged misleading of this Assembly was based on a faulty briefing. I would like to make the point that I have never, nor will I ever, attribute mistakes that I make, or errors that I make, in this Assembly, to briefing, faulty or otherwise. If I am wise enough or silly enough to accept what I am told and say it in this Assembly, then I stand on it and I am either hanged on it or it gets up. The facts are that the Koolinda and the Pilbara have never used the Ro-Ro facility. If they were to attempt to use the facility, several problems would present themselves. There would be extreme difficulty in turning the vessels around. If, in fact, the vessels could be turned, which is doubtful, it would almost be impossible to operate with forklifts of reasonable size. Apart from the physical problems in relocating the vessels to allow access to the ramp, there would be a considerable cost involved. Both a pilot and the services of a tug would be necessary. The tug would cost in the order of $2000 per turnaround.

There has not been any detailed work done on the cost of starboard ramp vessels attempting to use the Ro-Ro but I am informed that the use of the Ro-Ro is not financially viable and possibly physically impossible and that the fact or otherwise that the vessels could use the Ro-Ro facility with starboard ramps is not at all certain physically. I have been told fairly confidently that, if they could be turned around, the cost involved in engaging the pilot and tug to turn the vessel around to use the starboard ramp would make such an operation prohibitive. I restate that the Koolinda and Pilbara have never used the Ro-Ro facility and I would hope that, in fairness, the NT News will retract the statement that it made yesterday that I misled the Assembly with that information.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, I was very interested to hear the reply of the honourable Minister for Primary Production when I asked him what was the future of the forest area at Howard Springs. He told me, among other things, that it would be used for passive recreation. I have no argument with that and I do not think anybody else has any argument with it.

A couple of sections there have a bit of history about them. The sections that I was referring to that carry forests at the moment under control of the Conservation Commission are sections 277, 278, 279, 280 and 281, as well as portion 1366. The minister said that these sections would be used for passive recreation by the general public. I do not really know what he means by passive recreation because, continuing on from my story the other day about 20 buffaloes in that area grazing on a constituent's back lawn,

I was very interested to hear that the number has risen to 38 buffaloes.

These buffaloes camp in this forestry area which is on one of those sections down Dutchie's Lagoon way. For the people indulging in passive recreation there, I think it might end up being a little more active than passive, especially if they park their cars at night. The buffaloes are mainly on section 278, which is down Dutchie's Lagoon way.

Those buffaloes are creating quite a dangerous situation. I think that 38 on anybody's back lawn at night is a bit too much. You might be able to use what comes out the back end but the front end is the dangerous part. These buffaloes would be cleanskins. I feel certain they would be. If so, the Conservation Commission and the owner of the land where these buffaloes appear would be quite within their rightsin either shooting them or getting them shot, thereby doing away with the hazard of 38 buffaloes on the back lawn.

Mr Deputy Speaker, there is a history attached to sections 277 and 278. They are being used by the Conservation Commission in the name of the Northern Territory government. These 2 sections have never been paid for. They were compulsorily acquired from a Mr James Fitzgerald, who is the father of Mrs Kath Yates in Howard Springs. These 2 sections were never paid for. I think they were acquired in about 1942 when that area of Howard Springs was quite important. When the forces came up here in 1942, adequate water supplies could not be secured in Darwin. The springs at Howard Springs were used to supply water to the forces in their different camps. I believe that is when the Howard Springs Road was first put in for the pumping station which was then in existence at the Howard Springs Reserve.

I suppose the Commonwealth government at the time thought it might be a good thing to acquire a bit more land just in case it was needed, much the same as what happened in 1973 when it acquired 32 square miles. In the mid-1940s, when this land was acquired, I think the sum of 5 shillings an acre was offered to Mr Fitzgerald. Even in those days, he felt it was a little low so he declined the offer. To this day those 2 sections have been acquired without any payment to the owner or the owner's daughter who is one of my constituents at Howard Springs.

I have undertaken on several occasions, but have not been given the exact details, to pursue the matter further with the Northern Territory government. I was invited by the honourable Minister for Primary Production this morning to try again to obtain all the details from the current owner so that the minister can be acquainted with them. I will do that.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, the honourable member for Tiwi is justifiably concerned for her constituents who are faced with 38 buffaloes on their back lawn. I rise to speak on behalf of my constituents who are faced with a commercial water slide at their back gate. These persons are accustomed to having a pleasant area of public open space there. I am referring to the proposal that a water slide be erected on public land in the Parap area adjacent to the Parap swimming pool.

The proposal, as honourable members may be aware, is that the water slide be constructed and operated as a commercial venture, but on land which is vested in the Darwin City Council, and that access to the water slide be through the Parap swimming pool entrance. It is the expressed desire of the Darwin City Council that this proposal will increase the revenue available to it from the Parap pool, which is an old facility and certainly less attractive than the other swimming pools provided by the Darwin City Council for Darwin residents. One can understand the views of the city council on this matter.

It is undoubtedly true that that pool area loses money and is desperately in need of upgrading. I have spoken on many occasions to the city council about the fact that the parking area is nothing short of a disgrace. The toilet facilities and other buildings are very inadequate and antiquated. There is a lack of covered areas. I was at a swimming carnival once and an electrical storm came up. It was a carnival in November. The only shelter for the children was the toilet area because there is hardly any covered area there compared with the other pools in Darwin.

It clearly needs upgrading and one can only endorse the council's desire to make some money to enable that upgrading to take place. It proposes to do this by erecting a water slide on the vacant land adjacent to the pool.

I advised the people living nearby of this proposal of the Darwin City Council. I assumed, perhaps unwisely, that a significant development proposal like that would be advertised by the Planning Authority so those residents who would be affected by the proposal would have the opportunity to comment on it. I recently found out that this would not be the case. The Planning Authority will not be advertising this development proposal. The authority's view - and I am sure it is quite correct - is that, since the land is zoned 02, which is organised recreation, the water slide proposal is a permitted use under that zoning and it is not a requirement by law to advertise it. Nevertheless, I think that, with something as significant as this, it would have been most desirable for the authority to advertise the proposal. In that way, the people in the neighbourhood, who may well have this water slide on their back fences where they previously had open space, would have had an opportunity to submit their comments to the Planning Authority. They will be affected by noise and by possible intrusion on their privacy. Water slides are tall structures, and their backyards and indeed their houses will be oversighted by the water slide.

I am confident that the authority and the council will take these things into account of their own volition. Nevertheless, I think it would have been appropriate if the people had been enabled to formally comment to the authority on this quite significant proposal. I am very disappointed that they have not had the opportunity to do so.

I was advised that it was the wish of the authority that the council consult individually with residents. When I last spoke to residents in that neighbourhood, I was assured by several of them that the council had not approached them and sought their views on the proposal at all. Some had been approached by the developer but that is not the same as being approached by the council. Of course, they have been approached by me. I do hope that at some stage those residents will be individually approached so that their views on the matter can be taken into account and so that any intrusion into their lives as a result of this proposal will be minimised. The proposal for the water slide is only one of a number in Darwin but certainly it is the only one that seems to be going ahead with any speed at the moment.

While I am talking about it, I would like to draw to the attention of the honourable Minister for Health a matter which I think his department will need to be aware of: the possibility of an increase in ear infections to people, particularly children, who use water slides. As honourable members possibly know, the incidence of ear infection in the Northern Territory among children is very high indeed. It is my understanding that a relationship, which has been demonstrated in Queensland's warm climate, exists between the use of a water slide and ear infection. I understand that under high pressure a small volume of water can easily enter a child's ear. When such a facility is used by a large number of people, clearly the risk of infection is

increased. Given the existing problem in the Northern Territory of a high incidence of ear infection in children, I urge the health authorities to consider this potential problem when the water slides are erected so that any increase in ear infection can be monitored and potential users can be advised on preventative action.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in this afternoon's adjournment debate I would like to say a bit more about the people of Yarralin community who live in a small outstation on VRD which used to be known as Gordon River Downs Station. After Mr Alex Bishaw, Deputy Director of the Conservation Commission, and I negotiated with the top management of Hooker to get these people back there - Mr Ian Michaels was manager of the station at the time - there was a definite agreement with the Hooker Estates Company that 230 km^2 of VRD would be handed back to the former Aboriginal employees of VRD as a gesture to the Ngaringman people. This was part of that particular group's tribal, traditional, cultural land. That was in October 1973.

Such a generous offer from a company with such an anti-Aboriginal attitude may bring honourable members some solace. Mr Deputy Speaker, I can tell you the real reason why the Hooker Company agreed to this offer. Through the adverse publicity the company was getting following a mass walk-off from 4 of the properties owned by the Hooker Pastoral Company, Hooker Estates was losing hundreds of thousands of dollars and possibly in excess of $1m in advertising. The criticism levelled by the media and its comments regarding reasons for this mass walk-off by Hooker employees were all adverse. I have it on the very best authority that that is the real reason why the Hooker Company originally made the offer to return 230 km^2 of its former property. It was embarrassed by the adverse reaction and the poor press it was getting.

Let us look at what happened to the original group that walked off and returned, why it returned and the offer that was made by the Hooker Company. The Hooker Company has a continuing pathetic record in regard to its reasons for refusal before finally agreeing to the transfer of land, as I said, to its true owners, the Ngaringman people. All kinds of land tenure had been suggested to them from freehold to various forms of leasehold - even a lease form of leasehold - but, to date, without any form of agreement or solution to the interested parties. I am aware that, on one occasion, the Department of Lands circulated a letter to pastoralists advising them not to agree with anything more than a sublease, if indeed they were considering a lease at all. What most Aboriginal pastoralists were trying to get at that time was a special purposes lease.

Mr Deputy Speaker, despite the speech that the Chief Minister made to the Assembly on a former occasion in which he claimed that a sublease was just as good as a special purposes lease, I dispute that, not only from my own knowledge but because I have consulted with lawyers. A sublease is an absolutely useless and stupid thing. It is worth nothing at all and can be rescinded at any time by the actual owners of the property. But my point is that they have not even been offered a sublease. A sublease gives no security of tenure whatsoever. A special purposes lease, while certainly not as good as freehold title, does give at least some security of tenure to the owner of the lease.

Mr Deputy Speaker, on several occasions during the last 10 years, the Hooker Pastoral Company has been virtually at the point of agreeing to a special purposes lease being granted to the Yarralin people and, on every occasion, it has backed-off during the final stages of negotiations. The reasons were nothing short of pathetic and, in fact, quite ridiculous. The company's last effort at refusal to grant a lease was on the ground that, if

a lease of any kind were granted, it might attract a group of heavy types to go out to VRD and settle down at Yarralin. I could imagine nothing more unlikely. I cannot envisage any group of people being attracted to go and live at Yarralin if they did have some sort of lease as the place is almost totally lacking in any sort of amenities, including ordinary amenities like electricity and an adequate water supply, let alone any luxuries. What would be attractive to them there, I cannot imagine.

The community is quite pathetic at the moment. The people are without hope and without incentive to carry on. They are simply living a day-to-day existence. Formerly they were very proud people because of their occupation as stockmen. The VRD stockmen were top stockmen in that area. Now they are dejected and apathetic with little or no hope for the future. Yesterday, I again exhorted the Chief Minister to approach the Packer group of companies with the view, in the event of its actually gaining control of VRD and Humbert River, to handing back 230 km^2 to the Ngaringman people who, in fact, are the original owners of this land.

Mr STEELE (Transport and Works): Mr Deputy Speaker, I have a few matters I wish to raise as a result of questions asked of me in the Assembly during the sittings.

Last Tuesday during the adjournment debate, the honourable member for Millner asked what will happen when the Plumbers and Drainers Licensing Act comes into force in respect of 15 to 20 people who have been working in the plumbing and draining area. Members will recall that, under the legislation, people doing plumbing and draining work must be holders of a journeyman's or advanced tradesman's certificate of competency. The qualifications to obtain one of these certificates are set out in sections 17 and 18 of the act. Of particular relevance to the people mentioned by the honourable member, who obviously had not completed an apprenticeship and trade course, are the provisions of the act where those with the requisite number of years' experience can obtain a licence by completing a journeyman-equivalent course and passing examinations in subject areas appropriate to the level of certificate sought. Those people who have been in the industry in the Territory for years without working under the supervision of an advanced tradesman and have not completed the course available in Darwin, Alice Springs or Katherine, unfortunately, will not meet registration criteria. The issue of whether or not there should be a total ban on plumbing by other than a qualified and licensed person was well-aired in the debate on the bill in March this year.

Mr Deputy Speaker, the same honourable member raised in the Assembly a matter relating to the General Tender Board and aircraft charter. I would like to read into Hansard the conditions that relate to that matter.

> *Contracts for the government charter of aircraft, other than over exclusive RPT routes, are currently let by the General Tender Board for operations from Darwin, Katherine, Tennant Creek, Gove and Alice Springs. These contracts, with the exception of Gove, cover the period 1 October 1982 to 30 September 1983. The Gove area contract period is 8 November 1982 to 30 September 1983. Contracts are let for various aircraft capacities - single-engine aircraft capable of carrying 2 passengers plus stores through to twin-engined aircraft capable of carrying 8 passengers plus stores. Contracts are let on the basis of costs per hour for use of the aircraft, overnight accommodation costs, waiting time and other considerations. Route exclusivity means that only the operator who was licensed to fly scheduled services over any particular route may fly charters over that route. This rule applies*

even when tender board contracts specify another primary contractor.

On some of the lesser-travelled routes, operators have received permission to operate scheduled services on a non-exclusive basis. These routes carry no restrictions as to charter flights. Existing arrangements under the tender board's present system for the selection of approved companies for charter operation is by way of preferential listing such that the user departments are required to choose an order of listing on the contract document.

Arnhem Air Charter holds the primary contract in Darwin for twin-engined aircraft, 8 passengers plus stores. In Katherine, it holds the primary contract for twin-engined aircraft, 2 passengers plus stores and 5 passengers plus stores. It is understood that the company has recently withdrawn its aircraft from Katherine due to low usage. The company also complains of circumvention of the system at Darwin. It is believed that Arnhem Air Charter's concern on the matter is now the subject of an inquiry by the Northern Territory Ombudsman.

Mr Deputy Speaker, the honourable member for Nightcliff queried the possibility of water restrictions in Darwin due to the failure of the wet season. Although the rains were late in arriving, the total rainfall figure for Darwin was very close to the average and restrictions are not being contemplated. Darwin River Dam continued to fill in April and reach 0.8 m below the full supply level. Manton Dam overflowed in April.

Mr Deputy Speaker, the honourable member for Tiwi raised a complaint about road requirements in a subdivision which was not in the Tiwi electorate. The Chief Minister referred to that matter but I think I have something more for her. Because the honourable member made representation to my office about the issue, I think I should respond to the matter in the adjournment debate.

Originally, the developer in this case objected to the roads having to meet full design requirements. A compromise was reached with the Department of Transport and Works for a minimum road design conditional on any deficiencies being rectified by the developer. After the roads and the subdivision were constructed, they were accepted subject to immediate remedial works being carried out to rectify the deficiencies and safety hazards that were obvious, and lodgement of a security deposit of $20 000 to cover the cost of deficiencies in the road which may have become apparent after the wet season.

At the time the project was inspected, the developer was advised that, in all probability, drainage would be inadequate. Some road sections needed more formation and shaping after rains had fallen, and the 'safe' distance on a crest in one section of road was insufficient and potentially dangerous. There was also an agreement with the developer that the Roads Division would not carry out any work, financed from the security deposit, without the developer having first option to undertake the necessary work. I am advised that, now the wet season is over, deficiencies have become clearly apparent and the developer has been told of the need for and the nature of remedial works. Until the work is completed, the department has no option other than to refuse to accept the roads in question. The Roads Division is still waiting for the remedial work to be carried out. If it is not completed within a reasonable time, the security bond will be drawn on and the work completed by the Roads Division itself. The government cannot afford to take responsibility for correcting the substandard work of developers. This would be an unwarranted burden and cost to the public purse.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, this afternoon, I would like to take a further look at the prospects for local government in the town of Nhulunbuy. Firstly, I would like to look briefly at the history of the town. The original Commonwealth agreement with the mining company, Nabalco, was struck in 1968. The details of that agreement were found in the Mining (Gove Peninsula Nabalco Agreement) Ordinance which covered the agreements for the development of the mine as well as arrangements for the processing of alumina. That agreement also covered arrangements for a feasibility study to be undertaken into the establishment of an aluminium smelter. Based upon these arrangements, the Nabalco company was granted a mining lease. A separate agreement was struck to cover arrangements for infrastructure associated with the mine. All infrastructure was to be provided by the mining company except for the school, the hospital and half the hostel and houses, including land, that were to be supplied by the Commonwealth. The Commonwealth government also constructed the fire station and the mining company provided the equipment. The ordinance also provided for the setting of a royalty rate as well as provision for the review of the royalty rate. Provision for export licences was also provided for along with a provision allowing for the granting of further leases at a later time.

With the coming of self-government to the Territory in 1978, the circumstances relating to the Gove Peninsula changed such that the powers of the Commonwealth in relation to mining and Crown laws were passed to the Territory. You might recall that specific legislation was introduced to effect this transaction. The legislation was the Mining (Gove Peninsula Nabalco Agreement) Bill which was introduced into the Assembly in June 1978. The aim of that legislation was to provide a new agreement in the same terms as the old one with the Territory substituted for the Commonwealth and the Territory minister for the Commonwealth minister.

In his second-reading speech, the then soon-to-be Minister for Mines and Energy, the honourable member for Barkly, said: 'The company, by continuing to mine on and after the changeover, in effect, accepts the offer of the bill'. The bill was never assented to because the legislation would have been binding on the Commonwealth government. However, by virtue of section 69 of the Northern Territory (Self-Government) Act, with some exceptions not relevant to the issue at hand, all interests of the Commonwealth in land in the Northern Territory were automatically vested in the Northern Territory government. Therefore, from July 1978, the interests of the Commonwealth in the land comprising the Gove Peninsula and the minerals under that land were vested in the Northern Territory.

As some honourable members in this Assembly would be aware, the Nabalco company resisted the Mining (Gove Peninsula Nabalco Agreement) Bill on the grounds that any attempt to vary the agreement struck with the Commonwealth in 1968 was not acceptable. As can be seen from the terms of the Northern Territory (Self-Government) Act, the issue of transfer was already settled. The mining company had initially attempted to cling to the original Commonwealth legislation as a means of clouding its obligation in terms of royalty in particular. While the Commonwealth legislation is still in existence, causing the legal position of the Commonwealth and the Territory in relation to the Gove Peninsula to be somewhat unclear, a legal opinion was sought from the Commonwealth Crown Solicitor who advised that the provisions of the Northern Territory (Self-Government) Act relating to the transfer of land and mineral rights would override the Commonwealth legislation.

Mr Deputy Speaker, it appears that the company has now also given tacit approval to the Territory control of the Gove Peninsula by dealing with the Northern Territory government with regard to the settling of royalties.

Negotiations between the Northern Territory government and the company on the issue of royalties were reopened in November 1980. The issues were, firstly, royalty adjustments for the period 1973 to 1978 in accordance with the profitability criteria in the special mineral lease and, secondly, royalty increases to the maximum in special mineral leases rejected by the company in June 1979. The first issue was settled by the company and the Northern Territory government in December 1980. However, because of the existence of that original ordinance, Commonwealth ratification was necessary. In June 1981, the company agreed to pay the maximum royalty rates in a special mineral lease as from 1 January 1979. Back royalties of some $2.8m were in fact paid by the company to the Northern Territory government.

This government has acknowledged that it has a responsibility in relation to local government for the town of Nhulunbuy. On 10 June 1981, I asked the Chief Minister whether he was aware of negotiations between the federal government, Nabalco and the traditional owners for local government at Nhulunbuy and, if so, at what stage were those negotiations. In response, the honourable Chief Minister said that he was not aware of any negotiations between the federal government and other parties. He said, however, that there had been negotiations between the Northern Territory government and Nabalco with regard to the issue of local government. He said that there were in fact 4 parties involved. They were the federal government, the Northern Territory government, the company and the traditional owners. I then asked a second question: whether the Chief Minister could inform the Assembly as to what stage negotiations were between the 4 parties. The honourable Chief Minister said that negotiations were at a very early stage. I would remind the Assembly that that question was asked in June 1981.

The Chief Minister went on to say that the Northern Territory government would gear up for the introduction of self-government in Nhulunbuy within 6 months provided that necessary preconditions were met. The Chief Minister said that he did not think that the status of the land on which Nhulunbuy is located had any effect on the town gaining local government status. He suggested, however, that there was a certain caution on the part of the company about local government which involved the current position with housing and various taxes and charges, as well as the transfer of assets from the company to the proposed local government authority.

On 11 March last year, I asked the Minister for Community Development, at that time the honourable member for Stuart Park, now the honourable Treasurer, what negotiations had taken place between the parties involved in the establishment of local government for Nhulunbuy. The minister said that both he and the Chief Minister had spoken to the people of Nhulunbuy about the issue. He said the government was anxious to conclude negotiations but could not do so without the cooperation of the mining company. On November 24 last year, I again raised the issue in question time and asked the Minister for Community Development whether the government's discussion with the Nhulunbuy leaseholders had provided any means by which local government could be conferred on Nhulunbuy. The Minister said that negotiations could only be described as being in the very early stages. He said the government would pursue it in the new year.

We have had the Chief Minister telling the Assembly on 10 June 1981 that negotiations with the relevant parties about the establishment of local government in Nhulunbuy were in the very early stages. We then had, nearly 18 months later, the Minister for Community Development telling the Assembly that negotiations with the relevant parties to provide local government status for the community of Nhulunbuy were still in the very early stages. One could be forgiven for getting the impression that the people of Nhulunbuy did not

rate too highly in the list of priorities set by this government. The matter of local government is clearly the responsibility of the Northern Territory government, and Nhulunbuy is no exception to this. By its own admission, the Northern Territory government has placed itself in the position of key negotiator with Nabalco and the traditional owners with regard to local government in Nhulunbuy and, while the mining company initially attempted to rely upon an agreement struck with the Commonwealth in relation to its obligations to government by its actions - for example, negotiations regarding royalty levels - it now obviously accepts the Northern Territory government as the government responsible for such matters.

This government invites criticism of its performance on the matter of local government for Nhulunbuy because of its acknowledged responsibility and because of its confessed lack of activity in achieving that particular aim.

Mr ROBERTSON (Mines and Energy): Mr Deputy Speaker, on page 1 of yesterday's NT News, there appeared an article in which a certain person called for an investigation into the affairs of the Kunwinjku Association. That article mentioned a merchant bank, known as Litchfield Corporation Ltd, as having a connection with that association. The article also named a Dr N. Blake as a shareholder of the named corporation. Dr Blake was formerly a member of the public service employed by the Department of Mines and Energy. It was brought to my attention today that 5 other officers of that department are also directors of Litchfield Corporation Ltd. One of those officers had previously given notice of his resignation from the public service, presumably to pursue outside interests.

An interview with 4 of the officers has already taken place with a senior official of the department as to the appropriateness of those officers being directors of such a company or any company, other than is allowed by the Public Service Act, and as to the question of conflict of interest, if any, which may arise.

Mr Deputy Speaker, I do not believe this matter is one properly for investigation internally within my department but it is a matter for the Public Service Commissioner for his examination. Accordingly, I have today given instructions that the matters are to be removed to the Public Service Commissioner for that purpose. Needless to say, this statement contains no implication by me or my department as to those matters to be investigated by the Public Service Commissioner.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise in the adjournment debate to draw the attention of the Assembly to a rather regrettable event that occurred recently in my electorate. I refer to the activities of a film crew who have gone into a sacred place at the base of Ayers Rock contrary to advice from government bodies and contrary to sign-posting in the area. They made a film in that particular area which has caused considerable distress to the community concerned, particularly to the people responsible for those particular places. They have gone into a sacred place and they have caused considerable problems for that community.

It would be sufficient cause for concern if this particular film crew had been sponsored by the Northern Territory Tourist Commission. It would appear now that this particular film crew had been rejected by the Australian National Parks and Wildlife Service in its application to carry out this filming. It would appear it wanted to do it at short notice and, therefore, what the ANPWS would have regarded as an appropriate consultation process was unable to take place. You may be aware, Mr Deputy Speaker, of the area

at Ayers Rock that I am referring to. It is on the east side of Ayers Rock and is referred to as Wariyaki by the Pitjantjatjara. It is a sacred area.

I must commend the prompt action of the Chief Ranger, Mr Derek Roff, in insisting that these people leave the area forthwith. I understand the people concerned were reasonably happy with that. I also have here a copy of a telex that has been sent to the Chief Minister on this matter. It has been sent to the Chief Minister as minister responsible for tourism and for the administration of the Sacred Sites Act under which this particular area is registered. The telex reads:

> *On behalf of Mutitjulu community at Ayers Rock, I wish to protest in the strongest possible terms over the actions of the NT government Tourist Commission film crew at Uluru today. After being refused permission to film until consultation with traditional owners by Ovington, National Parks and Wildlife Service, they proceeded anyway. The crew, including a woman, were found at Wariyaki, a secret and sacred men's site, registered under your sacred site legislation, fenced off from the public and sign-posted warning people of its importance. I understand Derek Roff, the Chief Ranger at the park, has expelled the film crew, an action the community fully endorses. What steps will your government take to prosecute this offence? What steps will your government take to guarantee the security of Aboriginal sites at Ayers Rock and similar places of interest to non-Aboriginal visitors here? We must insist that all film shot by the crew is immediately taken from them and returned here for burning. Mutitjulu community is anxious to hear from you at the earliest opportunity.*
>
> *Phillip Toyne, lawyer to the Pitjantjatjara Council on instructions from the Mutitjulu community.*

I think you can see from that, Mr Deputy Speaker, that there are considerable problems. Clearly, what the community wants first and foremost is to get that film back and to get it destroyed. There are secondary legal issues involved. Obviously, the people are in breach of the Sacred Sites Act and should be the subject of prosecution. It is to be hoped that the Chief Minister will be able to use his best offices to assist in the return of that film. It has caused considerable concern to the people involved. This particular place is of great sacred importance to them. I certainly hope that the film will be able to be brought back.

The honourable Minister for Community Development raised the point with me that people who act in bad faith in that way would be encouraged in their pursuits by whatever notoriety they may derive from breaking the laws of the Northern Territory in that way. Presumably they feel that, even though they are giving great offence to the people concerned, there is some advantage to be gained by behaving in this very offensive fashion. I suppose the point there is that it is a matter of softly, softly, catchee monkey. Hopefully, with little fuss, the film will be able to be returned and destroyed to minimise the distress that has quite obviously been caused to my constituents in that area.

One other matter I want to raise in the adjournment debate this evening is the declaration of an area of erosion hazard within my electorate. A report in the Centralian Advocate last Friday referred to the erosion hazards in the farm area which, of course, is in my electorate. The article refers to the Land Conservation Unit Officer, Mr Bob Keach, who said free-ranging horses and large-scale clearing of some blocks may be creating problems in poorer seasons. I certainly have had that concern expressed to me by some

constituents who are resident in that area. They are perhaps the Centralian equivalent of the neo-pioneers whom the honourable member for Tiwi represents. Certainly, if there are those problems, I hope that declaration of the erosion hazard area will assist in rehabilitating the area where necessary.

I am very interested in that sort of work not only because it is within my electorate but also because I have responsibility for the opposition in the area of conservation and the environment. I am very interested to obtain whatever information I can. I will be seeking a briefing through the Leader of the Opposition in that particular area. I look forward to the opportunity to find out more about that particular area.

Mr PERRON (Treasurer): Mr Deputy Speaker, I thought I would take the opportunity this afternoon to put a few words on the record about the racing industry. Unfortunately, yesterday I had to leave before the rising of the Assembly. I read what the honourable member for Nhulunbuy had to say in the unedited Hansard. I will be careful not to quote from it, Mr Deputy Speaker.

Someone must have put the figures together for the honourable member for Nhulunbuy because even he would have been more accurate. In the community at the moment, there is a great deal of nonsense being spoken about TAB and its potential in the Northern Territory. I thought I would touch on the subject.

The unsupported figures of the honourable member for Nhulunbuy were that TAB in the Territory would employ about 1000 people. On his figures, that is about 800 people more than the current racing-betting system employs. He mentioned 200. He also said that TAB in its first year in the Territory would raise in taxes alone $0.6m of which $0.45m could go to the industry. I do not know how $450 000 from TAB would help the industry which we have heard is in a disastrous and parlous state, and is on the verge of collapse. This year the industry will receive from the Northern Territory government an estimated $957 000 which will go directly to race clubs to help them survive. Yet, somehow, $957 000 is not enough. They are on the verge of collapse and we should bring in TAB to save the day completely with $450 000.

Of course, there would be more than just the TAB turnover. The honourable member mentioned on-course turnover tax. He mentioned that revenue from on-course turnover tax of 1% would return government and racing clubs - I presume he meant clubs because he said 'club' - $250 000 each - $500 000 a year from a 1% levy on the turnover of on-course bookmakers. This is after we introduce TAB off-course. Mr Deputy Speaker, I would be astounded if the honourable member could produce another person who could support such a figure. To raise $500 000 from 1% of turnover would require a turnover of about $50m on-course in the Northern Territory. At the present time, the total turnover on-course and off-course is $45m, $5m short of what the honourable member for Nhulunbuy believes can be raised on-course alone.

In any case the $45m that is turned over each year through the bookmaking system in the Territory at the present time is not all Territory money. A fair proportion of it is money from interstate which has always flowed to the Northern Territory because quite large bets are placed up here from punters interstate, quite legally. It is placed up here because we have an off-course bookmaking system. If we abolish the off-course bookmaking system and bring in TAB, that money would simply disappear overnight. It would never come to the Northern Territory again. We would be left with less than $45m. There would only remain the amount that is turned over from Territory punters. That makes the honourable member's figures even worse.

Mr Deputy Speaker, when talking about assistance to the racing industry from governments, honourable members must bear in mind just why governments are involved in the racing industry at all. The racing industry could be seen as a series of clubs, catering to people with a specific interest such as breeding race horses. That is fine. They could be likened to other clubs: yachting clubs, dog and cat clubs, and ski clubs. They all cater for people with a common interest. Yet governments are not heavily involved in many of them. They are only involved in the racing industry because gambling takes place. That is the only reason governments make enormous payouts to the racing industry. It is done so that the racing clubs can offer big prize money, build flash facilities for their members and cater for the racegoers. The sole reason that governments do these things is because there is gambling on-course. Where there is gambling, the government will be there for its share of taxes and this government will be there just like any other. That simple fact needs to be borne in mind. I am sure that people sometimes lose sight of the reason why governments are involved in the racing industry.

We know that all but about 12% of betting in the Northern Territory is on interstate races. We have a situation where, even if we had no race clubs in the Northern Territory at all, but still had bookmaking systems, we would raise nearly the same money as we do today in turnover tax, ticket tax and so on. The provision of funds to racetracks would not be a factor because we would not have any. The $957 000, which it is estimated this year will be paid to clubs, would be going into Consolidated Revenue to help Territory taxpayers generally. A lot of houses could be built for $957 000 and a lot of people could be assisted. But, no, we pay it to the Northern Territory racing clubs because of the taxes that are raised from their industry. But the taxes are raised from the money placed by people elsewhere who are betting on races that are run down south and not races that are run in the Northern Territory. Only a very small proportion of turnover is achieved through bets on Northern Territory races.

The honourable member for Nhulunbuy says that the crisis that the industry faces in the Northern Territory at the moment is the making of the Chief Minister and the Treasurer. I can assure him that, if it were not for this government's policy of supporting the racing industry in the Northern Territory and all the people who are involved in it - and there are many - there would not be a racing industry here to be in a financial crisis, if indeed it is. We have to bear in mind the size of our communities in the Northern Territory. I doubt that there would be very many towns in Australia of the size of Alice Springs which have a facility like the one Alice Springs has. Alice Springs has 18 500 people and a very attractive course. It is a very attractive little venue. It will not go away. It will be there even if it is experiencing some financial difficulty at the moment. It may be necessary to adjust some races, prize money and the number of race meetings to cut down on expenses. But the facility is there and it will be there when times pick up. The people of Alice Springs will continue to benefit from it.

The situation is the same in Darwin. For a town of 60 000 people, I think we have quite an attractive little racecourse. Sure, there are faults. We could do with some more spectator facilities, perhaps a couple more bar areas and a bit of a clean-up. But Darwin is a town of some 60 000 people. Sometimes a Saturday race meeting attracts only 200 people. Only that many people are interested enough in racing to go to the track to watch the local races. But many more place bets off-course.

Mr Deputy Speaker, to put on the record the extent to which the government has assisted the racing industry in the Northern Territory, I would like to quote a few more figures which add up to just under $3m paid to racing clubs

in the Territory during the last 5 years: 1978-79 - $249 000; 1979-80 - $274 000; 1980-81 - $611 000; 1981-82 - $781 000; and 1982-83, the current financial year - an estimation which should be pretty close because we are nearly through it - $957 000. That gives an all-up total of $2 872 000 that has been raised through taxes and which could have gone into Consolidated Revenue. It would still have been available to the government and we would have collected it. It has been distributed to race clubs throughout the Northern Territory to enable them to improve capital facilities, to employ staff, to pay prize moneys, attract fine horses and generally to assist the community.

Those who think that the overnight introduction of TAB would somehow be a panacea for the ills of the clubs at the present time are very much in error. Tasmania, using the honourable member for Nhulunbuy's own figures, in its first year of operation of TAB dropped from $40m off-course turnover through a bookmaking system to $9m through a TAB system. It took 6 years to build up to a turnover of 150% of what the last year of off-course bookmakers' turnover was. But in the first year of TAB there was a drop to 25% of turnover. We have at least one press reporter who is paranoid about TAB and reports daily that it is the only answer. The whole industry is on the verge of total collapse and, if this government would see the light - the press keeps telling us - we would introduce TAB forthwith and save the day. Well, that view is very wrong and, if that reporter examined the matter more closely, he would understand that.

Mr Deputy Speaker, racecourse attendances and bookmakers' turnover are down in the Northern Territory and throughout the country. There are probably many reasons. One is the fact that the country is in a state of recession as, indeed, is the rest of the world. Is there any reason why the racing industry and racegoers should be unaffected by recession? Unemployment is high and people do not have a great deal of money to bet. Business profitability is at the lowest level that it has been for a long time. People are feeling the economic squeeze.

Of course, attendances have fallen for that reason alone but I suggest that there are a few other reasons. People's attitudes change as society changes. Places which were popular a decade or 2 ago may no longer be popular. All sorts of things may be relevant: the introduction of television, video recorders and satellites. There are more ways in which people use their leisure time. It is no wonder that attendances at racetracks fluctuate. After all, they have been fairly static for several decades. However, the racing industry seems to wring its hands and say that attendances are down and someone is to blame - it must be the government. In Victoria, whilst TAB turnover increase was 6.2%, attendances at Australia's principal racetrack, Flemington, dropped by 5.53%. That Victorian racing club has been in existence alongside a TAB system for 20 years. Its attendances have dropped. Why should Darwin be any different?

Amongst other things, the new legislation that the government has introduced will allow race clubs in the Northern Territory to have an on-course totalisator agency connected with an interstate system. That will provide a new on-course attraction that has never existed for racegoers in the Territory before. Hopefully, it will attract more people to the course. It will attract more people because it will be able to offer the odds that one can get down south through the TAB system. It will be able to offer all the trifectas, quinellas, triples etc. Those odds, which are attractive to many small punters, are not offered at present. We cannot be accused of doing nothing to change the status quo. Whilst we are allowing bookmakers to field on other than horse events, I am sure they will be able to do it at

the racetrack as well as they can do it off-course.

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr TUXWORTH (Community Development): Mr Deputy Speaker, I rise as a matter of regret to make a personal explanation. I claim to have been misrepresented. One of the difficulties that I have had over the years in dealing with the Leader of the Opposition is that he has this incredible inclination to take a sentence from here, a paragraph from there, match them with a newspaper article he saw somewhere else, attach it to his own version of what was going on and reproduce a story that suits his own design. Over the last 3 or 4 years, I have never worried too much about it because, for the main part, it has been a fairly obvious tactic. However, in future, at the end of each sittings, I will make a personal explanation relating to all the times that the honourable member used this ploy. Over the months ahead, before we go to the polls in a year's time, it will make pretty interesting reading when it is put together.

I was deliberately misrepresented by the Leader of the Opposition and the member for Millner on Thursday 26 May. Last Thursday, the Leader of the Opposition gave media interviews and the member for Millner issued a press release which misrepresented the proceedings of this Assembly. I would like to correct the record. The member for Millner claimed that I did not deny or refute the allegation that I pressured the CSR group into cancelling arrangements to sell 3 pastoral leases to the Tancred group. Mr Deputy Speaker, for the benefit of honourable members, I quote from the transcript of my comments as recorded by Hansard: 'I can give an assurance that, so far as I am concerned, CSR has not been heavied'. The Leader of the Opposition and the member for Millner then claimed that I rang Mr Brian Kelman of CSR in Tokyo to speak with him on this matter. To correct the record, let me quote from Hansard:

> *The honourable Leader of the Opposition said in his speech that I called Brian Kelman in Tokyo threatening reprisals concerning that company's business dealings in the Territory. Mr Speaker, let me say to you that I have never called Brian Kelman in Tokyo. The occasion the honourable member is fishing after and alluding to occurred because I took the trouble of having a dinner in Sydney with Jack Campbell who is one of the senior people in CSR. I had with me 2 senior representatives of the Northern Territory government. I can tell you, Mr Speaker, that I made no threats nor did I compromise myself or the government in any way.*

I think those words may have escaped the honourable member's attention.

The member for Millner then went on to say that I had not satisfactorily answered claims that I told CSR it would find it difficult to do business in the NT if it proceeded with the lease transfer. Again, I quote from my own comments as recorded in Hansard: 'I can give an assurance that, so far as I am concerned, CSR has not been heavied'.

The honourable member for Millner then alleged that I created a government policy on the spur of the moment during last week's debate. Mr Deputy Speaker, I quote from Hansard's record of what I said:

> *Last year my colleagues and I had a discussion on the premise and the philosophy of meatworks' owners and operators owning and controlling large cattle stations in the Northern Territory or, conversely, controlling large numbers of cattle in the Northern Territory which could affect the viability of any works in the Northern Territory. The government*

decided that, in future, it would prefer, as a matter of philosophy, that the owners and controllers of stations and large numbers of cattle were not at the same time meatworks operators.

The member for Millner also said:

What takes the cake though is that Mr Tuxworth, immediately following that statement, contradicted himself by saying that Tancred, the company blocked from obtaining pastoral leases because of its meatwork interests, would be welcome as a pastoral leaseholder in the NT.

Mr Deputy Speaker, may I read to you what I said:

Let me say quite openly that I would welcome Tancred to come in and become a property owner in the Northern Territory so long as it abides by the philosophy and the rules of the government like everybody else.

I make the point that the honourable member for Millner felt it was very convenient to leave out the last part of the sentence.

Mr Deputy Speaker, the member for Millner said that I told the Legislative Assembly that I was opposed to the CSR-Tancred deal because I believed Tancred would bypass the Tennant Creek meatworks and shift its cattle to Mt Isa for slaughter. He then claimed that I said the result of this would have been the closure of the Tennant Creek meatworks and the loss of hundreds of jobs. While I am naturally concerned at employment prospects in Tennant Creek, or any abattoir for that matter, the government believes that it is undesirable for meatworks operators to own or control large beef herds, and that was the prime consideration in the matter.

The member for Millner has chosen to carve up my comments and to leave the pieces that do not suit him. The Leader of the Opposition is a well-known distorter of the truth and a manipulator of the facts but, until now, I was not aware that it was a basic requirement of being a member of the opposition. I will bear that in mind in future and would ask members of the media to do likewise.

In the adjournment debate yesterday, the Leader of the Opposition raised several points, seeking clarification on some matters. The honourable Leader of the Opposition said:

I had a number of conversations in the Chamber but not during the debate with the minister ...

I stood in front of him at the bar and said to him before we left: 'You did say you would answer my question. I really think you should lay this to rest. I may go further. Are you or are you not' - and I remember the words I used very well indeed - 'are you or are you not vetting positions in the public service?' His answer to me, Mr Speaker, through clenched teeth I might add, was: 'Yes, of course I am'.

I wish to make it quite plain, Mr Deputy Speaker, that I regard both of those statements by the Leader of the Opposition as totally untrue and fabricated for his own purposes. The honourable Leader of the Opposition raised it with me in the debate and subsequently I left the Chamber. Therefore, as far as I am concerned, the discussions that he outlined there are a figment of his imagination.

The honourable Leader of the Opposition went on to say that I replied

to his letter: 'Subsequently, I received my one paragraph reply on notepaper'. The honourable Leader of the Opposition was giving the inference that the reply was scribbled on a scrappy bit of notepaper. The reply was written on A4 bond paper carrying ministerial letterhead, hardly a scribbled note on notepaper.

The honourable Leader of the Opposition then went on to say: 'What is interesting is that Mr Lynagh's name has been struck out and the signature of the minister is appended to this document'. Mr Deputy Speaker, I would like to make it plain that Mr Lynagh's name was not struck out. I would like to point out to honourable members that, when I sign my christian name, I underline it. If the honourable member has any doubt about that, he is welcome to examine my chrono-file in my office. I do not doubt that, if the honourable member were to refer to legislative amendments that I initialled over the years in this Chamber, he would see a sufficient number to satisfy his curiosity.

The honourable Leader of the Opposition also sought advice as to whether ministers sign departmental memoranda. I am pleased to advise the honourable Leader of the Opposition that, in my 5 years as a minister, I have appended my signature over those years to hundreds of departmental memoranda that have been presented to me because the officers in the department wanted the contents noted, they wanted the contents approved or they wanted contents not approved.

I would just like to finish up by saying that the honourable Leader of the Opposition has what could only be regarded as a schizophrenic personality. He is a real Walter Mitty. He can make up anything about anything on the spur of the moment just to satisfy his own ends. I am quite happy for him to continue to do that and I am quite happy to make observations when they occur from time to time. They will not be let pass in the future.

Motion agreed to; the Assembly adjourned.

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