NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

First Assembly

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Executive Member for Social Affairs	David Lloyd Pollock
Executive Member for Resource Development	Ian Lindsay Tuxworth
Executive Member for Transport and Secondary Industry	Roger Ryan
Executive Member for Consumer Affairs	Marshall Bruce Perron

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F. D. Atkinson, Government Printer, Darwin.

PART I

THE DEBATES

Tuesday 5 October 1976

Mr Speaker MacFarlane took the Chair at 10 am.

PETITION - EXCESS WATER CHARGES

Mr DONDAS: I present a petition from 2,686 citizens of Darwin seeking the abolition of excess water charges. The enthusiasm with which people have rushed to sign the petition is an indication of the great desire of Darwin citizens to establish gardens for the beautification of the city and suburbs and to help get rid of the dreadful dust menace in the northern suburbs. This petition has been certified by the Acting Clerk as being in conformity with standing orders of the Assembly. I move that it be received and read.

Motion agreed to.

To the honourable the Speaker and Members of the Legislative Assembly of the Northern Territory

The humble petition of the undersigned residents of Darwin respectfully shows that the excess water charges levied by the Government do not encourage the establishment of gardens which are most desirable for the beautification of the city and to alleviate dust menace. Your petitioners therefore humbly pray that the Legislative Assembly recommend to the Department of the Northern Territory the abolition of charges for excess water used on residential blocks and on parks and recreation areas maintained by the Corporation of the City of Darwin, and your petitioners as in duty bound will ever pray.

CROWN LANDS (VALIDATION OF PROCLAMATIONS) BILL

(Serial 129)

Continued from 11 August 1976.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

CROWN LANDS BILL

(Serial 80)

Continued from 11 August 1976.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: I move that the committee report progress.

In explanation, I am expecting an amendment which should have been circulated by this stage but has not been and I intend to take this matter up.

Motion agreed to; progress reported.

FIRE BRIGADES BILL

(Serial 139)

Continued from 18 August 1976.

Mr EVERINGHAM: I am pleased indeed, in rising to support this bill, for the sake of the Chief Fire Officer of the Northern Territory who must have spent many sleepless nights pursuing his duties as required under the law as it presently stands. Apparently, the Chief Fire Officer, Peter Holtham, has been required to attend every fire that takes place in the Northern Territory and this would be a duty that is almost impossible to carry out. One wonders whether Mr Holtham has been able to attend every bush fire right throughout the Territory in the course of his long 10 years of office as Chief Fire Officer? Has he had to get up in the middle of the night, strap on his brass helmet, put on his red coat and his black knee-length boots and gallop out into the night looking for a fire, ringing his bell as he goes? I fancy that whatever Mr Holtham may have been paid to carry out these onerous duties would not have been enough. How many nights has he been disturbed and dragged to these fires? At long last, this legislature might see fit to have

pity on him and allow him to have a few restful nights. Perhaps anyone who was not particularly well disposed towards Mr Holtham could light a large fire in a rubbish heap in his backyard at 3 am in the morning just to get Mr Holtham up and out of bed pulling on his black boots and his red coat and his brass helmet.

I can recall the Executive Member for Transport and Secondary Industry telling me some time ago that he was on the way to dinner at the Chief Fire Officer's residence and he was about to climb up the stairs or the ladder or however you get into the Chief Fire Officer's residence - he may have one of those poles that you scramble up through a hole in the floor with all those long canvas hoses hanging down - and the Chief Fire Officer was coming down as fast as he could go pulling on his asbestos suit, his brass helmet and black knee-length breeches. The Executive Member for Transport and Secondary Industry asked him where he was going. He said, "I am going to a fire. Would you like to come? I have to go to this fire because it is required of me under the ordinance". The Executive Member for Transport and Secondary Industry had to put off his dinner for several hours whilst he accompanied the Chief Fire Officer to the fire and I am sure that both of these gentlemen found the witnessing of the extinguishment of a fire a most satisfactory performance. Sometimes people have even gone so far as lighting fires just to be able to watch the extinguishment of them. I hope that none of the people here would be like that. I am sure in fact that we do not have any firebugs with us; we have a few gripers though.

In support of this bill, I do not think that I can really say much more. It is not a subject that lends itself to a great deal of deliberation or portentousness or consideration. One can only imagine that when the ordinance was originally passed the Northern Territory or Darwin must have been a very small place and that the members of the House at that stage had a rather Gilbertian view of fire officers and required them to dash out to fires hanging onto the back of the engine while the bell rang. This situation, through legislative inaction, has continued to the present day. Now we are progressive body of men sitting in this legislature - and women, I beg their pardon - and we are going to rectify the situation and permit the Chief Fire Officer some well-deserved rest in the evenings, liberty to entertain his guests in comfort, liberty to get a good night's sleep. I support the bill.

Mr ROBERTSON: I do not propose to follow the act given by the honourable member for Jingili, Mr Dave Allen - I mean Paul Everingham.

Mr Ryan: Our answer to Jim Killen.

Mr ROBERTSON: Yes, we have got to have one of them. I often wonder what he proposes defending.

This bill is clearly an attempt to validate the procedure that is already being used as common practice within the fire brigade. Of course the Gilbertian outline given by the honourable member for Jingili was done in a bit of fun, and I do not think that hurts at any time, but clearly the arrangement that he suggests is not the one which is used. The system which is proposed in this piece of legislation is one which, on my understanding of the matter, has been operating of necessity for quite some time but probably not within the true spirit of the law.

In order to understand the necessity for ensuring a continuous chain of command within the fire service, it is necessary to understand the operational difficulties and staffing difficulties at various levels of command within the fire service itself. I can only speak in respect of the station at Alice Springs, but I would assume that a similar setup would probably apply in Darwin. The Alice Springs station is supposed to have an operational strength of 18. These are supposedly working 4 shifts of 4 men each. We have 3 senior firemen in charge of 3 shifts and the station officer is supposed to be in charge of the fourth shift. It is clear from that that the basic command structure is already there. However, this would vary in the very common instance of more than one fire occurr-

ing at one time. You would have the senior fireman going out with one of the other firemen to one fire and two firemen, probably of equal rank in some instances or varying seniority in others, having to attend a second fire within that particular shift. It is for that purpose that this piece of legislation is introduced.

I think that the operational statistics of the Alice Springs Fire Service would strengthen the argument for the necessity for legislation like this, validating what has clearly been done as a practical necessity in the past. There have been 285 fire calls in Alice Springs since 1 July this year. If honourable members would stop and think about that, it is rather frightening. These are actual fire calls. In addition to that, there have been in excess of 100 controlled grass burnings within the town area.

If that does not demonstrate a very serious situation indeed, command difficulties are even further exacerbated by the fact that the station officer has so many other difficulties, partly because of the impositions placed upon him by the Fire Brigades Ordinance but, more particularly, because of arrangements with the town. The Places of Public Entertainment Regulations require the station officer to be absent from the station on various other duties. This means that the shift which he is normally supposed to command must be commanded by someone else. Again, we end up with a command difficulty. In order to overcome this, the station down there has appointed an acting senior fireman. I understand that this gentleman has been acting in this position for 2 years.

I mention these things, partly because I feel that they are quite relevant to the legislation and also because the Executive Member for Transport and Secondary Industry will almost certainly have the administrative control of the fire service, hopefully very early in the new year. It is quite clear then, from the statistical analysis that I have given the House, that this legislation to define the command structure is necessary.

As the bill deals with the question of manning, I doubt if I will find myself in contravention of standing orders by going on a little bit further into the manning problems at the Alice Springs station. If I do, it is open to honourable members to have me sit down by motion. As I have already said, the nominal strength or the operational strength of the Alice Springs station is 18. However, that figure is a myth. Recently, we have seen 2 of those 18 leave, one on transfer to Darwin and one sought a job at the Mary Kathleen Mine. This leaves on paper an operational strength of 16 on a station which is supposed to have 18, However, simple arithmetic within an establishment of 18 will mean that at any one time, having regard to the leave structure and the leave period in the year of the fire service, at least 2 other members are going to be on leave. Every fourth one of those 2 other persons who are on leave at any one time is going to be a senior fireman, and again we have a further difficulty in relation to the administration of command within the fire service. That leaves a strength of 14 and in every fourth leave period one, as I have already said, is a senior fireman. When you have regard to the fact that the average statutory earnings under award of a fireman, taking between 1 and 5 years, is approximately $8,000 and yet the actual gross earnings because of overtime and because of shift penalties imposed by this system is in fact more like $14,500 to $15,000, I do not think any honourable member would need to program a computer to find out that in fact the overtime component of that wage bill would pay for 3 more firemen for Alice Springs, thus bringing it up to its nominal strength once again.

I would suggest to the House, and more particularly to the Executive Member for Secondary Industry, that unless we have a situation where we have efficiency and morale and numbers within the fire service, in particular in Alice Springs, then the desirable features of the bill before us are unobtainable. As I have already indicated, I support the bill but I would be a lot happier if the problems that are inherent in the operation of the

fire service in Alice Springs made this piece of legislation more workable.

Mr RYAN: I would like to thank the members for Gillen and Jingili for their support of the legislation. I have not any particular comments in relation to the honourable member for Jingili's speech, apart from the fact that it was pretty entertaining. He did highlight that the legislation was unsatisfactory and required urgent action to correct the anomaly.

The honourable member for Gillen has raised the subject of manning in general. There is currently under way in Darwin, in fact starting today, an investigation by the Department of the Northern Territory into the manning of the Northern Territory Fire Brigade. I think it is a 2 or 3 man group who are up here at present from Brisbane. It is a bit unfortunate that we have to bring people in from our own local department from a place like Brisbane, however that is the situation. They will be conducting an investigation into manning over a period of 2 to 3 weeks and, hopefully, we will be able to meet with them next week and have discussions with them and with the Fire Chief. Hopefully, we will be able to come up with some answers to the problems that have been brought out by the honourable member for Gillen. I certainly acknowledge that the manning of the Fire Brigade does present problems but I would like to point out that the Fire Brigade has been relatively better off than some other departments in the cut backs in staffing.

Mr Robertson: We are paying the money anyway.

Mr RYAN: The honourable member is quite right; we are paying a lot of money for a service which we could possibly get for less money or at least have more people working in the service for the same money. I am sure that, as a result of this inquiry, we will come up with the right answer soon and see that the fire service is run in a satisfactory manner.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

REGISTRATION OF DOGS BILL

(Serial 134)

Continued from 18 August 1976.

Mr EVERINGHAM: I rise to support this most important piece of legislation in relation to the registration of dogs. I commend those officials of the Northern Territory who have as their duty the registration of dogs. I doubt that it is the most important aspect of their duty but here we have it proposed to us that they be able to delegate part of their duty. I think that this is a most significant thing. What are we to call their agents, are we to call them deputy registrars of dogs or are we to call them deputy dogs? What is the alternative? I suppose that dogs have to be registered to enable the authorities to collect $3 per dog per annum and just have the income from this small tax to support the establishment of registrars of dogs.

Do we need registrars of dogs? An executive member asks whether we need dogs. If we have dogs, then obviously we must have registrars of dogs because it would be no good having dogs without having people to write doggie names in books and issue licences to keep a dog on a payment of $3 per annum and hand out a little silver badge to put on a doggie collar. I suppose that some of these registrars of dogs have managed to scramble their way high up the rungs of bureaucratic power and they probably do not like going down to the counter and taking the $3, filling in the form and writing out the licence; they want the lesser lights of the bureaucratic tree to carry out their functions for them.

The august personages who are registrars of dogs do not wish to sully their hands with chasing canine refugees from registration and licensing up and down streets, in and out of back alleys. It may well be that these unregistered dogs are extreme Tories and oppose being registered or regimented in this way. I feel some sympathy for them.

However, I suppose that, having once accepted the principle that there should be a doggie register run by a doggie registrar, he should be able to have his deputy dogs and I therefore support the bill.

Mr TUXWORTH: I rise to support the bill. The bill will allow officers of the Commonwealth Public Service who have attained the position of being registrars of dogs in various communities the opportunity to divest themselves of the powers under the ordinance whereby they are the only persons allowed to collect dogs from the streets. We have an anomaly in the ordinance which prevents anyone other than the registrars of dogs from collecting canine refugees, as the honourable member for Jingili referred to them. Unfortunately, many of the registrars of dogs who hold that position by virtue of their public service appointments are often not able, or not willing, to take to the streets with nets and sticks and syringes and utilities to collect the dogs that are roaming the streets in packs and put them into pounds. In many cases, they use the excuse of not having a pound as the reason, as well as not having the time. In the various communities, such as Tennant Creek and Katherine, where we have built pounds worth thousands of dollars, the various registrars have found other means to absolve themselves of the responsibility of collecting packs of dogs. This is not a new problem to the Northern Territory and it is a problem that is going to become worse as the population grows and the trend towards households having more than one dog increases. The problem of packs of dogs roaming the streets will also become worse.

As I see this amendment, it will most certainly be a step in the right direction, enabling the registrar to delegate his power to the municipal officers or the contractors to go and collect dogs. But, I think the problem goes much deeper than that. The problem, as it appears to me, is very simply that there are few people in our community who are prepared to go out and take on dogs roaming the streets and collect them. It is not a problem of law or the will to do it, it is a physical problem of finding people who can fight better than dogs. We have to come to grips with the reality and I believe that the answer is not having armies of men roaming the streets with bitches on heat in the back of vans trapping wayward dogs. The community has to decide whether it is right and fitting to have more than one or 2 or 3 dogs in a household, whether the dogs belonging to the household should have any right of access to the street and what recourse should people have who are savaged by dogs. Is it fair and resonable that a man who has been savaged by a dog can take no action at all through the police? Is it reasonable that a man who can shoot a dog in his backyard for disturbing his chickens cannot shoot a dog in the street if his children are savaged on his footpath? There are anomalies in the law.

These activities and the letters that have been written to the editors of Northern Territory papers in the past 6 months are increasing at a great rate. I believe the community is becoming sick to death of the way packs of dogs roam the streets. They roam schools, they go to church, they go to the pictures, they are everywhere and there is no recourse for people who are put to disadvantage and savaged by dogs. This law will enable us to run a dog collection system from 8 o'clock to 4.21. We will collect dogs and they will be the dogs that are prepared to be collected, Very often, it will be the amiable dog that is prepared to be collected, and that is not the dog that is running in a pack and savaging people and children. I support the bill wholeheartedly.

Mr ROBERTSON: In light of the words of the Executive Member for Resource Development, I find that I would like to add weight to what he has said. I think it would have been one of the most sensible and most eloquent pleas for sanity that I have heard in this House since I first came to it in December 1974. The situation in Tennant Creek is very similar to that in Alice Springs, if indeed our situation is not worse. In fact, it interferes with peoples' day to day activities probably more than any other single malady. Within my own electorate, which is probably far better in this respect

than the electorate of Alice Springs and about the same perhaps as the electorate of Stuart in the town section in that it is a somewhat better class of area generally, I find that to do my normal electorate duties in visiting people, particularly at night, it requires a degree of courage somewhat beyond that with which I am endowed.

The honourable member for Barkly has highlighted the direction in which we must now start to think in this matter. We will see how the provisions of this amendment to this ordinance will work. I personally doubt if we are going to see a great deal of success from it. The problem, as he rightly points out, goes far beyond providing a daytime servant of the public to risk life and limb in tackling these packs of dogs. I wonder if this situation which has developed over probably 20 or 30 years in the southern end of the Territory really was not the catalyst that originally triggered this rather sick person, as he has now become, who baits dogs in our area. I am quite convinced, and I think the police are convinced also, that there is now more than one person involved. I am quite sure that there are probably 3 or 4 people at least in the business of dog-baiting in Alice Springs. I can well understand a person who is somewhat unstable and somewhat irresponsible by nature being so utterly driven into frustration by what is happening with these packs of roaming dogs - dogs coming out of peoples' driveways and savaging people as they walk past, dogs that bark until all hours of the morning, in fact right through the night, in residential areas. I often wonder, given the circumstances of this person's mental state, if he can really be blamed for doing what he has been doing and, as a result, risking the lives of children.

Outside the Stuart Highway Emporium in Alice Springs, there were 2 baits, obviously dropped in broad daylight. They were found there by an emu search carried out by the police of Alice Springs subsequent to the deaths of a couple of dogs in the immediate area. These were fresh baits laid in broad daylight in the middle of a very densely occupied shopping centre, complete with lolly shops and ice cream shops and mothers with their little children. That is the stage to which we have descended in respect of our control of dogs in the Northern Territory, and in Alice Springs in particular.

I can only hope that the amendments provided by this bill will go some way towards alleviating this problem. I do not think it is going to solve the problem and I think that the general philosophy as indicated by the Executive Member for Resource Development is one that we should all really give some very serious consideration to.

Mr POLLOCK: I thank members for their remarks in support of the bill. I will not pretend that this is the answer to the dog problems which are besetting the community generally. Depending on what assistance is provided to the Executive, it is hoped that quite a comprehensive review of dog legislation can be brought to this House soon.

The principal purpose behind this bill is to allow registrars in places like Tennant Creek, Katherine and other places outside the Darwin municipal area to delegate authority to people to catch the dogs. The matter of the collection of the fees is a simple one which is carried out in the office. Unfortunately, under the existing legislation, the person appointed registrar has all the responsibility of the registrar and there has been some reservation by certain departments to having a great number of persons appointed registrars because of those other duties.

I agree wholeheartedly with the remarks of the member for Gillen in relation to the dog plague problem in Alice Springs. It is a serious problem. The dogs ravage around the streets, upend all the dustbins at night and bark and carry on; you cannot even walk down the street without fear of a great dog jumping out and wanting to chew you up.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

FISHERIES BILL

(Serial 128)

Continued from 11 August 1976.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr TUXWORTH: I move that the word "second" be omitted. This is purely a technicality.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 and 5 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

SELECT COMMITTEE REPORT - LANDLORD AND TENANT (CONTROL OF RENTS) ORDINANCE

Continued from 17 August 1976.

Mr WITHNALL: I suppose it would be rather odd if a member of a committee who had been fairly actively engaged in the business of the committee did not speak to the report. Select committees are queer creatures really; they shelter behind a report and everybody assumes that the report was adopted unanimously and that the opinions expressed are shared by every member of the committee. Of course that is not quite true. Sometimes, if one is in violent disagreement, one puts in a dissenting report but I was not in such disagreement with the report as to do that. However, I should say in speaking to the report that, while I accept it in the form in which it is presented in this Assembly, my principal concern is that at the end of the 12 months which have been proposed for the ending of the scheme of compulsory rent control, there will be a violent upsurge in rentals which will be very difficult indeed to control. I think that at the end of the 12 months recommended by the committee, an economic situation in respect of accommodation will be created such that people will be thrust out of their houses. I have no doubt indeed that in the long run the price of rental accommodation will settle down but I am afraid there is going to be a good deal of trouble and a good deal of difficulty following the adoption of the policy proposed in this report. It will cause many people a lot of difficulty and perhaps a lot of harm for some time after the policy is adopted. I suppose it is true about all policies that, when you change them, the period of time following is likely to be somewhat difficult to handle and is likely to cause at least some distress in individual cases.

As far as the provisions of the report relating to business premises are concerned, I accept them in their entirety. Honourable members will probably know that it was a proposal of mine which first took business premises out of the scope of the Landlord and Tenant Ordinance, and that the control of business premises was reinstated at the behest of the then member for Jingili, not exactly over my dead body but at least with my opposition. It has always seemed to me that business premises should be controlled through business operations. If one is considering going into business of any particular sort, whether it be business as a professional man or whether it be business as a trader, the matter of the rental to be paid is an economic factor to be taken into consideration and I think, as far as business premises are concerned, the market finds its level much more quickly with much less difficulty and with much less hurt to other members of the community. That is one area in which I accept that no control is necessary and that the idea of competitive selection should be supported.

The report is one of bits and pieces because it was necessary to accept the existing ordinance and to recommend amendments to it. The existing ordinance was made as regulations under the National Security Act in 1939 and it was made in exactly the same terms as the then existing National Security Regulations when the Commonwealth got

out of the rent control field after the war in 1949. Since then, with very little amendment, it was supposed to have served the needs of the Northern Territory.

The recommended amendments in the report are fairly extensive and they do go some of the way to making the Landlord and Tenant Ordinance a modern instrument. They do not, of course, really satisfy the needs of the community at the present time. When we are dealing with a law which was made to suit a wartime community in 1939-40, you cannot expect the same format to serve the people of the Northern Territory in 1976. The provisions are outmoded, the form is outmoded, and I would urge anybody responsible for policy that, while he should take some note of the comments made in the report, he should not proceed about the task of making a new Landlord and Tenant Ordinance merely by following the old one and plastering it over with some amendments. Careful consideration will have to be given to creating a whole new format, a new ordinance, a modern piece of legislation designed to meet modern conditions.

It could have been the task of the select committee to do this, but there was not the time available to the committee. In all the circumstances, with its limited access to drafting facilities and limited access to persons concerned with policy making in this field, the committee was not really equipped to achieve the best result. So far as the new form of the ordinance is concerned, the report is not satisfactory but it is the only form that we could achieve, having regard to the limitations placed upon the committee by the political situation in the Northern Territory at the time the committee sat.

One of the things that I would like to see in any transfer of powers is certainly a transfer of control of this ordinance. I do not know that it is proposed. When one tries to examine exactly what is proposed to be transferred, one runs into a fairly murky cloud of general words and perhaps indeed of disagreement between individuals. I would really like to see any control over things like the landlord and tenant relationship and any control over prices be a local matter and not a matter subject to some federal department's concern.

I remember during the war the liberality with which the Labor Government pursued its administration of the National Security Regulations. That liberality is not, I fear, likely to be used today if the Federal Government still controls this field and the Federal Government is a Labor Government because there is an increasing tendency to regard this sort of thing as being at the forefront of federal policy. It really is not of course. The Federal Government, whether it be Labor or Liberal, has never quite understood that its job is to be a federal government and not a regional or local government. The persons who have been elected, first of all to parliament and finally to office in a federal government, do not really understand that a federal government deals with subjects not with land, it deals with matters of legislative and executive control and does not have a total concern for the lives of people and communities. I say that, when some questions of a transfer of powers is debated again in the future, members of this Assembly responsible for putting local views should insist that the Landlord and Tenant Ordinance be placed within local control.

I commend the report. It is as fair a report as one could have expected in the circumstances. It is a report which, if implemented, will result in a much better law so far as the relationship between landlord and tenants in the Northern Territory is concerned, and if the policy proposed in the report is accepted there may not be a need to drastically revise that policy for quite a number of years.

Mr EVERINGHAM: In rising to support the report of the select committee of which I was a member, I cannot pass over what appeared to be a resiling from the report by the honourable member for Port Darwin who, whilst I sat on the committee and attended its meetings ...

Mr Withnall: A couple of times.

Mr EVERINGHAM: A few times ... the honourable member seemed to have control of the committee and I certainly bowed to his age, beauty and wisdom.

Mr Withnall: That proves you to be false, doesn't it?

Mr EVERINGHAM: It certainly proves that I was false in my ideals in that I thought that, by conceding something to the honourable member, he would be satisfied in having his own way in the report; but it seems that he is not. His use of the term "violent ursurge in rentals at the end of the period of 12 months" gives me concern because ...

Mr Withnall: It is only a prospect.

Mr EVERINGHAM: Whilst it is only a prospect, the ...

Mr Withnall: Do you have your prospects too?

A member: Have you got yours for being back here next time?

Mr EVERINGHAM: Mr Speaker, can you control the crossfire in this House?

Mr SPEAKER: Interjections are welcome.

Laughter.

Mr EVERINGHAM: Well, it is to be presumed then, Mr Speaker, that I am not to have an easy passage.

A member: You may have to work it.

Mr Withnall: Think you deserve it?

Mr EVERINGHAM: I am going to do it as a supercargo sort of thing.

The honourable member for Port Darwin said that there was "going to be" a violent upsurge in rentals at the end of the 12 months period and yet the 12 month period was included at the specific request of the honourable member for Port Darwin who, if he had any logic in his head, would have realized that, if you did away with rent control tomorrow, you would have the violent upsurge of rentals then - if there is to be a violent upsurge of rentals and I do not know that there is.

The committee agreed to the 12 months period because it is anxious to cushion any blow to persons living in rented accommodation resulting from the unnatural restraint on development that has occurred over the past 3 to 4 years. The idea of having a 12 months cushioning period was to enable the committee's report to be publicised and it was agreed on the evidence before the committee - and all committee members were unanimous in this - that rent control has inhibited the building of rental accommodation. If there were to be an immediate removal of rent control, there would be an upsurge of rents. The idea was to give this 12 month period of grace to enable persons who were interested in spending money to build rental accommodation 12 months to get the accommodation into hand, built and available to the public at a rental determined by the market. This would cushion any blow financially to persons who are presently living in controlled accommodation. The member for Port Darwin now says that this was not his idea and he does not agree with this.

Mr Withnall: It was my idea.

Mr EVERINGHAM: You resiled from it before lunch.

Mr Withnall: In a pig's eye.

Mr EVERINGHAM: The transcript will bear me out.

This 12 month period is to enable additional accommodation to be prepared and to be available for rental at a time when rent control is partially lifted. I make the point that it is only partially lifted. If there is any person who tries to impose a rent that is onerous, the tenant will have the right to take the matter to the Rent Controller. If we plot a fair course, a course that is agreed by all parties, I do not see that there will be this violent upsurge in rentals because those persons who are interested in developing rental accommodation will do so in this period of 12 months grace

and they will be able to come onto the market at the end of that time and take up the slack that has built up in the last 3 or 4 years since rent control, when we found, on the basis of the evidence that came before us, that there had been negligible developments of rented accommodation. People have not been interested in building flats or shared accommodation for the simple reason that they knew that, in these inflationary times, they were just not going to get the return on their money by putting it into bricks and mortar and subjecting themselves to the whims and caprices, with great respect to the public servants and bureaucrats concerned, of relatively unknowledgeable men. They could get the same or a better return just by putting the same money on the money market without any of the risks. The Northern Territory has suffered from this over the last 3 or 4 years.

I am a bit worried about what I heard from the honourable member for Port Darwin today. He seems to want to back off from this report which is as much his product as that of any other member of the committee ...

Mr Withnall: Sure.

Mr EVERINGHAM: ... if not more his product.

Mr Withnall: I do not disagree with you. I was merely speaking about the results. You have got very little to say if all you can do is find something to attack me for.

Mr EVERINGHAM: I am not attacking the honourable member; I am just concerned that he seems to agree to a report but now he seems to want to have ten bob each way. He wants to agree with the report and he wants to say that there will be a violent upsurge in rents.

Mr Withnall: Don't you think there will be?

Mr EVERINGHAM: I do not think that there will be a violent upsurge in rents at the end of this 12 month period.

Just passing from this contentious area to the recommendations of the committee, the first recommendation is that the office of the Controller of Rents be retained indefinitely and I do not think any members of the committee were opposed to that. The second recommendation is the recommendation that the honourable member for Port Darwin and I have disputed at some length before you this afternoon.

The third recommendation is the most significant recommendation of the lot: at the expiry of the period of 12 months, a determination of fair rent may be made by the controller either by his own motion or by that of any party to a tenancy agreement in respect of residential accommodation. That means, as I understand it and I want to put this understanding on the record, that after 12 months a determination of fair rental will be made on the basis only that an aggrieved tenant or an aggrieved landlord will go to the Controller of Rents and the controller, if he considers the matter to be of one of hardship to either party, will intervene in the matter. He will not intervene in every agreement between every landlord and tenant as he does today.

The fourth recommendation is that, upon the expiry of 3 years from the period mentioned in recommendation 2, the operation of rent control be reviewed with the view to determining the desirability of continuing any form of rent control. That is a matter for this House at that time and it will depend on the composition of this House at that time.

The rest of the recommendations follow on those. They are virtually machinery recommendations. I support them by and large and I had thought that we had a unanimous committee view on the matter. I was concerned before lunch when I listened to the honourable member for Port Darwin. He put his view and I am putting mine now. I want to be sure that the honourable member for Port Darwin agrees with the conclusions of the committee as he is stated to do in the report.

Mr Withnall: I said so in my speech. You really ought to listen more closely, old fellow.

Mr EVERINGHAM: I listened and I thought that he was giving himself about 3 loopholes for every agreement. I thought that I would like him to really commit himself in a definite way and that is why I am making this effort now to ask him whether he really is committed to the conclusions reached in this report. If he wants to have sixpence each way or ten bob each way, it would be better if we knew now because were the report to be a divided one ...

Mr Withnall: It is not a divided report you fool.

Mr Ryan: The honourable member called you a fool.

Mr EVERINGHAM: I am used to it.

Mr Withnall: And you accept the title.

Mr EVERINGHAM: I hope that our report is a unanimous one. I conceded to a great deal in this report and I thought the honourable member for Port Darwin had conceded something too. In putting this report before the Chamber, all the members of the committee had nothing but the welfare of the people of the whole Territory at heart. I would like to see landlord and tenant legislation on a unanimous basis. It did concern me that perhaps the honourable member for Port Darwin had second thoughts but it appears not. I am satisfied if he says so. It is just that this is a matter of really great concern to perhaps about 50 per cent of our population and it would be no good if this report were put in with some dissension. That is why I was anxious to clear up the points that I thought the honourable member for Port Darwin was trying to make.

I commend the report. I think it is a reasonable report. It is a report that reflects a certain degree of - well, certainly slowness to react on the part of certain people - and I believe that some good legislation could come out of this report.

Mr STEELE: I would like to speak more specifically about some of the recommendations. I think the need for the report has been with the Darwin community for the last couple of years and I question that rent control be retained for 12 months. I am of the same view as the honourable member for Jingili, that the period should be better spent in producing rental accommodation rather than just cushioning the effect of people having to pay more. Some landlords are greedy, and they will spoil everything they get their hands on. That was evidenced when the section relating to commercial rental was removed by the Minister for the Northern Territory, and some people in this city were very unhappy. They are only isolated reports, but that is going to happen regardless.

Section 10 says that the taking and holding of bonds or security money should be allowed subject to certain controls and conditions which should be expressed in the legislation. I am very much in favour of bonds. The Australian population is so mobile, the Northern Territory has such an unstable workforce, that bonds are not just desirable, they are essential. A bond would have a very stabilising influence on tenants and, under the legislation, the landlord would have to be accountable for the bond money.

Section 15 says that an applicant for determination should have the right to apply directly to the appeals board where the controller fails to make a determination within 42 days of the filing with him of an application for determination of fair rent. In my view, a determination should be available in 21 days, not 42 days, and as well as the applicant being able to apply directly to the appeals board, in the case of the landlord, the rents should be adjusted without penalty to him until such times as a rental determination has been made. This gives the Rent Controller some accountability to the general public. The landlord cannot be expected to wait for ever for a rental determination and suffer a financial loss. Section 31 of the recommendations says that section 30 should be amended to provide for an appeal period of 28

days in lieu of 21 days. As rents can only be determined every 6 months, this provision should be extended to, say, 42 days.

Returning now to section 8, which is one of the gutsier parts of the report, it is the only other recommendation that I wish to refer to. It says that both caravans and caravan sites should be subject to the ordinance in the same manner as other controlled residential accommodation. In the Darwin context, this recommendation, if adopted, would be a step back into the days when rent control was first introduced, about the same time that Mr Enderby froze and stole 24,400 acres of Darwin land, and the committee has strongly condemned the 1974 amendment throughout the report. There are 16 caravan parks in Darwin which accommodate 629 vans. There are parks under construction to accommodate another 388 vans. There are viable proposals to further alleviate the problems of backyard van siting and to provide a further 380 sites. Rent control on van sites would place in jeopardy the plans for the additional 380 van sites. Rent control on caravans would have the immediate effect of putting completely from the minds of would-be developers every thought of constructing well-ordered, well-constructed and well-managed caravan parks for the itinerant and permanent camping public.

The Assembly is aware that certain bodies in the management of local government matters in this city have this mindless preoccupation with the use of public and community land for temporary caravan parks. I do not have to reiterate my disgust at the abuse of the trust placed in those bodies by the Darwin community in respect of the East Point Reserve debacle and the proposed infringement of civil liberties that could have been perpetrated on the residents near the Tiwi oval.

Rent control on caravans or caravan sites in the Darwin area does not get my blessing. In fact, the mind boggles at the management problems presented by such a proposition and the cost of such an administration. Let us have common sense, let us have social justice and let us have the availability of caravan parks in competition providing the best possible service to the public, and this you will not get with rent control. I commend the report.

Mr ROBERTSON: I rise in reply and to close the debate. In doing so, I thank honourable members for their consideration of the report and also I would thank those members of the select committee who worked with me over quite some months in preparation of that report. While we are handing out bouquets, rather than brickbats which seems to be the object of the honourable member for Jingili, I would like to say that I am very sincerely grateful for the efforts, the advice and assistance given to me and the completely unselfish donation of time by the honourable member for Port Darwin. While we may not agree politically in many instances - in fact in many instances I think he is quite wrong - certainly he is a man of quite considerable experience and quite invaluable to this House although he could probably be substituted for by someone of our political affiliation more effectively. Nevertheless, I do make the point that what he said this morning was made in sincerity. He expresses a concern that all members of the select committee had, particularly in the deliberative stages of the evidence. We are all concerned in this House about the effect of removing rent control. Indeed, if the select committee was not so concerned, you would have found a recommendation for the complete repeal of all rent control forthwith. It is because of that concern that the committee could not find itself able to make the recommendation for the repeal of rent control which everyone here realises would be the desirable situation. By that, I mean where the market pace dictates to itself, where supply and demand match up, and where that becomes the meaningful criterion of the accommodation industry.

It was because of the amendment of 1974 that this select committee was necessarily brought into being. It was a shocking waste of public funds, effort and time that this select committee ever needed to have existed in the first place. It is a further waste of time of this House that I am stand-

ing here and that other members have stood here in consideration of this report. That amendment would be the most insane piece of ideological nonsense that any people of 600,000 square miles of geographic location have ever been inflicted with. It is quite beyond my comprehension how anyone with the slightest vestige of business nous could have thought it could have worked. Its result, as indicated in the report, has been the complete stultification of development and a complete interference in the market place as it applies in a normal private enterprise system, or even indeed in the socialist system, provided that social system has a dual character in its economy as we have at the moment.

We have canvassed the area pretty thoroughly and we have reached some unanimity of opinion, although I would have loved to have heard from the honourable member for Nightcliff who is normally very vocal on these issues but for some reason has chosen to remain silent. There may be some personal reason for her wishing to do so. That is entirely her business, but I do think that in a House of the nature of this, the independent member for Nightcliff should have given us her views. I do express my disappointment that she chose not to do so.

I recall the honourable member for Jingili referring to a unanimity of decision and I also recall him referring to the honourable member for Port Darwin as having been the controlling influence of the select committee. I do deny both of those accusations. There was not an unanimity of decision. It was done by negotiation and a very detailed deliberation of a massive volume of evidence and collection of information. It was not a matter of simply dealing out a pack of cards and coming up with the appropriate results.

The select committee met on numerous occasions and met for deliberation more than for any other purpose. It was a very difficult report to arrive at, a very difficult report to prepare and a very difficult report to settle. I recall the honourable member for Jingili at an early deliberation session having reservations in the direction of whether or not it should apply to business premises. The select committee negotiated with itself, it sought the best information available from the evidence placed before it and it came up with the decision. However, no suggestion has ever been made that we were all entirely happy with the nitty-gritty and every detail of the report as it exists before you. It is a very involved field and it is probably a field that gives some credit at least to the cry of the Australian Labor Party representatives who have not the least understanding about select committees.

It does seem to me to be a regrettable thing that the committee was unable to easily have before it the expert advice that it needed. Parliamentary committees are a system that I think works wonderfully. I have certainly enjoyed and gained a great deal out of being chairman of this particular one. I do think that, if the Territory is going to develop towards statehood, we should have better advice made available to us at call than what we have at the moment. This is the type of select committee where you need business consultants, you need accountants and you need the most technical advice you can have. The honourable member for Arnhem was particularly concerned because he believes the select committee had insufficient experience, knowledge and background of the business of running caravan parks. Perhaps his opinion has some validity, but where does a select committee of this Assembly draw upon that sort of expertise? Or any expertise? We do not have the mechanisms available to us.

What the House has before it are recommendations faithfully drawn up after many hours of work. Just for the record, I would have spent 60 hours a week for about 15 weeks on this particular report and I was aided greatly by the honourable member for Port Darwin, whom I rang repeatedly for advice and help, and also the Legislative Assembly staff. I do not suppose any summation of the select committee report can be left go without an acknowledgement of the outstanding efforts of our secretary, Mr Ray Chin. His efforts were incredible in the general

administration of the select committee. The net result of what we have before us is the best we were capable of with the resources available.

I have been informed by the Executive Member for Municipal and Consumer Affairs that the Executive itself has considered the select committee report and is waiting upon the final comments from members of this House to assist it in its deliberations. In any event, it will be proceeding with a maximum amount of haste to recommend to this House a bill for a new ordinance to give a combination of incentive to the industry for provision of rental accommodation and, at the same time, maintain the highest level of social justice possible. On the face of it, those two must appear to conflict. I personally do not believe that they necessarily conflict at all. I believe that, by stimulating investment and by encouraging progress within the rental accommodation industry, you are going to serve the interests of the consumer. This desirable state occurs only when the market reaches a state of equilibrium, only where supply matches demand, only where we do not have the situation we have in the southern end of the Territory, of a six month wait, or a situation where a black market clearly operates in the northern end of our Territory - where those are the only two main systems under which you can get rental accommodation and either you wait a long time or you go outside the law. Surely gentlemen, when a law is such that it forces people to go outside the law in order to house themselves, there is something patently wrong with it. It is all very convenient for those of a socialistic hardline, almost iron curtain, attitude to blame a cyclone in Darwin for the maladies of an industry which operates right throughout the Territory but it is quite absurd, quite unacceptable to all of us.

The honourable member for Ludmilla raised the question of caravan parks and I do not think I can conclude the debate without making some comment on what he said. He seems to have completely misconstrued the entire intent of the recommendation in relation to caravan parks. I can assure Day & Dent Pty Ltd or whatever the company is that has literally bombarded me and I daresay other honourable members with the most absurd pieces of nonsense about our deliberate attempts at stultification and stifling and almost accusing us of radical socialism, that that is an utter absurdity. There is absolutely no intention to interfere and the report goes into great depth to avoid the imputation of interference with the tourist industry and caravans.

I ask all honourable members to place themselves in the situation where the only home available to them is either a rented caravan park site or a rented caravan within a caravan park. If we place ourselves in that economic situation, surely those people are entitled to protection, to some recourse where injustice occurs as each and every one of us should be if we were living in a 2 bedroomed fully carpeted and furnished flat. To deny people who live in caravans as their home the same right and protection of the law as each and every other tenant is entitled to is a complete travesty of normal justice. The recommendation is that there will be no change to the present system for 12 months but nevertheless there will be a total revamping of the legislation in the Northern Territory referred to as the Landlord and Tenant (Control of Rents) Ordinance. By the time that comes into being, if the select committee's report is followed, the greatest part of that 12 months will be over. The caravan park dweller has precisely the same rights at that stage as the dweller of a flat or a house to go to someone in authority and present a legitimate grievance. It is not so much a rent control system as a rent justification system. I would defy any person to try to convince me that a person who lives in a caravan has not the same rights in this community and should not be entitled to the same degree of protection as any other tenant.

There is probably very little point going on with this in light of the fact that it is now being considered by the Executive of the Majority Party. Those are the points that I wish to clear up. Although I have no authority for it, I understand that the department itself

is not at great loggerheads with what has been proposed by this select committee. I firmly believe that, by its implementation, the balance of social justice with investment and reasonable return on the investment will be achieved. I commend the report to honourable members.

Motion agreed to.

SELECT COMMITTEE ON REGIONAL COUNCILS FOR SOCIAL DEVELOPMENT

Mr WITHNALL: I present an interim report of the select committee to examine regional councils for social development in the Northern Territory.

I move that the committee be granted further time to continue its inquiries.

Motion agreed to.

MINING BILL

(Serial 127)

Continued from 11 August 1976.

Dr LETTS: I rise briefly in my capacity as Executive Member with some responsibilities in the area of primary industry to support this bill. The bill deals with an extension of the definition of "crown land" which incorporates certain reserves to include reserves for stock routes and travelling stock and reserves for the quarantining of stock which were formerly excluded from the right of granting an exploration licence. I support this bill because there has been a great deal of change in the functions and the importance which one would put today on stock reserves and quarantine reserves in the Northern Territory as compared with 15, 20 or more years ago. A system and a chain of stock routes and reserves was built up in the Northern Territory before the last war and strengthened greatly after the war through the foresight of Colonel A.L. Rose, then Director of Animal Industry, to cater for the peculiar needs of the Northern Territory in so far as practically all stock turned off here had to walk long distances to market. In 1958, 97% of all turnoff in the Northern Territory was on the hoof and only 3% by road transport. Now that has changed.

The other thing which has changed dramatically in relation to this is the fact that, in those days, one of the worst epidemic diseases of livestock known in the world was present in the Northern Territory in the form of contagious bovine pleuro-pneumonia. It was a highly infectious disease which caused great economic loss, particularly when it got amongst southern herds, and outbreaks of this disease were brought on from time to time through the stresses of cattle walking and travelling over long distances. This system was built up so we would have a place where cattle could rest and, more particularly, where we could hold them in quarantine when an outbreak of disease occurred until such time as we could bring it under control.

The Northern Territory has got rid of pleuro-pneumonia and so has the whole of Australia. In fact, in eliminating it from Australia, the Northern Territory was the key place and I think it would be fair to pay at this time some tribute to those men in the field back from the days of A.L. Rose, stock inspectors and all those concerned, who worked so efficiently and so assiduously to beat the kind of timetable which all the other authorities in Australia and around the world thought we might have to meet, of 25 or 30 years, in the eradication program. Anyway, the job has been done, the quarantine reserves are no longer required for those purposes and a very small percentage of livestock now walks. It seems inappropriate that areas of 100 square miles or more of countryside should now be locked up for a reason which virtually no longer exists.

I think that the department should review the whole of the question of the use of stock reserves at this time, not just in the sense of making them available for exploration and the issue of exploration licences - I am certain that there are other more beneficial community services to which, in some cases, these reserves could be put. I have in mind, for example, that throughout the whole of the Barkly Tablelands there is no significant area set aside for conservation purposes for wildlife and wild fowl. There are no

large areas of Flinders and Mitchell grass, on which birds like the bustard and the flock pigeon depend for their breeding and existence, set aside for that purpose. Surely if we no longer require these reserves for the purpose which they were originally set aside, at least some of that country could be used for conservation purposes. At the same time, I believe that being able to look into them and explore for minerals is a legitimate use also. This bill will enable this to take place.

Debate adjourned.

ADJOURNMENT DEBATE

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

Mr STEELE: I have before me a prepared statement from the honourable member for Elsey. I will wrestle with it a little - it is a bit different from my style:

The town of Mataranka in 1948 was merely a pub, a store and a police station plus some railway huts. The telephone exchange was operated by the policeman's wife and there was not much traffic. Nearly 30 years later, there are 15 subscribers. The Mataranka Homestead Tourist Resort has approximately 20,000 people visiting it each year and the PJ Wildlife Park about the same. Two cattle stations are connected to the exchange and the Jembray Aboriginal community of about 100 depend on the exchange for outside communication. The 6 railway houses are not connected to the phone, but the policeman is and the school is, and the boring contractor Ginty Gorey is, and the health clinic is, and the motel is, plus the other townspeople, the pub and the store.

With outside calls, all trunk calls at 90c for 3 minutes to Katherine, the nearest town, the exchange must be a goldmine. The hours are restricted: 9 till 12 and 1 until 8, 5 days a week; Saturday 9 till 1; Sunday 9 till 10 - a total of 60 hours per week. The operator gets $43 a week, and he bailed up. He wanted more, more than 70 cents an hour, and I cannot blame him. He pointed out that he had no free time at all, and was not being recompensed in a satisfactory manner; so far so good; there are no arguments about this so far. What does Telecom Australia propose to do, raise the payment to the operator to $100 per week, giving him less than $2 an hour? Not on your life! They propose to cut out the exchange and plug the 3 trunk lines through to Katherine. One line will be to the coin operated public telephone, one line to the police, I suppose, and the other between the hotel, the store, the motel, the school - about 40 kids go to the school there - 2 cattle stations, the 2 tourist attractions and the boring contractor. Big deal.

No wonder Telecom is floating a $200m loan, no doubt to be spent in the more populous areas. No wonder people leave the smaller areas. There are no toilet or shower facilities for the travellers or for the public at Borroloola. There is no electricity at Daly Waters. Where next will this stupidity go? People in Mataranka make no apologies for being there. They do not have to but they are entitled to a fair go just like anybody else.

The micro-wave tower is only half a mile from the town but there is no chance at all of spending $100,000 and using that facility. It is designed for Darwin, Katherine etc. There is no chance of giving the 300 residents of the Mataranka area TV despite the proximity of the tower. It is not surprising that Bamyili Aboriginal Settlement, with nearly 1,000 people, 12 miles from another micro-wave tower, can't be considered either. There is no money. Nor will Telecom install an automatic exchange which was promised 6 years ago. The bushies now have no mail, no TV, no airmail, no telephone - and Darwin is worried about excess water charges.

Mr EVERINGHAM: I would not like to see the House adjourn in such unseemly haste without saying what I feel on a couple of matters. The first is the Constitutional Convention which is shortly coming up in Hobart. These

constitutional conventions seem to take place on an annual basis. People pack their bags and various other people carry their bags to the venues and matters of great, important principles so far as the people of Australia are concerned are decided, but unfortunately rarely seem to become enacted in legislation.

The next Constitutional Convention is taking place in Hobart in about 3 weeks' time and this Territory has a delegation of 2, the Majority Leader and the honourable member for Port Darwin, both of whom are well able to handle themselves against the delegations of the rest of Australia combined, as far as I could see from my observations as a bag-carrier at the convention in Melbourne last year. I did not see a great deal take place in Melbourne last year. It was unfortunate that the parties were divided. The Labor Party had more or less taken over the control of the convention and the Liberal and Country Parties had adhered to a policy of federalism as enunciated by the present Prime Minister and none of them could seem to put their heads together. On the one side of the road was this Constitutional Convention which was virtually a Labor convention although certainly the Northern Territory representatives were at it and, as far as I am concerned, it was a bona fide convention and I regretted that the members of this party and the Liberal party from the other states in the Commonwealth did not see fit to attend it. This convention made certain decisions in the Windsor Hotel on the one side of Spring Street in Melbourne. On the other side of Spring Street was the Victorian State Parliament and there the Liberal Premiers and the Liberal leaders of the other states met and made certain other decisions. Thus, everybody went off at a tangent and nobody got anywhere.

I hope that this year all parties come to Hobart and all parties are adequately represented in view of their true situation in Australian political life. I hope that all parties put their heads together with a view to furthering the interests of Australia rather than furthering the interests of the Liberal Party or the Labor Party or the National Country Party. I must say, with great regret, that it seems to me - and I am prepared to be disciplined - that all parties have been looking over the last few years to party interests rather than Australia's interests. I hope that this year they all come to Hobart in a spirit of conciliation. I hope that they can forget about Sir John Kerr. I hope that they can work together, forgetting that one party is in the ascendancy and that the other is in the minority. I hope that they can make concessions and work together as people of Australia should work together for the good of Australia rather than for the greater glorification of their political ideal, and I do not say that the Labor Party is any worse in this regard than the Liberal Party.

With some regret I have observed over the last couple of weeks, the fiasco into which the pilots strike of Connair Pty Ltd has developed. The Northern Territory just cannot afford this sort of carry-on by management and staff. It seems to me that the pilots acted in a fit of heat. They had been to the Arbitration Commission and they had been rejected. They should have gone back to the Arbitration Commission with a better case since they had been rejected and felt that they were justly aggrieved. No, they thought they would strike, and strike they did. Admittedly they had a hard man to deal with in E.J. Connellan - he is certainly not a man for conciliation. I can say this because I have been a director of Connair Pty Ltd and I know that airline from the inside. I would hope that there would be some conciliation. I would hope that E.J. Connellan would make an effort to get on side with his employees. I would hope that the employees would consider the best interests of Alice Springs, the best interests of Darwin, the best interests of the tourist industry and the best interests of the Northern Territory before they decide to go further with their black ban on Darwin, Alice Springs and the whole Territory.

Here we have two lots of bloody-minded people - bloody-minded pilots and bloody-minded management or chairman of directors. I would ask the 2 groups to consider where they are, to consider

what they are doing and to consider what they propose to do and the effect it will have on the people of the centre in particular and on the people of the Territory as a whole. I would ask the pilots and I would ask Mr E.J. Connellan and his board - although as a former board member, I can assure you that his board was a mere cypher - to consider seriously whether they cannot make some concession, some face saving, to enable the pilots to resume work and to preserve the largest private payroll in the Northern Territory, the largest private payroll in Alice Springs; the largest private payroll which is being subsidised with Federal Government moneys. Federal Government moneys have paid the dividends of Connair shareholders for so many years; I cannot recall when Federal Government moneys did not pay Connair shareholders' dividends.

I would ask that there be a spirit of conciliation and that both the pilots and the airline look towards resolving the situation at the point where it started. It was a foolish point at which it started and I think the pilots have a great deal of blame to accept in this regard. They were knocked back by the Arbitration Commission and, if they had had a real grievance, they should have gone back to the Arbitration Commission with a better case. At the same time, they had suffered for several years under an intransigent management. I would ask both parties, despite what the honourable member for Arnhem says and the honourable member for MacDonnell echoes, to reconsider and think of the best interests of the Territory. What is the Territory's major income earning industry? At least, it is a fight between mining and tourism. What is the Connair strike doing to tourism right in the middle of the tourist season? It is being a great help.

I ask Mr Connellan and I ask the pilots, many of whom I know personally, to try to sink their differences. Eddie Connellan has been around a long time. He was flying crazy sorts of planes in the late 1930s, 1940s and the 1950s. He has tried to help the people of the outback but, at this stage, the pilots and he are hurting them not helping them. Both parties must get together and settle this dispute. It is not getting anybody anywhere.

Motion agreed to: the Assembly adjourned.

Wednesday 6 October 1976

Mr Speaker MacFarlane took the Chair at 10 am.

STATEMENT - AUSTRALIAN CONSTITUTIONAL CONVENTION

Dr LETTS (by leave): During the last week in October this year, the third meeting of the Australian Constitutional Convention will take place at Hobart. I understand that all state, Commonwealth and mainland territorial parliamentary bodies will have their full delegate representation at this convention. The arrangements for agenda items were finalised at a meeting of the Constitutional Convention's executive members held several weeks ago and attended by the honourable member for Port Darwin at my request. The delegation to the convention from the Northern Territory Assembly will be as set up by the Assembly in 1975 - myself, the member for Port Darwin and the member for Jingili as a substitute delegate. We will be accompanied and assisted by the Executive Member for Education and Law and the Clerk of the Assembly.

The agenda has been extended to include some 33 items and 5 of these directly affect the Northern Territory. In fact, the first item on the proposed agenda paper is the item that the convention recommends that residents of the Australian Capital Territory and the Northern Territory should be given a vote at referenda for alterations of the constitution. It is probable that I will be moving that resolution. I understand that the honourable member for Port Darwin will also be moving a very important resolution, No. 16 on the agenda, which deals with the powers and competence of the Parliament of the Commonwealth to delegate legislative power to this Territory, to establish means of appropriating and controlling revenues within the Territory and various other important matters.

Some of these items represent ratification of decisions agreed to at the Melbourne convention but which require further ratification at the Hobart convention. I have a copy of the agenda available if any members would like to see the details of what will be discussed and the wording of the proposed resolutions. At Hobart, the main working committees of the convention for its continuing work will be reactivated after a lapse of some months and we understand that this Assembly will be represented on standing committee BC. I believe also that local governments in the Northern Territory will be invited and will be attending the Hobart convention, with probably representatives from both Darwin and Alice Springs.

STATEMENT - ROADS TO NORTHERN SUBURBS

Mr TAMBLING (by leave): It has become very apparent that there is a traffic congestion problem building up on Bagot Road again, of a similar level to what existed pre-cyclone. There has been considerable community concern expressed with regard to this and I find a number of groups and community organisations are now pressuring and lobbying for alleviation of this particular problem. The problem areas are caused largely because there is only the one major arterial connection between the central business district and the northern suburbs. The peak hour periods cause major problems at the Bagot Road and Stuart Highway intersections with considerable time delays for people in that area.

One reservation that I must express is that Darwin people have come to expect a great deal from the road programs that they would get in a capital city. Travel between the northern suburbs and Darwin is still, for the distance, more freely flowing than in any other major city of Australia. However, be that as it may, there is still need for action to alleviate the problem at peak hours.

Members will recall that the Palmerston arterial proposal created a furore and considerable community reaction in 1972 and 1974. It is not our intention to in any way try to reactivate that extreme level of criticism again and I believe it would be very unrealistic to propose that the major consideration of an arterial road of that nature could be expected in the present economic climate. However, there is

need for a major study and consideration of the suburban type of road links that could exist between Fannie Bay, Ludmilla and Nightcliff. Members will be aware that there is already a partially existing road extending from near Kurringal flats into the central sewerage zone in the Ludmilla Creek area, and it would not be too difficult to envisage a road connection from the Kurringal area around the racecourse to the southern end of Nemarluk Drive at Ludmilla. The Darwin Reconstruction Commission have been looking at these traffic studies, have been looking at these alternatives, with possible consideration for inclusion in the 1977/78 works program.

It is now timely for the Corporation of the City of Darwin to take a very concerned and active interest in these types of considerations, and I look forward to their full involvement with the Executive in considering suburban or rural standard roads in that particular area. The early budget considerations are now taking place and I would like to indicate that it is the Majority Party's intention to study all proposals in this regard as urgently as possible and in full consultation and cooperation with the Corporation of the City of Darwin.

PAROLE OF PRISONERS BILL

(Serial 135)

Bill presented and read a first time.

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

Members may recall that, in the adjournment debate on the last day of the last sittings of this Assembly, I indicated that drafting of this bill was at an advanced stage but because of complications it had not been possible to introduce the bill at those sittings. I gave the Assembly an outline of the contents of the bill and invited members to discuss the matter with me in advance of the current sittings. The bill now before members is as I outlined in that speech. Passage of this bill is necessary for the commencement of the Parole Board of the Northern Territory, although I am pleased to announce that the board has already held an informal meeting and plans are progressing for its commencement.

The principles of the bill have been discussed with the Senior Judge and the interim members of the board and they are in agreement with its contents. This bill is a combination of the provisions of the 1974 ordinance, No. 2 of 1974, with some slight changes and together with a number of completely new provisions. The 1974 ordinance is repealed by the bill but its provisions are substantially re-enacted in this bill. I do not intend to discuss those provisions in any detail. The new provisions relate partly to transitional matters and partly to the concept of aggregation of sentences to be introduced by the bill.

The transitional provisions are considered necessary to ensure the Parole Board and its chairman will have the same powers and functions with respect to non-parole periods and parole orders made before the commencement of this bill as if they had been made after that commencement.

The concept of aggregation is introduced in proposed new sections 4 and 4A, At the present time, a minimum term of imprisonment, commonly called the non-parole period, can only be fixed in respect of individual sentences of not less than 12 months. A person cannot be released on parole unless a minimum term has been fixed, and this cannot be done if all the sentences imposed are of less than 12 months even though when aggregated they exceed 12 months. The bill seeks to change this. In future, it will only be possible to have one minimum term of imprisonment in operation under the ordinance at any one time. A subsequent sentence will revoke that minimum term and the court will have the power to fix a new minimum term. It is proposed that, where the term of imprisonment, or the aggregate of the terms of imprisonment, is less than 12 months, the court will still have the discretion to fix a minimum term.

The bill proposes a number of incidental changes to the aggregation concept. A suspended sentence will not

be aggregated unless the person is subsequently imprisoned for a breach of the terms of the sentence. A suspended sentence will likewise cease to result in automatic revocation of a parole order, although the chairman of the board will still have the discretionary power to revoke the order. For a person who is sentenced to imprisonment for an offence whilst on parole, the court will have the discretion to direct him to serve up to the period of imprisonment he would have had to serve had he not been released on parole. It is also to be noted that the bill seeks to repeal section 15 of the principal ordinance. The section to be repealed is that dealing with appointment of parole officers, this having already been dealt with by section 3P. Section 15 was added to the principal ordinance of 1974 and is not effective.

As indicated in the adjournment debate at the last sittings, I intend to seek urgent passage of this bill at this sittings. This is necessary to enable the Parole Board to commence its operations as soon as possible. Members will be aware that there has been a long delay in giving the Northern Territory its own parole system and further delay is most undesirable. The Parole Board will come within the list of boards and authorities to be transferred shortly to local control and should make a major contribution to the facilities available in correctional services. I commend the bill to members.

Debate adjourned.

TRAFFIC BILL

(Serial 136)

Bill presented and read a first time.

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

This bill will enable police in the Northern Territory to correct the situation that exists whereby minor traffic enfringements are to a large extent ignored. I am certainly not being over-critical of the police in this respect because the work involved in getting a person to court for a small infringement takes up the time of the policemen and the time of the court. The system proposed by this bill has been introduced in other states and appears to be operating quite satisfactorily.

With the introduction of an on-the-spot traffic infringement notice, the police in the Northern Territory will be able to correct some of the bad habits that exist, particularly in Darwin. I mention Darwin in particular because I feel that drivers in Darwin by far out perform drivers in other towns in the Northern Territory in lack of courtesy and lack of adherence to the minor road rules. I am sure that the honourable member for Nightcliff will be supporting this legislation because it will enable the police to enforce the pedestrian crossing situation and ensure that people will obey these rules.

Clause 4 introduces two completely new sections to the Traffic Ordinance, sections 36H and 36J. Briefly, the provision attempts to achieve the following: it defines the terminology peculiar to this provision in subsection (1), spells out who may serve a traffic infringement notice in subsection (2), states how that notice is to be served in subsections (3), (6), (14), (15), (16), and (17), lists those matters which the traffic infringement notice shall contain in subsection (4) and (8), and provides for the situation whereby a traffic infringement notice may be withdrawn in subsection (5). It gives details of how the police officer serving the notice is to complete it. Subsection (9) indicates the method of payment and the length of time that an offender has to pay. Subsections (10) and (11) make provision for penalties and action related to non payment and the procedure which ensues if an alleged offender elects not to pay, refuses or omits to pay the fine.

Section 36J outlines the type of information that a police officer may require from a person who is suspected of having committed an offence within the meaning of section 36H and also outlines the person's responsibilities in this regard.

Clause 5 tidies up an omission from section 55B of the ordinance. Both sections 10A and 117(1) of the Motor Vehicles Ordinance provide a situation whereby a licence may be cancelled and, this being the case, should be included in the special licence provisions. Section 10A of the Motor Vehicles Ordinance should also be added in subsection (6) and this is done in clause 5(b).

Clause 6 contains a schedule of the offences which it is intended should attract on-the-spot fines. There has been an attempt to grade the offences depending on their seriousness and they attract fines ranging from $10 to $30.

No doubt there will be complaints from some people who talk about civil liberties. I do not see this legislation as an infringement of our civil liberties; I see it as a method by which the police officer can carry out his duties. I am sure that a lot of people are put out by having to attend court to answer a minor offence, and in this regard I can only see the bill improving the total traffic and driver situation in the Northern Territory. I commend the bill.

Debate adjourned.

ENVIRONMENT BILL

(Serial 81)

Continued from 12 August 1976.

Mr WITHNALL: I seek leave to withdraw the Environment Bill with a view to taking action that I have already indicated at the last sittings.

Leave granted; bill withdrawn.

ENVIRONMENT BILL

(Serial 144)

Bill presented and read a first time.

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

At the outset, I would direct members' attention to the fact that there is a table of contents in this bill although it seems not to have one. The table of contents, instead of being in the front, occurs after the first page. I understand that the computers that apparently do this sort of work for us these days sometimes make mistakes, and when they make a mistake it is made in every copy.

I am very conscious that the Executive Member for Transport and Secondary Industry has suggested that it is getting like "Blue Hills" now in that this is the third bill of this sort I have introduced. I do not offer any apology. The reason for this last amendment was some criticism offered by the Majority Leader and the honourable member for Jingili. The bill is essentially the same piece of legislation in its broad outlines as that previously introduced. However, I have taken notice of most of the comments that the honourable member for Jingili made and I will indicate what I have done as a result of my consideration of his comments and the comments made by the Majority Leader.

The honourable member for Jingili had a number of criticisms to make of the definition section. He complained about the definition of "aggrieved person". He also said that the bill referred to a statutory nuisance and that nowhere was a statutory nuisance defined. With a great deal of regret, I have included a definition of "a statutory nuisance". I have merely provided that a statutory nuisance means a nuisance defined in section 14. I say I do that with a great deal of regret because I think it is otiose. If statutory nuisances are adequately defined somewhere in the bill, I find it not necessary to include in the definition section a reference to that definition. But I have struck a balance with the honourable member's criticism and I trust he finds the bill easier to read on that account.

The honourable member also made a comment relating to the expression "beneficial use" and suggested that the term might be widened not only to include human benefit but also to include benefit to animals and plants. I have considered the suggestion made by the honourable member in that I have redefined "beneficial use" and I direct the

honourable member's attention to it. I have provided a definition now which is quite lengthy. It means "a use of the environment or any part thereof that is conducive to human safety, welfare, benefit or health or the conservation or control of plant or animal species but does not include a use that is conducive to the welfare or benefit of a particular person or groups of persons where that use is likely to affect adversely the welfare, benefit, safety or health of human being generally or, subject to subsection (2), tends to destroy or adversely affect any species of animals or plants". I think that I have covered the point the honourable member was making, that a definition of this sort would fit in better with the Wildlife Ordinance and any other law relating to sanctuaries than the definition which was in the bill last presented to the Assembly.

The honourable member also criticised the definition of "land" and suggested it might include streams. I have taken note of his objection. The definition of "land" now includes all waters and streams within the environment, and buildings and structures on land including parts of such buildings and structures.

The final comment the honourable member made on the definition section was that the definition of "waste" could do with refinement. I have given a good deal of consideration to that and I have accepted his suggestion and also included a further amendment which the honourable member did not suggest. The definition now proposes that waste should be a substance produced in the course of trade, manufacture, mining or farming or of the use of land, and I have added these words that the honourable member suggested: "or a deleterious substance left after any such operation". The adding of those words means that waste now includes the residues which are left, for instance, in the manufacture of uranium. The last part of the definition reads: "not being a substance which is a commodity produced or suitable for sale or use". I have changed this to: "a commodity produced or suitable and in a form available for sale or use".

The honourable member referred to an environmental protection order and suggested there should be a definition of that. Again, with the greatest of reluctance, I have acceded to his suggestion. We have "environmental protection order" defined referring only to the sections under which it is defined. An environmental protection order means now an environmental protection order made under sections 22, 23, 28, 31, 35 or 36 of the ordinance by the Administrator in Council or the director.

Clause 6 of the former ordinance related to the appointment of a director. The honourable member said: "I wonder whether we should not decide whether we ought to impose in the legislation certain qualifications which the director who will be appointed later by the Administrator in Council should meet". I have not been able to accept the honourable member's suggestion. Incidentally, there was a comment made by the Majority Leader about the appointment of other persons, whether they should not be members of the public service, and this could perhaps best be left to the Administrator in Council. I find the two comments rather difficult to accept together and, in the circumstances, I have preferred to accept the proposition that, if one cannot trust the arm of the executive government to appoint somebody who is qualified, then one would really have to go through the statute book with a fine tooth comb. The comment made by the honourable member there has not been accepted. I suggest to him that, if the section of the bill is still not to his liking, then he could amend it and take the responsibility for it, for I will not take the responsibility.

The next comment the honourable member made was with respect to clause 8(2)(f). That clause related to the power of the director to make investigations and to advise the Administrator in Council on all matters relating to environmental control. Well, since clause 8 was never a clause which was of much consequence really, it only indicated the broad field of operation, I have accepted the member's suggestion and taken out clause 8(2).

Clause 9, formerly clause 8, deals with the powers and duties of environment officers. The honourable member criticised the breadth of the powers given to the environment officers and I have come to accept his criticism. Indeed, I have already indicated that the powers given to environment officers in the bill were indeed excessive; after my own further consideration, I was convinced of this fact. I have changed the whole format and an environment officer's powers now are somewhat curtailed. I have put into clause 9 of the bill now before the Assembly, a provision in subclause (7) that, upon application by an environment officer, a justice of the peace may grant a search warrant in respect of any premises in respect of which he is satisfied, upon evidence, that there are grounds for believing that there may be found, detected or observed on those premises evidence of an offence against this ordinance. And clause 9 contains the usual followup powers which attach to every search warrant. The situation now will be, if this bill is passed, that an environment officer has no power of search unless he goes to a justice of the peace and satisfies that justice of the peace that there are reasonable grounds for suspecting that some evidence of an offence exists.

I have not accepted the honourable member's suggestion that the qualifications of environment officers should be spelt out, for the same reasons as I have already pointed out in respect to the Director of the Environment himself.

Clause 13 was the next matter of comment the honourable member brought forward. This relates to the cancellation of an environmental protection order. He criticised the provision I made on the ground that a stop order requiring, as the former section did, that the activity should cease immediately, might be too onerous. I have not accepted the criticism but I still believe that there must be some provision in the bill which will prevent somebody from delaying the appeal to the Environment Protection Board. Consequently, I direct the honourable member's attention to subclause (3) of the new clause 13 which provides that "where the board is satisfied that a person who has applied for the cancellation of the environmental protection order is not taking all reasonable steps to expedite the hearing of an application for cancellation of the environmental protection order, the board may order that that person shall comply forthwith or upon a date determined by the board with the order as delivered to him and that person shall, unless the environmental protection order is cancelled or amended, comply with the terms of the order as delivered to him and, notwithstanding an application for cancellation is pending, shall be subject to the penalty provided by the section of this ordinance under which the environmental protection order was made". So that, in effect, while previously the person served with the order had to cease the operation immediately, now he is entitled to continue with the operation but he must not delay the hearing of the appeal that he has made, and if he does delay it, then the board itself can step in and order immediate compliance. I think this probably meets the objection that the honourable member made.

Coming on to the question of statutory nuisance, in clause 14(1), the honourable member criticised the previous paragraph (k) which dealt with the pollution of air by any matter or waste with a solid, liquid, gaseous or molecular form. I chose to accept that the honourable member's comment there was prompted more by his capacity for humourous remarks in the Assembly rather than a serious criticism of the bill and I have taken no action with respect to paragraph (k), although I have taken some action with respect to section 14 and I direct the honourable member's attention to it.

Clause 16 formerly proposed that the director might take an action out of a local court and put it into the Supreme Court if the matter seemed to be too important to be decided by a local court. I had some grave doubts about the validity of this criticism but it did not seem to be a matter upon which one ought to live or die. Consequently, I accepted the criticism and I have

deleted the clauses which seemed to give offence.

The honourable member criticised clause 20 on the basis that the director's estimate of costs which he could recover if he had to abate the nuisance himself was final. I have now amended that so that the director's estimate is not final and the court can make its own assessment.

He suggested consideration of the form of clause 22(3) and suggested that the director ought not to be given the power under that clause to issue an environment protection order but ought to be required to go to the court. The clause in the present bill is clause 23 and it now takes away the power of the director to make such an environmental protection order and provides a different scheme. It requires two new subclauses to fit it into the bill and I direct his attention to the new subclause 23(2) and (3). When a director believes on reasonable grounds that a person is using a machine or a manufacturing, industrial or mining process or method which is or is likely to be a source of pollution to the environment, he may apply to the Supreme Court for an order in the nature of an injunction restraining a person from continuing the use of the machine or manufacturing, industrial or mining process or method. If the Supreme Court is satisfied that the defendant is using the machine or manufacturing, industrial or mining process or method and that that use is or is likely to be a cause of pollution to the environment, the court may grant an injunction restraining the defendant from using the machine or the mining process or method unless and until the defendant complies with such conditions as might have been specified by the Administrator's Council in an order made under subsection (1). This is a somewhat complex section but, in order to achieve the object which was proposed, the clause had to be drafted in that fashion.

The honourable member criticised the provisions relating to waste - the clause which is now number 24. He said that the clause as it stood might be likely to prevent us from disposing of our old batteries or any rubbish around the house. I direct his attention to the new subclause (8) which provides that nothing in this section shall prevent the establishment and management by the council of the municipality of a garbage dump for the reception of domestic or industrial waste that is not ordinarily dangerous to human health and wellbeing.

The honourable member also criticised clause 30 on the basis that it may prevent somebody from breaking wind. I treat that as another example of the honourable member's desire to make humorous remarks in this Assembly.

The final criticism that he made was that clause 36 relating to roadside signs was not necessary. I have already informed the members that I did not regard it as a very important provision. It was put into the ordinance because there is in fact no law, except in municipalities, permitting the control of signs. Signs which are erected along the roadsides can only be dealt with on the basis that the signs are on crown land the therefore they are illegally there in a sense that a person who put the signs there is trespassing with the goods that he placed there. I have taken the clause out but I direct attention to the fact that there is no law. It may be that in some cases the erection of a sign ought to be permitted and there should be a law that should provide conditions upon which the sign could be erected. I direct honourable members' attention to those very large posters which are still along the highway relating to the election of members of the Country Liberal Party as senators for the Commonwealth Parliament. They are still there, they are eyesores but, so far as I can see, no offence can be charged to anybody for putting them there. If somebody wants to put up similar signs in future, there are no conditions with which they must comply. As for his hopes that members of the department responsible for the control of roads would handle the road signs, the example I have just given indicates that the department, certainly over the last 12 months, has not been very keen to perform the task that he thought it would perform so readily.

I commend the bill. I think that it will be most effective in preventing the sort of pollution that other cities have. It is a bill which is there to tell the people the things that they must not do if they are going to start manufacturing or if they are going to start an industry of any sort. As such I think it will have a very good effect.

Before I conclude, I would like to make a remark that, although the administration of this ordinance is mostly in the hands of the Administrator in Council, I would like to see the bill amended to ensure that, when it becomes law, it is administered by the local executive and not by a department in Canberra. If the bill is so amended, it will serve notice on the departments in Canberra of the strength of purpose which this Assembly has in its acceptance of authority by a local executive. I think that such an attitude, if repeated frequently enough, will have its own effect in the long run and, if the action is taken, the only course that the Minister would have would be to return it to this Assembly and say that this is something that we are going to do. I think that there is very little chance of the Assembly being publicly ignored in that fashion more particularly since the control of the environment is surely a matter of very local concern.

Debate adjourned.

HOUSING BILL

(Serial 126)

Continued from 11 August 1976.

Mr EVERINGHAM: I rise to speak in support of this piece of legislation which I find to be rather interesting. It enables me to speak on the subject of Housing Commission finances, a problem which our Housing Commission seems to find chronic. The people of the Northern Territory and the people of my electorate are, in many cases, housed in accommodation provided by the commission. In my opinion, the commission does a very reasonable job with the resources that it has to hand. However, since the cyclone, it has been impossible for persons living in Housing Commission premises - and these people before the cyclone may have complied with the conditions to enable them to purchase their properties - to buy their homes. I would hope that, with the commission being about to be handed over to the control of the Executive Member for Finance and Community Development, he can initiate the measures necessary to enable the commission to get hold of additional finance, perhaps at better rates, to enable it to speed up its building program and, at the same time, perhaps allow the sale to its tenants of its properties on stringent terms and conditions to ensure that no speculation can take place in this particular area where, regrettably, there has been evidence of some slight speculation in the past. I might say, however, that in my opinion anyone who tries to operate against the terms of the Housing Ordinance, section 11B from memory, is playing with fire and should be very wary.

However, looking more closely at the particular provisions of this bill and getting away from pious hopes which I suppose will remain pious hopes, it appears to me that the bill probably covers payments that have been made between 1963 and the present but I am not a hundred per cent sure of this so, having had discussion with the Executive Member concerned, he has agreed to introduce a relatively minor amendment which will clarify this point beyond doubt. Obviously, the existing piece of legislation as it is before us provides quite adequately for the future.

I cannot really say much in support of the bill. It is certainly not earth-shattering, but I hope that our Executive Member concerned, who is very interested in this area, can manage to do somewhat better for the commission than it has been able to do by itself as something of an ugly duckling of the Department of the Northern Territory and the Northern Territory Administration before that. I certainly support the legislation.

Mrs LAWRIE: I support this legislation. As the honourable member said in his speech, it is necessary to tidy up some of the finances of the commission.

And of course it becomes more necessary to ensure that its finances are completely in order because we keep hearing about a projected single housing policy and a single housing authority. I am aware that the Executive Member for Finance and Community Development will assume responsibility for the smooth operation of the commission, and that smooth operation is a necessary first step in any single housing authority.

I note, Mr Speaker, that you allowed the honourable member for Jingili to stray a little from the bill and to express his desires concerning the sale of commission homes. I hope you will similarly indulge me. It does not necessarily relate directly to this bill, but I welcome the opportunity to give to the responsible Executive Member my thoughts, and the thoughts of my electorate, on the recommendation of the sale of Housing Commission homes.

Since the cyclone, there has been a lot of hardship caused, and a lot of heartburning caused, to people who wish to be able to purchase their commission homes. In some cases, in my electorate, they have been tenants of these homes for 13 years and they are still trying to purchase them. There has been hardship caused also because some tradesmen, many of whom are tenants of commission homes, would have welcomed the opportunity to buy a damaged home of which they were the tenant under conditions which ensured that it was rebuilt to the new cyclone code. It would have saved the tradesman money to be able to have done this himself; it would have saved the commission money, which means saving the taxpayer money.

With those few words, I leave the Executive Member for Finance and Community Development with the assurance of my support for this bill. I hope that he has taken notice of some of my comments and in his new executive role will do all he can to assist.

Mr TAMBLING (in reply): I thank honourable members for their support of this important piece of legislation. While it primarily sets out to correct an anomaly with regard to a financial problem of the Housing Commission, it has raised a number of other problems that obviously need review. I am happy that this amendment can be made before the executive transfer of the Housing Commission takes place: it will enable us to look at the balance sheets and financial records of the commission in a more satisfactory manner.

Some of the other issues that have been raised by honourable members have been noted and their comments will be pursued actively by the Executive. It is going to be a very challenging exercise in our budgeting for 1977/78 which will be our first year of authority over the Housing Commission. Similarly, it has been announced for some time that it is our policy and intention - and in fact that of the Minister for the Northern Territory - to re-introduce a home sales scheme for the Housing Commission in Darwin. It has, of course, not been stopped outside Darwin. The only problem is that it has been involved with drafting and legal problems and I hope, as I announced yesterday, to have this matter rectified in the very near future. I thank honourable members for their support and indicate that there has been an amendment circulated which will be raised in committee.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 to 3 agreed to.

New clause 4:

Mr TAMBLING: I move an amendment to insert a new clause 4 after clause 3, as circulated on schedule 120.

The intent of this amendment is to clear up the issue raised by the honourable member for Jingili, to put beyond doubt the matter of the retrospectivity of the application of this bill.

New clause 4 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

CROWN LANDS BILL

(Serial 80)

Continued from 5 October 1976.

Clause 3:

Mr PERRON: I move amendment 117.1, to omit "and (11)" and substitute "(11) and (12)".

Amendment agreed to.

Mr PERRON: I move amendment 117.2, to omit the words "following subsection" and substitute "following subsections".

Amendment agreed to.

Mr PERRON: I move amendment 117.3 to add subclause (9A).

This subclause is included to provide that bylaws made under the ordinance are deemed to be regulations for the purposes of the Interpretation Ordinance and the Regulations Publication Ordinance, and therefore are subject to the usual requirements which apply to regulations in the Northern Territory.

Amendment agreed to.

Clause 3, as amended, agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

MINING BILL

(Serial 127)

Continued from 5 October 1976.

Mrs LAWRIE: I rise to support this bill and to indicate to the House that there has been quite a degree of interest displayed in this particular piece of legislation for the very reasons outlined by the Majority Leader last night. Because of the particular composition of this House, I receive the comments of people who certainly do not live in my electorate but who come to me to talk about legislation which has been circulated. It has surprised me how much community interest there has been in a fairly simple piece of legislation to allow exploration licences on stock routes.

The interest has been in the stock routes themselves. People are well aware that they are no longer used as such or to a very much smaller degree than they were previously. The concern has been that these stock routes are not simply attached to the pastoral properties that they cross or of which they appear to form a part. The concern voiced by the Majority Leader concerning the requirements of the conservation interests has been brought to my attention quite forcibly because of this simple piece of legislation. This is perhaps because it is the first alteration to the stock routes and quarantine areas to come under review for some years.

There is an unusually large degree of concern throughout the community that all interests be very carefully looked at before any decisions are taken as to the ultimate fate of the old stock routes. The indication I have received is that, by and large, people want to be quite sure that conservation interests will be well served. The Majority Leader mentioned that there is a need for the department to have a look at this particular area. In supporting this legislation, may I say that there is a need for a lot more than the department to look into this. The very worst that could happen would be for an inter-departmental or intra-departmental committee to be set up and a decision taken. I reiterate that there is a degree of community interest in this which has surprised me.

Mr TUXWORTH (in reply): I would like to thank the speakers who have supported this piece of legislation. I intimated that it was a formal piece of legislation to correct anomalies. The branch has administrative problems in the issuing of exploration licences and leases.

I would just like to reaffirm my own personal position and I believe that of the Majority Party, in that this amendment does no more than allow for exploration over the area of stock routes and quarantine and that the

conduct of any other activity over such an area is another issue again. I agree with the speakers who have supported this bill, that very careful recognition has to be given to any activity that is conducted subsequent to the exploration over an area. I thank honourable members for expressing their thoughts on this. I commend the bill.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

LOCAL GOVERNMENT BILL

(Serial 130)

Continued from 18 August 1976.

Mrs LAWRIE: I rise to support this legislation. It will, as indicated in the second-reading speech, assist in the policing of our main arterial roads. Any assistance which can be given should be given. Like the sponsor of the bill, my attention is constantly being directed to cars which park, apparently with impunity, in clearway areas at the times when specifically they should not. Littering I regard as a much less serious problem. It is an unsightly one but does not actually cause nor is it likely to cause harm. The traffic congestion on some of the arterial roads, the Stuart Highway, Daly Street and Bagot Road, at times is severe during peak-hour traffic. It only needs one thoughtless person to park his car illegally and he causes untold problems for thousands of other people. At peak hour it is likely that offenders will be booked by a police officer but at other times, I agree with the sponsor of the bill, the police are not likely to take a great deal of notice unless there is an immediate traffic hazard. But a few selfish people have disadvantaged the rest of the community with apparent impunity for far too long. I direct the honourable member's attention to his closing remarks and I quote from Hansard of Wednesday 18 August, when he said: "I would rather see the whole situation resolved by not having any roads declared as being outside the control of the municipal corporation, but there seems little possibility of this being the case in the near future". I draw to the honourable member's attention the ghastly state of Trower Road between the "Crystal Corner" intersection and the Rapid Creek bridge. I am quite sure that the honourable member would not want to see this road in its present hopeless, inefficient and hazardous state vested in the corporation. Mr Speaker, although it is slightly outside the ambit of the bill, I do raise that now because of his concluding remark.

In general, I support the bill, I hope that the city corporation will have the well-trained staff to assist in the proper policing of our arterial roads. For that reason, I commend the bill but I warn the honourable member against acting to hand over substandard arterial roads to a corporation which does not have the money to upgrade them.

Mr VALE: I rise to support this bill. The proposal to hand these powers to the local corporation, either in Darwin or Alice Springs, is welcome, particularly in Alice Springs where we have a large number of interstate transport operators using the section of the Stuart Highway from the Shell corner to Smith Street for parking. They are doing a number of things, creating a dangerous traffic hazard with sometimes up to 8 road trains blocked there. The transport operators themselves are abusing a privilege in parking there for fuel and foodstuffs, leaving their trailers only and taking their prime movers away while they carry out other business in town before moving north. It is a danger to other vehicles trying to gain access to the various business houses in that area. No one apparently either has the desire or the will to move these transport operators on and I would hope that the local council in Alice Springs will grasp the nettle and utilise the powers given in this ordinance to do just that.

Mr RYAN: As the Executive Member for Transport in this Assembly, I certainly support the comments of the previous speaker. The situation on these roads, relating to parking and the drivers who ignore the signs, are well known to all

of us. The honourable member for Nightcliff has covered the situation quite well. Generally, the only time that anybody is interested in those roads is during the peak traffic periods. However, if action was taken by council inspectors at all times during the day to book people who are doing the wrong thing, certainly the message would soon get around that one would have to be very careful about ignoring these signs.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: I move amendment 122.1.

Honourable members will note that the clause which is proposed to be omitted and replaced refers to a definition of "motor vehicle" elsewhere in the Local Government Ordinance under section 354 which itself in turn refers to the definition of a "motor vehicle" under the Motor Vehicles Ordinance. It was felt that a better way to do the job would be to refer directly to the Motor Vehicles Ordinance for a definition of "motor vehicle" in this instance.

Amendment agreed to.

Mr PERRON: I move amendment 122.2.

The purpose of this amendment is to clear up any problems which might arise out of interpretations of the bylaws of the corporation, be they made before or after this legislation and also whether they are amended before or subsequent to this legislation.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

TRAFFIC BILL

(Serial 143)

Continued from 18 August 1976.

Mr ROBERTSON: I am pleased to support this bill. It is a matter I have been myself concerned with for some time, particularly as a result of representations made by legal firms and people who have been - shall I call them - victims, even if they have caused the problems themselves, but nevertheless victims of the existing legislation as it stands. I have always believed that, in the first instance anyway, a penalty for what is a driving offence, an offence which is related to a motor vehicle, should in fact relate to motor vehicles; it should not relate to the cancellation of the person's right to earn a living. I realise, of course, that repeated offences of the same nature - as with any offences - will ultimately resolve themselves into a prison sentence whereby the right to earn a living is lost anyway. It is of course unfortunate that that is the way the criminal law must work; the net result is that the breadwinner ceases to bring money home to support the family.

I believe that this bill heads in the right direction to correct the injustices which I believe have occurred in the past where a person has lost his licence and ceases to be able to earn a living as a result. The bill seeks to achieve 2 things simultaneously and one is to allow for a person who loses his licence as a result of a traffic infringement - particularly with breathalysers as we all know - and who has earned his living exclusively by driving a motor vehicle unrelated to the vehicle in which he committed the offence. It would seem to me that if a person acts responsibly as a coach captain for many years and drives in a manner quite safe within the responsibilities of being a coach captain or bus driver or hire-car driver or taxi driver, it is quite wrong that when he goes out to celebrate or goes down to his club or the pub of a night, as a result he loses the licence which he has always conducted in a proper manner.

Mr Pollock: He has lost his responsibility.

Mr ROBERTSON: It depends of course. The Executive Member for Social Affairs, who probably knows very little about the hazards of drink anyway, interjects that he has lost his responsibility. My point is - and I think it is a perfectly valid point - that he has behaved in a responsible manner in respect of driving the motor vehicle by which he earns his living as distinct from the motor vehicle in which he misbehaved and lost his licence.

We now find a situation where, on particularly the first offence, a person is entitled to obtain a special licence, and he is not then compelled, at the expiry of that special licence, to go onto a provisional licence in respect of the motor vehicle by which he earns his living. The deterrent must be built in where a subsequent offence - and I am not talking about a third offence because that is something quite different - must be regarded at law significantly differently to the first offence. We find in clause 4(1) a provision which covers that quite adequately. If a person is suspended from driving for a period of 2 years, we find in clause 4(1) that the magistrate on hearing the application for a special licence can simply say, "In the circumstances, I find it necessary to tell you to come back in 6 weeks time and then I will listen to the matter". Perhaps the message will get across in that way.

The honourable member for Port Darwin had a bill earlier in relation to the proper role of the registrar in matters of application to the court for special licences and we again see that that provision is properly covered in clause 4(1). The registrar may now play his proper role; he may bring evidence before the magistrate as to why a special licence should not be granted rather than having the over-riding power as appeared to be the case previously.

The other point is that it is no longer necessary to establish that your licence is necessary for your employment; rather it becomes necessary that it is necessary for the continuance of the earning of a livelihood. The previous situation gave rise to a Catch 22 situation where the applicant had to establish that, in order that the employer would continue employing him, he required a licence. When he appears before the magistrate some 4 weeks after losing his licence, it is quite open to the magistrate to simply say to him, "Why are you still employed if it is necessary for you to have a licence?" This is not really the meaning of the ordinance: it is necessary right from the start for him to have his employment. It has been a Catch 22 situation which is overcome by the new provision.

Mr WITHNALL: Unlike the previous speaker, I find this bill to be like the curate's egg - it is good in parts but not good all over. I am very glad to find that at last the honourable member for Transport and Secondary Industry is introducing a bill which expresses the ideas which I put forward I think about 18 months ago. He then said I had better not proceed with that bill because the department was having a good look at it and he was having a good look at it too. But 18 months over a provision like this seems to be a long time for the honourable member to look at it and I can only suggest that his looking is a bit slow.

The bill is now before the Assembly and, while some of the provisions in the bill which I introduced about 18 months ago are still contained in this bill, I am not satisfied with a number of provisions of this bill. I suppose the best thing for me to do is to deal with the bill in the respects in which I disagree with it. I accept the general terms of clause 4, new subsections (1A), (1B), and (1C), but when I come to subclause 4(2) I find myself a little bit out of step with the honourable member because it gives such a wide discretion to magistrates, I think this Assembly ought to revise the wording of paragraph (b). The 2 things the court has to be satisfied about if it grants a special licence are, first, that it is necessary for the purpose of earning a livelihood that the applicant drive a motor vehicle at certain accepted times - that is no problem -

but then in addition to that the court must be satisfied that, if the special licence is granted in pursuance of an order made under this section, the applicant will be likely to drive without danger to the public. If you were sitting on the bench and you had somebody come up before you who had driven a vehicle at half past twelve at night after a New Year's Eve party or after a wedding anniversary and he had about 0.25, how could you be satisfied, and upon what evidence would you be satisfied, that if a special licence was issued the applicant would be likely to drive without danger to the public? Is it not true about most activities that, if you are found out once, there is a possibility that you will do it twice? How many magistrates are going to say, "I am satisfied that he is not only not likely to drive again with a blood alcohol content over 0.08 but not likely to drive in any way at all that provides some danger to the public."? How can a magistrate be so satisfied? It is a bit of nonsense, isn't it?

What I am saying is that we are providing a piece of ameliorating legislation and we are putting a term in it which provides that the amelioration is never likely to come to pass in any particular case because how can any magistrate be satisfied that the applicant will not be likely to drive without danger to the public? Where is the evidence? How are you going to muster up evidence to say that?

I have further complaints about subclause (2) because I remember very well some conversations between the Executive Member for Transport and Secondary Industry and certain other persons in which there was an agreement that some other cases could be brought within the section. For example, perhaps a man had a crippled wife or a woman had a crippled husband and it was necessary to have the person conveyed to a hospital for physiotherapy or necessary for purposes of keeping the patient alive or in health. The provision was discussed and I think agreed to by the honourable member but it does not appear in this bill. I do not know why. I would have thought that the Country-Liberal Party would have been one of the first organisations to accept that people under all disabilities should be given some assistance. There are people who will be disqualified from driving and will not be able to render any assistance which they fundamentally need to render to their families. It would not have been a great concession would it? There will be perhaps 6 people in the whole of the Northern Territory who might have been able to take advantage of it and who will not now be able to. I find this omission to be such a niggling one and I am shocked that the bill does not conform to the general acceptance of the principles which were discussed on the former occasion with the honourable member.

The proposed provisions of the new subsection (7) of section 55B read: "Notwithstanding sections 10 and 10A of the Motor Vehicles Ordinance, the registrar may, subject to any provisions of an order made by a court, upon the expiration of a period of suspension of, or disqualification from, holding or obtaining a licence, grant a licence under the Motor Vehicles Ordinance to drive a motor omnibus or a public or private hire car". My recollection of the conversations to which I have previously referred is not quite clear on this and I do not want to be taken as laying down the laws as to what happened. However, I did not think that the expression now in this proposed subsection 7, "subject to any provisions of an order made by a court", was agreed to. Obviously, this subsection deals with a bus driver who is disqualified because he got himself stoned on New Year's Eve. However, he did not get himself stoned in the bus and he has been a very good bus driver for years. Consequently, I thoroughly agree with the provision that he ought to have a licence to drive a bus during the period of disqualification and ought not to have a provisional licence after that. However, this is subject to any provisions of an order made by a court. I do not quite understand where we are going because the court, in granting a special licence, surely has no authority, on the ordinance as it stands, to make any direction about the future grant of a provisional licence. It seems to me that the words "subject to any provisions of an order made by a

court" are compeltely useless in the context of the ordinance and, not only that, if the ordinance were amended so that they were effective, it would be quite an improper thing to do, because if we accept that a person who is disqualified from driving because he was disqualified while he was driving a bus, then it is quite unnecessary for any court to order that he shall never be granted a licence except a provisional licence. I commend the honourable member's attention to this subsection, and I suggest that he should really reconsider the provisions of proposed new subsection (7).

Proposed new subsection (8) provides that, subject to any provisions of an order made by the court, a licence granted by reference to subsection (7) shall not be a provisional licence to drive a motor omnibus or a provisional licence to drive a public or private hire car, as the case may be, but it shall be a provisional licence in so far as it licenses the holder to drive any other class of motor vehicle. What we are saying there is, "If you get a licence under subsection (7), it is a provisional licence when you are driving your own car". Provisional licences are accompanied by all sorts of funny things. You have got to have P plates on your car. Let us suppose we have a fellow operating a safari outfit in the Territory and he has an omnibus licence. Is he to take his P plates off every time he goes out driving? Is he to drive as an ordinary licensed person while he is on safari and then he has got to put his P plates on when he goes home for a cup of tea? While I understand the direction and the purpose of the subsection, I really think that it is not very well directed and, if the object which it proposes to achieve is to be achieved, it can be achieved in a lot better fashion.

As I think most members of this Assembly know, this has been a hobby horse of mine for a long time and, while I accept the general trend of the bill, I think that the Executive Member for Transport and Secondary Industry would be well advised to have a look at least at the effect of the comments which I have made.

Mr EVERINGHAM: I rise to support the bill. As I recall it, the terms of this piece of legislation reflect certain agreements on various points made and entered into after discussions between the honourable member for Port Darwin, the honourable Executive Member for Transport and Secondary Industry and certain gentlemen in another place with whom I was included in a conference one afternoon. It seems to me that the honourable member is perhaps dissatisfied with the results of that conference and now wishes to reopen the matter.

Mr Withnall: I do not. I want that conference and its results to be put into the bill.

Mr EVERINGHAM: Even though I heard the honourable member for Port Darwin in relative silence - I did not talk about the scramble that he made of the poor old curate's egg - it seems to me that it is a fairly simple matter for a court to satisfy itself that the applicant will be likely to drive without danger to the public if a special licence is granted to the applicant in pursuance of an order made under the section by referring to the previous history of offences that he may have on record. Surely a leopard can be judged by its spots in that regard by the court? I cannot see any particular reason why subclause (2) of clause 4 should be amended. It satisfies me in that particular form. The previous paragraph (b) of 55B(2) reads: "if it is satisfied that he is otherwise fit to drive a motor vehicle". We would be opening the gates wide if we went back to that situation.

As to subsection (7), I might have to concede the relevance of what the honourable member opposite argues. It does seem to me that the words "subject to any provisions of an order made by a court" do not appear to have any particular relevance in that part of the legislation. There again it is simply because I cannot think of any relevant situation at the moment, but it may not be such a bad idea to leave those words in the legislation because courts have wide powers in respect of suspension and cancellation of licences

and I should like some time to relfect on whether I would want to take the positive step of deleting the words; if they are left there at the moment I cannot see what actual harm they do; they may well be superflous but I cannot see any positive harm that they inflict.

As to subsection (8), that is simply a matter of opinion and the honourable member for Port Darwin has one opinion and the honourable Executive Member has another. No doubt they, with their usual bloody-mindedness, will -

Mr Withnall: Will fight!

Mr EVERINGHAM: ... will fight and so it will be "que sera sera" and all that sort of thing.

There are other aspects touched on by the honourable member, such as the licences for people whose relatives or whatever have problems, "aberrations" I think the honourable member called them. It may be that this is a matter for some consideration but that is more for the Executive Member to decide as a matter of policy than it is for me and, overall, I think that I do support this piece of legislation.

Mr RYAN: The comments made by the honourable member for Port Darwin I have noted. I would like to take issue with the honourable member over a couple of comments that he made at the outset of his speech. One was that he said he introduced this concept 18 months ago. I think he possibly made an error in saying he introduced it. He may have brought the subject up, I cannot recall the honourable member bringing the subject up 18 months ago but I certainly stand corrected if he could -

Mr Withnall: Traffic Bill 1976, Serial 92.

Mr RYAN: I realise that the honourable member did have a Traffic Bill before the Assembly but I could not actually correlate this particular Traffic Bill with what the honourable member was talking about.

In the Traffic Bill which was introduced by the honourable member for Port Darwin, he was particularly concerned with the registrar appearing before the court relating to an application under the particular section in the ordinance. His main concern was that, under the ordinance as it stands at the moment, the Registrar of Motor Vehicles can nip the application in the bud: it cannot reach the court if the registrar decides that the applicant should not have a special licence. I agree with the member for Port Darwin. However, I felt that that particular piece of legislation did not go quite far enough.

Mr Withnall: I discussed the sort of things that you should do, didn't I?

Mr RYAN: I had some discussions with the department relating to this legislation -

Mr Withnall: After you had some discussions with me.

Mr RYAN: I have not had any discussions with the honourable member for Port Darwin. I have had discussions with other members of my own party, some of whom felt that the special provisions were not necessary at all and that if you lose your licence it is bad luck.

When the honourable member introduced his bill, I thought perhaps he was on the right track but he did not seem to have gone far enough. For once, I broke my own rule of not having much to do with the opposition and, although he has been accused of making a mess of a lot of legislation in the past, I thought he could help me to sort this problem out. I told the honourable member that we intended to amend the Traffic Ordinance with respect to the special licence provisions and, because he had a bill before the Assembly at that time, I was prepared to involve him in any discussions that we might have -

Mr Withnall: Oh dear, oh dear!

Mr RYAN: ... and the honourable member agreed to involve himself in discussion. I was quite happy about it and we did have a meeting with a departmental officer. As a result, a proposal

came out of that which was not particularly satisfactory to either the honourable member for Port Darwin or myself.

Mr Withnall: Don't get yourself in too deep now!

Mr RYAN: This is the end of the debate, pal. She's all over.

Mr Withnall: There's always committee.

Mr RYAN: You can write a letter to the Speaker.

We did not particularly agree with the results of the departmental proposal. There was then a further discussion which took place with the magistrates. The honourable member for Jingili attended this and the matter of getting people to hospital was raised. I am not going to duck the issue for one minute.

Mr Withnall: Isn't that nice.

Mr RYAN: I did not have any serious objections to that proposal. However, I happen to be 1 in 17 and it was decided by the Majority Party that -

A member: Sixteen.

Mr RYAN: I am sorry; I still consider it 17. The Majority Party decided that that particular provision would open the special licence provisions to an extent that would be disagreeable to it and the end result was that the provision was changed slightly. The honourable member did not mention that it has been changed inasmuch as it now refers to livelihood, which does cater for the person who is self-employed. Under the previous provisions, there was some doubt as to whether -

Mr Withnall: Your slip is showing, old fellow.

Mr RYAN: ... a self-employed person would be eligible for -

Mr Withnall: Your slip is showing; the word "livelihood was in the original bill you introduced.

Mr RYAN: .., a special licence. It is in the bill I introduced? I know; I am just reading it. It was not in the previous one though.

Mrs Lawrie: Get on with it.

Mr RYAN: They are trying to rush me, Mr Speaker.

Mr Withnall: Roger, I think you had better sit down.

Mr RYAN: No.

Mr SPEAKER: Order!

Mr RYAN: The honourable member for Port Darwin must not want to hear what I am about to say; it distresses him; but I can assure him that he is going to hear it.

Mr Withnall: One of the big events of the day!

Mr RYAN: I can assure him that he is going to hear it. We will get over that part of the bill. As far as I am concerned that provision should remain as it is.

Getting down to subsection (7), the honourable member for Jingili said that he is not quite sure whether he wholeheartedly agrees with the honourable member for Port Darwin. He has suggested there is a possibility. In view of the fact that both of these gentlemen have had more experience in the law than I have, I may look for some time to discuss that further.

I come finally to subsection (8). As far as I am concerned, the provision was to allow someone who had lost his licence while driving a motor car or vehicle other than the vehicle in which he earned his living - for example, a bus or hire car - to maintain his licence at the end of the special licence. It was absolutely ridiculous that a person could get a licence to drive a bus while he was disqualified.

Mr Withnall: Subsection (7) gives them the right; (8) is a qualification.

Mr RYAN: That is what I am talking about; I ducked over (7).

However, the situation is that if a person loses his licence driving a motor vehicle and he earns his livelihood by driving a bus or a motor car, he will have to display P plates on the motor vehicle but he can still drive a bus. That is the way it was decided it should be and that is the way it will be.

In view of the objections thrown up by the honourable member for Port Darwin, I am prepared, when the second reading is passed, to move that the committee stages be taken later so that I can have further discussion with the honourable member for Port Darwin. I feel that he obviously needs sorting out on a couple of points and, being a democratic sort of person, I am prepared to go to these lengths.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

LITTER BILL

(Serial 131)

Continued from 18 August 1976.

Mr DONDAS: I rise to support the bill. Litter is another form of pollution. People go to great extremes to control pollution but litter is an eyesore. It can also be considered a danger to health depending on the areas and the type of litter involved. This particular bill is a follow-up to one that was originally introduced in 1972 and, at that time, it was hoped that it would be a solution to the litter problem in the Northern Territory. Four years later, we are introducing a little bit more to that law by instituting on-the-spot fines. We are led to believe that it is costing the taxpayer over $100,000 a year for scavengers employed by the corporation to pick up other people's litter.

I have spoken to the sponsor of this bill and he tells me that he has an amendment which will allow various bodies such as the Corporation of the City of Darwin, the Port Authority and one other -

Mr Robertson: Yes, there is such a place as Alice Springs.

Mr DONDAS: You can follow that up when you get down there.

When they receive this money, these particular organisations in Darwin and in Alice Springs will be allowed to put it to good use, to grow more trees, to beautify their surroundings or to put on more staff to pick up more rubbish. It will also give them some incentive to pick up the rubbish that is lying around the place. The rubbish that you see as you come into the Darwin area along the Stuart Highway is an eyesore. It is a disgrace to Darwin. I would say that Alice Springs is far better off than Darwin because they have a nice approach from the airport to their city.

Mr Robertson: It is the Todd.

Mr DONDAS: Apart from the Todd. Litter is not a real problem down there but anyone who arrives at the Darwin Airport and travels along the Stuart Highway into Darwin has a rude shock. There are empty cans lying all over the place, there are paper bags, there are empty boxes that have fallen off trucks that have been to the rubbish tip, and so on. This bill allows for a person to be picked up on the spot or written to at a later date. And we hope that upon the receipt of the letter of demand the $20 fine will be paid to the organisation instituting the prosecution.

Mr SPEAKER: Order! The honourable member for Port Darwin is contravening standing orders by walking between the Speaker and the member speaking.

Mr WITHNALL: With great respect, Mr Speaker, if I transgressed in that respect I do apologise, but I was always conscious of the line of sight.

Mr SPEAKER: The honourable gentleman might be conscious of the line of sight, but how he could walk between the Speaker and the member speaking twice and still be conscious of the line of sight, I cannot work out.

Mr DONDAS: We cannot be sure whether the $20 fine will be sufficient at this

stage of the game. I said earlier that 4 years ago legislation of this kind was introduced with the hope that the litter problem would be solved. We are now in 1976, taking a different attitude by instituting on-the-spot fines and only time will tell whether the $20 is going to be the solution or not. Possibly in another 5 years' time the fine might be $100. Overseas, in Malaysia, Singapore and Hong Kong, the fines for dropping litter are very high; in fact a cigarette butt dropped on the "Star Ferry" in Hong Kong would cost you $100 Hong Kong. That is only $20 Australian, but $100 Hong Kong for a person in Hong Kong who is only making maybe $100 a week is an awful lot of money. In Singapore, Mr Lee Kuan Yew is imposing fines of up to $500 Malaysian for dropping litter. So I feel that our $20 could be rather small and, as I said, time will tell whether we should increase it - we will soon find out.

One matter we should be looking at is some way of controlling these trucks carrying rubbish. At the moment you drive along and you see a truck in front of you, an open truck with paper cartons, wooden boxes and all kinds of rubbish just thrown on the back - the person who loaded it has not taken any care to try to throw a tarpaulin or a rope over it to keep the rubbish down - and the driver cannot see rubbish falling off the back of the truck as he drives along. I hope that there will be one of the inspectors sitting behind one of these truck drivers soon and it will cost him $20.

Mrs Lawrie: It is already an offence.

Mr DONDAS: It is, but they are doing very little about it.

Mr VALE: I rise to speak in support of this bill. I believe that there is no single piece of legislation or single activity which will overnight solve the tremendous problems associated with littering throughout the Northern Territory. Indeed, in Alice Springs, this problem has the potential to disrupt and possibly bankrupt the valuable tourist industry. The effect of this bill, coupled with other legislation and community based activities, will go a long way towards helping to solve the unsightly problem of litter throughout the Northern Territory.

In speaking in support of this legislation, I would like to place on record the efforts of KASBA, service clubs and other organisations in mounting an annual rubbish clean-up in and around Alice Springs. The recently announced financial donation by the Centralian Advocate will be administered by the Alice Springs Rotary Club and the Advocate should be commended for contributing financially to the physical beautification of Alice Springs. Not one single piece of legislation will solve this problem of littering but this legislation, together with existing legislation and the activities of community organisations dedicated to cleaning up our Territory, will assist in developing and encouraging community pride. It will be this pride, coupled with on-the-spot fines for littering, which may solve our litter problem.

I would suggest the penalty for littering be increased from $20 to $100, thus ensuring that this bill, if it is to work, will prove to be a real deterrent to would-be litterers.

Mr BALLANTYNE: I rise to support this bill. It will add to the main context of the principal ordinance and give much wider powers to the officers. It will give the officers who are appointed by the Administrator the power to serve notice on persons who have committed offences against section 6 of the ordinance.

I would like to believe that, when a person or persons are being handed the notices, the officer will not have to play out the words as described by the executive member during the second-reading speech. It was quite ludicrous to think that an officer has to be trained in how to approach somebody and hand him a particular document saying that he has committed an offence against a certain ordinance. They are chosen by the Administrator for a start. Surely any officer who is acting through this authority must use his discretion when he is issuing notices, as must a policeman or traffic officer or whoever may be working in that capacity.

Mrs Lawrie: They are not being discretionary.

Mr BALLANTYNE: They should be.

The ordinance brings in this new facet of on-the-spot fining. It is not a new thing in law but, in this particular case, it will be new to the Territory. It was surprising to read in the second-reading speech that there have been only 2 prosecutions laid under this ordinance since its inception. That sounds ludicrous but it is true. I do not know whether that is just for the Darwin area. I will have to ask the Executive Member for Municipal and Consumer Affairs whether they were for the Darwin area but it seems to me to be quite ridiculous. We have an ordinance which was passed with recent amendments last year to give wider powers to local government and there has not been any action on that at all. I only hope that we can get some action on these new amendments which are nearly as big as the ordinance itself.

The honourable member for Casuarina has just spoken on the work that is being done in other countries. You have only got to travel to other countries to know. I have been to Singapore where I have seen this particular law in force and people are very conscious of it. Here in Australia we are just destroying ourselves. I believe in the Darwin area it is costing the ratepayer $12 a year for the scavenging gang and street sweeping. The ratepayer could probably save himself a lot of that if he would only be conscious of trying to keep the streets wherever he may live clean. It is not hard to do. We can perhaps train the younger people. We may be the cause of it ourselves in our generation but we hope the next generation of children might be more conscious of keeping their streets and areas clean.

Someone said that Alice Springs is to be complimented on the absence of litter. I do not know what part of Alice Springs that person went to, but I was down there recently and I was walking in the back streets where I saw a whole vacant allotment full of broken glass. Evidently every time people went past there with their flagons they just smashed them in the paddock, and in the gutter there were cans thrown everywhere. I was absolutely amazed. That was around a tourist area, or part of a tourist attraction in Alice Springs which I was visiting, and I was amazed that the proprietor would allow cans and other litter to be seen in front of his business. There is an ordinance covering litter for the whole of the Territory. Why has it not been acted upon? Surely someone would have seen these people. They could have had someone to go out to areas where there are a lot of tourists and a lot of people. To think there have only been 2 cases brought to the court is absolutely ridiculous.

If I can just digress, in Nhulunbuy they had a clean up on the beach recently. They had the service clubs and the scouts and schoolchildren and other people coming along in an honorary capacity to clean up. They had a great time, they spent all morning and they had drinks supplied for the people who helped. They collected about 200 glad bags full of cans and litter that had accumulated over the previous 6 months. That was advertised on the radio and everyone said they had done a marvellous job yet, if you go down there today, after only a few months, you will find that the same area has been littered again. People are too lazy to go to the tip; they drive down towards the beach, go along the dirt track and throw out a couple of glad bags full of rubbish, and sometimes the stench coming from those areas would make anybody sick.

Where does the main thing lie when it comes to litter? It comes from the average human being who has got to be proud of living in a proper community and not living in a hovel; and it is the way that the people are going in Australia generally. I think there has got to be a lot of education on this program. I compliment the Executive Member for bringing in this bill but I only hope that in the next 4 years we will have more than the 2 prosecutions that we have had in the last 4 years.

Mr WITHNALL: I was frankly appalled by the remarks of the member who

suggested that the fines under the ordinance should be increased to $100. The fines, of course, are increased very much beyond that, and I do not know whether the honourable member really understood that this was a sort of on-the-spot fining that was not as a result of a determination of a court. Under the principal ordinance, the fine that may be inflicted for an offence under all sections is $200. The honourable member was proposing that there should be an automatic charge, not a fine, a charge - and let us face that - not a fine at all, but a charge of $100 every time you accidentally or otherwise drop some litter anywhere in the Northern Territory - anywhere.

A member: At Marrakai?

Mr WITHNALL: Including Marrakai, although I think there is some sort of distinction in the original ordinance about private land; I am not sure but it does not matter.

One of the problems I have is that this bill creates the automatic charge of $20 whereas for all other offences where an automatic charge is enforced in the Northern Territory the fine is $5. All cases that I know of where a notice is served on the owner of a vehicle the charge is $5. For this offence it is going to be $20. Well, if I can quote Dickens, I think it is: "Why this thusness?" Why should litter attract an automatic charge of $20 when an automatic charge of $5 only is attracted by a contravention of parking regulations, whether it be on a road or outside a road. Surely to goodness we have got to have some consistency.

I have a more fundamental objection to the bill than that. I have never agreed with the automatic charge system because it becomes a revenue collecting system and because it results in oppression. In Darwin today the parking system is used by the municipal council purely as a revenue collector. They are not really concerned about parking; they are concerned about getting money in a fairly cheap and satisfactory fashion. That is what this is going to be, nothing more than a revenue collector. And there will be oppression - let's make no mistake about it - by persons who are to police these provisions. An "officer" means a member of the police force. It also means, under the new definition, a person employed by the Northern Territory Reserves Board, the Northern Territory Port Authority or the council of a municipality.

One thing the bill does not say - and this may be quite important except in possibly the case of the municipalities - is who is going to get the money from this automatic charge that is to be levied on anybody who throws away a cigarette butt. If an officer of the Port Authority detects an offence and serves a notice, who gets the money? If an officer of the police force detects an offence and serves a notice which collects the money, who is going to be the recipient of this revenue collecting device? And that is all it is.

I do not like the bill; I do not like and have not in the past approved of any ordinance which created this what I regard to be quite iniquitous on-the-spot collection of revenue, I specifcially draw attention to 2 things in the drafting. In new section 9A it is proposed to provide that a notice under subsection (1) may be served by handing the notice personally to the person or persons who appear to have committed the offence. Going back to the original ordinance, we had some owner's onus provisions in it, in section 8 I think; when a person in or out of a motor vehicle commits an offence then the owner is liable. The owner of the vehicle or the boat is deemed to have committed an offence but the actual person who commits the offence is somebody else. I suggest that, if it is going to be effective, some change might be made to that.

I direct attention to subsection (8) of the proposed new section 9A which says that for the purpose of subsection (4) the person in authority is the person named in the notice. Subsection (4) says: "Where a notice under this section has been served and, before the expiration of the specified period of 14 days" - I will miss out quite a lot, "... is received by the person in authority". The person in authority may be in some cases the clerk of the

municipality or the clerk of the court; the person in authority is the person who is named in the notice. They can name anybody. Is this the trick by which money raised by the officers of the Port Authority will be paid to the Port Authority or money raised by an officer of the Reserves Board is going to be paid to the Reserves Board? If so, it is a pretty snide sort of trick, isn't it?

I do not like the bill because I am opposed to the principle. I do not like the bill because it proposes a fine of $20 and that is not in line with anything which is in force in the Northern Territory today. I do not like the bill; I think it might be quite ineffective because of the way it is prepared and proposed.

Mr KENTISH: I support the bill. I have some sympathy with the remarks of the previous speaker concerning possibilities arising from the bill but one of the great problems is the alternative. If you do not like fines and you do not like on-the-spot fines and the previous legislation in this respect has been ineffective, where do you go from there? As the honourable member for Port Darwin said to me a few days ago, if there is no alternative, you must do something. He did not speak in respect to this bill on that occasion. However, I support the matter of cleaning up. I have just received a little magazine and though I am speaking now with my mouth that is where my money is because I have also contributed to Keep Australia Beautiful. Thus, I am supporting it both ways to a degree.

There is one problem that comes to my mind: what if a person refuses to pay this $20 fine? I do not see anything in the bill about what happens if he refuses to pay. Does he receive some lashes or a few days in gaol or something like that? Where do you go from there if a person ignores the notice of the fine? What is the next step?

The member for Nhulunbuy mentioned education in the matter of keeping a place clean and that reminds me that the starting point for this sort of thing is best done in schools. It is quite possible that some schools are already conducting quite a campaign about cleanliness and about littering but education of the children would be the starting point in keeping any city clean, a bright sort of education that would appeal to children. Education in the home is another thing but this could be a doubtful proposition because sometimes there is a possibility that the homes the children come from are not concerned about this matter to any degree. We see plenty of written notices in newspapers and on stickers and things about littering, on motor cars and various places. It is possible that a little more can be done with these notices after the style of the bushfire people who put notices here and there at strategic places on roads, reminding people that littering is an offence. The messages could be varied. I think a little more could be done on road notices in strategic areas.

There is one thing more that could be done about this. We hope that the $20 fine will have some effect in helping to clean up this city and its environment, but there is one thing more that would make that $20 fine effective or even a $5 fine. It would be very effective to put a weekly list in the newspaper of those people who have been fined, with a continuing list of people who are in arrears with their payments and people who have not paid their fines. That would be worse than a gaol sentence. I leave those ideas with the Assembly and I think that we may have to do something really to improve the situation regarding these penalties.

Mrs LAWRIE: I have had a look at the introductory remarks of the sponsor of this bill, the Executive Member for Municipal and Consumer Affairs, and in speaking to the bill I would like to take issue with a couple of his opening remarks. I quote from Hansard for Wednesday 18 August: "The socially nauseating litter problem we face is not because the goods we consume come enclosed in paper, tin or glass; the problem is one of the irresponsible disposal of that packaging by a particular sector in our community. It appears that some people have no civic pride etc". In directing myself to the remarks he made, that is the perfect apologist approach to the unwarranted

proliferation of the packaging industry which I believe is to be deplored.

Too much of our lives is taken up in dealing with unnecessary, unwanted and very expensive packaging. The steel can companies are among the biggest supporters of the Keep Australia Beautiful Council for very good reason. They say that rather than adopt the attitude that there should be refunds on the cans, and to look for recycling of cans, they prefer for us to pay for the packaging completely, prefer the responsibility to be shifted completely onto the consumer while making large profits for themselves. This may be not known to the honourable member, but it is one of the main reasons why many environmental groups do not support the Keep Australia Beautiful Council around Australia. They do not support it, not because they think its aims are bad - because cosmetic cleaning of cities is to be applauded - but because they believe that Keep Australia Beautiful has shifted the spotlight from the people who should be subject to more scrutiny - the packaging companies. I would like him to consider that in the light of the remarks which are attributed to him and printed in Hansard.

If we look at this bill, it carries that same philosophy a step forward: it is to be the consumer penalised the whole time; he is going to pay twice. I am not supporting people who wilfully litter. But they are not going to be the main people caught. The person who illegally dumps large amounts of garbage is to be deplored, but he should be subjected to a little more than an on-the-spot fine. There have been problems, especially in the northern suburbs, more particularly when the city council decided to charge for the dumping of garbage. Serious problems arose when people were dumping garbage indiscriminately in the Holmes Jungle area. That led to an increase of rats, and the northern suburbs, the Jingili, Millner, Nightcliff areas, three years ago were subject to infestation of rats in plague proportions.

A member: They came from Nightcliff.

Mrs LAWRIE: They were not coming from Nightcliff. They were coming in from the wilds. The Department of Health investigated and it was attributed to people illegally dumping large amounts of garbage in the bush because they would not pay to use the municipal dump. Approaches were made to the city council and I believe they reversed their policy in order to encourage people to dump in the approved places, where of course, it would be subject to almost immediate backfill and covered.

I share some concern with the member for Port Darwin as to how the application of the ordinance when amended by this bill will affect the community. I can see it being used against the person who drops the odd cigarette butt or throws the odd piece of orange peel. But I do not think they cause as great a problem as the people to whom I have just referred - those who take large bins and trucks and deliberately dump large amounts of waste products.

It is also obvious that you are under tremendous pressure, whether you are guilty or innocent, to pay this $20 on-the-spot fine. Because if you do, you are safe from any further action and, unless I read it incorrectly, you will not be regarded as having been convicted for the alleged offence. $20 is not a large amount and you are subject now to a pressure which says, "Put up and shut up, even if you think that you have a defence or go to a large amount of trouble, publicity and court appearance". I understand there are very few ways of overcoming this; if you are going to have a concerted campaign against littering, I acknowledge that there are going to be some form of on-the-spot fines. But I just warn the Executive Member responsible that you are immediately subjected to that kind of pressure; it is easier and quicker to pay whether you believe you should be paying or not.

I am inclined to support the bill for its very few good points. If we can help overcome the litter problem, it is worth supporting but unfortunately on the two major counts it misses out. Firstly, it is not going to be used properly against the major litterers

and, secondly, it completely ignores a large cause - it ignores and exonerates the packaging industry.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

LICENSING BILL

(Serial 132)

Continued from 18 August 1976.

Mrs LAWRIE: I drag my mind from littering to licensing. I have spoken to the sponsor of this bill privately and I understand quite well that he has large support in his area for the introduction of this measure, but again I rise to sound a warning. By the application of this bill, licences are going to be extended without the provision for people whom it may affect to have the right of lodging an objection. This does cause problems. It may not in this particular instance, but the reason I rise to express this warning is that I do not approve of the principle of extending licences without giving the public the right of objection against that extension. Very few people would object to the granting of a private hotel licence. We are all aware that public unrest is increasing with regard to provision of storekeepers licences and also with regard to club licences and public licences. If there is an application before the court for the issue of any of these licences, people now are more inclined to take a great deal of notice and, if they have valid reason, lodge an objection. But I think it is fair to say that very few people will object to a private hotel licence, because it is so restrictive.

It may be - and I am talking of principles now and not specific cases - it may be well said that it is wrong in principle to allow people to apply for a very restricted licence, which people do not object to because they understand its restrictions, and then, having granted that licence, allow the extension without provision for objections. It may be that people would have objected violently to a different form of licence in these areas, and I understand we are talking about only national parks areas. It may be that people would have objected to a more extensive licence had it been mooted at the previous sittings of the Licensing Court.

I paid particular attention to the remarks of the sponsor of the bill when he introduced it. He said: "It has been the policy of the Majority Party not to continue the patchwork that has gone on over a long period with the Licensing Ordinance. In fact, this is the first amendment to be made to the ordinance, apart from cyclone provisions, in the life of this Assembly". He went on to speak about the early intentions of the Majority Party to review the ordinance. I asked a question in question time specifically on this point. I support the Majority Party's policy of not allowing patchwork amendments to the present out-of-date ordinance; I support the concept of the overall review. In speaking to the commission of inquiry which was authorised under the former Council, I think all members supported that. But notwithstanding the Majority Party's general policy, they have obviously felt it necessary to do a little more patching of the ordinance without the review.

I have respect for the sponsor's good faith in this matter. I believe his assurances that he has not had any objections to the extension from his area and I accept that. But I say to the Majority Party that, as a matter of principle, they should regard extensions to liquor licences without similar extensions to the right of objections very carefully. Following passage of this bill, this extension to the private licence is automatic, and there is no room for objection even if somebody does feel he is going to be aggrieved or public peace will be put at risk. I can only accept the assurance that he can give me that there is not likely to have been any, but on principle that is not really good enough.

Mr WITHNALL: My principal problem about this ordinance is whether it is really necessary. After all, on reserves, as anywhere else in the Northern Territory, you can get a pub-

lican's licence, a licence to dispose of liquor to the public. It is not black, white nor brindle is it? Why is it necessary? What you are saying is that on reserves we do not want a publican's licence, we do not want a private hotel licence - we want to bring the thing in between. That is exactly what you are asking the Legislative Assembly to agree to - a thing in between.

Nobody has satisfied me yet that it is a necessary piece of legislation. What I would like to know is why reserves ought to be treated differently from the rest of the country. Is there an answer to that question, a clarifying one, from members opposite? I do not think there is. Would you like me to view it with some sort of suspicion, with a suspicion that it is not really a law about hotels at all but a law about Aboriginal people? I leave you with that thought.

Debate adjourned.

ADJOURNMENT DEBATE

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

I would like to briefly allude to a matter of which I was informed this morning. It was the subject of a press statement at lunch time and it is the appointment of the Senior Judge of the Supreme Court of the Northern Territory to be Acting Administrator during the absence of the Administrator from the Northern Territory. I believe that this move will be applauded, not only by members of this Assembly but by people throughout the Northern Territory.

In the past, it has been customary for the Acting Administrator in the absence of the permanent occupant of the position to be a senior public servant. This system has caused some heart burning and heart aching. In saying that, I do not wish to criticise but, in fact, I would like to compliment those senior public servants in the past who have been called upon to act as Administrator from time to time and sometimes for quite long periods, extending into 3 or 4 or even more months. I would like to compliment them on the way in which they have made the best of a very difficult and, in some respects, impossible job. It is a situation in which they should never have been placed and the kind of position which they should not have been called upon to occupy. There are many reasons for that and some of them are well known to those who have been in the Territory for a long time. Obviously, one of them is the relationship between the Administrator and the Administrator's Council. The Administrator's Council, amongst its various functions and duties, from time to time has to scrutinise the affairs and workings of a government department, particularly the Department of the Northern Territory. It is quite ridiculous to have the person representing the department whose work you are querying and with which perhaps you are finding some complaint, sitting there trying to wear 2 hats. There are a number of other inconsistencies and anomalies and absurdities about doing the job in that way.

I feel sure that the public servants who may have been in line for what is a dubious honour in their eyes but a very top position in our Northern Territory community, will be relieved to know that the Government has seen fit to take this overdue and enlightened step. I am sure that we will all wish Mr Justice Foster every success and every cooperation in his new role as Acting Administrator in the Northern Territory.

Mr POLLOCK: Over the last couple of days, there have been a couple of questions asked about reviews that have been made in Aboriginal fields. The honourable member for Tiwi asked a question yesterday concerning the Hay Report on delivery of services to Aboriginal persons financed by the Department of Aboriginal Affairs. I am advised that the report, entitled "A Review of Delivery of Services Financed by the Department of Aboriginal Affairs", was tabled in the House of Representatives and the Senate yesterday. Senator Kilgariff advised this morning that he has despatched to me a copy of the report by airfreight and I should have that tomorrow with a bit of luck. The Department of Aboriginal

Affairs in Darwin this morning was unaware of the tabling of this report but has also now made arrangements to get further copies. When they are here, I will make them available to members. In relation to the inquiry that Mr Hay is conducting in relation to Aboriginal land, I am told that that is being prepared and is expected to be with the Prime Minister some time in the near future if it is not already there.

In relation to the NACC inquiry, I am told that the committee inquiring into the future of the NACC has asked for an extension of one month to prepare and present its report and this request is presently with the Minister. Just exactly when that report will now be available, I am unable to advise the House.

A few years ago in Alice Springs, there was a hijacking of an aircraft and people were quite outraged by that situation. Last week, we had virtually the same thing in a different form when the aircrews of the national airlines and the executive of the Pilots Federation decided that they would not land in Alice Springs for 4 days. They virtually hijacked the town by saying that they would not provide it with the air services to which it is accustomed and on which it relies for a great deal of its communications. This was a decision which, I believe, did not have the full support of air pilots. In fact, when I was travelling back to Alice Springs partly by aircraft last week, the pilot of the aircraft advised the passengers on board that he disociated himself from that dispute and that, in fact, the rank and file members of the federation had not been consulted. That probably is fairly typical of the situation.

It disturbs me that the national airlines are quite content to go along with these things. It only affects a small area of their system as compared to Sydney or Melbourne. I am just wondering what their reaction would have been if the ban had been on Sydney and Melbourne. I am quite sure they would have taken a firmer stand and had the matter resolved in some way by now. It will be Darwin's turn on Thursday and more airlines - Qantas and MMA - will be involved. It will be interesting to see what their reaction will be.

I made a suggestion to both the airline managements last week that they should tell their aircrews to land in Alice Springs and, if they did not land, sack them or stand them down. We saw a few months ago where the State Electricity Commission of Victoria, where Telecom Australia, where the Gas and Fuel Corporation of Victoria had employees employed to do jobs just as aircrews are employed to do jobs and the employees said that they would not do their jobs, they would not fix the metering machines when they broke down, they would not connect the gas services, they would not repair generators at the Yallourn Power Station. What did those organisations do? They stood down those employees and told them that they would get somebody else to do it. When the next person did not do the job, they stood him down. In a day or so, they had so many stood down and wanting to get back to work that the whole dispute was fixed up. The services were restored down there in a matter of days and everything has been quiet since because those organisations made a stand and showed who was boss. I think it is about time the airlines showed they were boss of the aircrew and got their aircrews operating as they are employed to do and not interfering in a matter that has nothing to do with them.

The Connair dispute really has something to do with them, of course, in that the federation can see that, if they can break the arbitration system with Connair, they will next try to break the system with TAA and Ansett. Apparently, they are quite content to go along whilst the majority of services in Australia operate quite normally. At present the dispute affects only a few people in comparison to those who would be affected in Sydney or Melbourne or Adelaide and Brisbane but nevertheless it is a very significant area for people of the Territory, the people who want to travel to or from Alice Springs for business or pleasure. The airlines are quite content for those services to be disrupted, just as it is, when it comes along to Easter or Christmas time and they want to use the aircraft up around

Melbourne or Sydney during the day time, they bung the planes up through Alice Springs to Darwin in the middle of the night - 2 or 3 o'clock in the morning, even 4 o'clock. It does not matter to them because the people up here have to like it or lump it.

I think it is about time that people here in the Territory spoke up a bit more loudly and told the airlines they are not going to lump it much longer, that perhaps to beat these things we might have to impose curfews in Alice Springs and Darwin too so the aircraft can only come here during the daytime and service the people at reasonable hours. In relation to this dispute at the moment, they should tell the airlines that the first airline back into Alice Springs or back into Darwin which stands up and defies the federation and provides the service that the people are entitled to, that is the airline that the people will patronise. If Ansett or TAA have the guts to stand up and tell their crews what to do and to service the towns normally, the people should then get behind that particular airline and support them. The situation at the moment is one which cannot be tolerated and it is time that those responsible stood up and did a bit about it.

Mr TUNGUTALUM: I support the Executive Member for Social Affairs. I want to talk about it so that something can be done before more serious problems arise in providing services to Aboriginal communities and other centres, particularly in isolated areas. It would be easier to beat some of these problems if there was a road to these communities as there is to Daly River and other places, but for my communities on Bathurst and Melville Islands, food and other goods have to go in by air. Road access will anyway become more difficult with the wet season coming on.

I have been told that some of these communities in Arnhem Land, like Numbulwar, have these problems also. The strike has been on only for a short time and it is not yet causing great hardship but it will if it goes on for weeks. I have been told also that there are some isolated communities where pensioners are already having difficulties in getting their cheques and endowment money. I know the missions and local councils are co-operating to organise charters for food and mail and back logging them only with those people who have to travel; however, in some cases, it is very costly to charter planes. I have been told also that the Mission Aviation Fellowship, which has a plane at Oenpelli, Galiwinku and Groote, is able to maintain the service in some of these communities in Arnhem Land, but mail is going out only once or twice a week whereas before, with the Connair service, it went out 4 or 5 times a week. The Mission Aviation Fellowship has been given approval also to operate out of Darwin and is helping the movement of people to and from Darwin.

I would like to appeal to all people in this argument to think about the hardships which they will cause, if the strike goes on, to all outback communities, including Aboriginal communities which used to rely on regular air services like Connair for food and mail and the transport of the people. If they will stop to think how important regular air services are to all the people in outback areas of the Northern Territory, I am sure they will try to make up their minds quickly about this problem.

Mr RYAN: Given the interests shown in the Connair strike by other members of the Assembly, it would appear in retrospect that it may have been a possible subject for debate as a matter of public importance. However, it seems to have been conducted mainly by means of questions and the adjournment debate. I have been watching the debate and I have also been fairly closely keeping in touch with the people concerned over a period of 6 months. Even though the strike has only been going for a couple of weeks, I have had contact with the people involved in this dispute for some time. There has been a tendency to criticise the pilots and certainly I feel that they grabbed a tiger by the tail by adopting the attitude that they have.

The question has been raised that the Federation of Air Pilots is using the

Connair situation as a test case to discredit arbitration. I believe, however, that the federation rejects arbitration and indexation out of hand anyway, and I do not know whether they would be looking to go back to arbitration. I have some doubts as a result of discussions that I have had with the pilots. The honourable member for Gillen has suggested that it is blackmail and that is a strong term. I am here trying to be as even handed in my criticism as possible because I do not feel that it is possible to criticise and blame one particular party in the dispute. The pilots have claimed that they have been unable to get sufficient hearing from the management, and the management on the other hand say that they have offered to talk to the pilots. It is difficult to know exactly what is the situation. What I do know is that, apart from the confusion and disruption that the black ban imposed by the interstate pilots is causing, the question of Connair remaining as a service to the Northern Territory is certainly seriously in doubt. The Connair company runs an airline service. This means that they have scheduled flights upon which you can buy tickets. No other airline, SAATAS or anybody else that is interested in taking over the operation, has this facility and there is great doubt whether any of these other airlines or charter companies would be able to get the licence. So, getting back to the root of the situation, Connair is running an internal airline; they have a licence to run this airline and it has been running for many years.

As late as this morning, in talking to a member of the Pilots' Federation and a pilot of approximately 10 years experience with Connair, I suggested that it is most important that the airline, Connair, and the federation sit down and start talking. That can be the only result of any strikes that are imposed. If, for instance, the strike is extended to Darwin and then at a later date to the whole of Australia, there will be a lot of disruptions and the pilots' cause will be weakened. I feel that they do have some argument. I do not agree with them wholeheartedly, but I think they do have some argument. If it extends to a nationwide strike, we are getting a situation where, as a result of that strike, quite obviously there is going to be some compromise whereby the parties get together. And all the 2 parties will do after this disruption of the whole country, possibly, will be to sit down and talk. I have suggested that this action should be taken now because it is all that is going to happen if the strike continues; they are going to sit down and talk and this should be realised by the people concerned.

I feel frustrated in the argument. As the Executive Member for Transport in the Northern Territory, I feel some sense of responsibility. However, I do not have close contact with the chairman of Connair. I have met the gentleman and have spoken to him but I do not have a close rapport with him; I do however know that other people have close contact with him. For instance, Senator Kilgariff I know has been working extremely hard to try to solve the problem and he has the confidence of the pilots in this matter as well as, I am sure, the confidence of the company. I do not know what other actions can be taken to overcome the strike. My suggestion this morning to the pilots I was talking to was that they must realise that the course that is being taken at the moment is not going to end up in any satisfactory result any more than if the whole of Australia stops flying. If only they can somehow reach an agreement to sit down and talk without any preconditions so that they can try to come up with a solution.

I do not quite know where the Federal Minister for Transport stands. I believe he is in a rather awkward position. He is concerned with the national effect. However, he cannot at this stage become too involved in the dispute between Connair and the pilots; the Federal Government has subsidised the airline for many years. Therefore I can only suggest that there must be a moderating influence, and I do not know from where this moderating influence is likely to come. But certainly everybody is concerned. The members from Alice Springs are obviously concerned because their town is being blackmailed, or whatever you want to call it - there are many terms that can be used. They

are certainly affected. It affects the tourist industry which at the moment is the most important industry in Central Australia.

Mr Tuxworth: It is the only one.

Mr RYAN: The parties concerned can only be asked once again to have a look at the situation and try to get together - and this means that they approach a situation of conference without any prior commitments - and maybe remove the ban. That would be the first priority in my mind, to remove the ban that exists so that the tension is taken out of the situation and the 2 parties concerned - and in my opinion the 2 parties concerned do not include the national pilots; the 2 parties concerned are the Connair pilots and the Connair company - should sit down and try to come up with some proposal. If the proposals need some intervention by the Federal Government, those proposals should be put to the Minister for Transport so that he can act upon them. But at the moment it is a situation where it is an extreme standoff. Everybody has taken the attitude that somebody else is going to have to move first. We have seen this happen so often in a lot of industrial disputes. It goes on and on to the stage where it becomes a complete and absolute shambles, and by virtue of the fact that nobody knows where to go next, they decide that they should then sit down at the conference table.

I am suggesting that the people concerned take a hard look at the situation right now and try to forget the bitterness that is arising - and this is something that is starting to creep into the dispute; it is a sort of die at the stake attitude by the company and the pilots. I think that they should look at the situation now and decide that we need to have some discussions. If the discussions cannot achieve anything, I do not know what the next answer is, but certainly I think that the attitude now should be, "Let us get together on the situation". I cannot offer any help on this matter because I am just not involved, but I hope that the people concerned will realise that the only real loser out of the whole argument is the Northern Territory, and at a time when the Northern Territory cannot afford to lose one of its transport systems, one that has been flying for some time. I can only hope that somebody sees sense and gets down to the negotiating table.

Mr EVERINGHAM: I have been asked by the honourable member for Elsey to read this adjournment speech on his behalf and I do so with some pleasure. The remarks in it accord with my views and, with the limited experience that I had years ago of fighting bushfires around Alice Springs when the service clubs were involved, I can only say that the honourable Speaker's remarks reflect what I have learnt.

September seems to be the worst month each year for bushfires. This year was no exception. The winds in September seem more changeable; they gust more and there is less likelihood of rain to extinguish fires in this month than in the following month. The Bushfires Council, particularly in the Top End, must breathe a sigh of relief when October comes. Each year brings its crop of fires and, with improvements on stations becoming more valuable with areas of improved pastures needing protection, it is evident that present precautionary measures are insufficient.

What happens now is that, when a bushfire is reported, usually an aerial survey of the fire is made and, while this takes place, suitable earthmoving machinery is located and alerted. Then, when a decision is made as to where the best chance of controlling the fire is, graders are sent in to make firebreaks and water carts with special pumps spray water on the small tongues of fire that cross the graded breaks and help with backburning from the graded breaks. This all sounds simple but it is not as simple as not lighting the fire in the first place. Often one's neighbours are not frightened of bushfires and, if they live upwind, present a constant worry because no firebreak can control a wild fire with a stiff wind fanning it, particularly in the heat of the day.

Aerial burning is practised and this helps to make a break. This strategy drops hundreds of small capsules of incendiary matter from the air and lights the country in a continuous strip as soon after the wet as the grass will burn freely, while there is still moisture in the air and while nights are cool, dampening the fire's energy. Hundreds of miles of graded breaks are maintained, usually along fences. These breaks serve as roads and make fence maintenance easier and, in case of fires, make it easier to backburn. However, just one little match can cause thousands of dollars expenditure to control the resultant fire.

The assistance given to cattlemen is much appreciated. Difficulties the Bushfires Council encounters are numerous but this is one area the Government supports freely. There seem to be minor difficulties of communication between the fire officers in charge of particular fires and regional engineers. This was publicised on the ABC last month but it was merely a matter of communication in that the regional engineer had to contact the fire officer himself before the Department of Construction graders could start on the firebreaks. It seems that, if the Bushfire Council had their own breaks each year through the dry and practised their own techniques of aerial burning and backburning, pastoralists would become more fire conscious and fires that did start could be controlled more easily. Grass country that presented a fire hazard could be burned before the dreaded September month. Would this help or should we just hope that the problem will go away in time?

The site for the fire officer in the Top End seems to be Daly Waters. On the old air strip there are suitable buildings and Daly Waters seems central. In September 1976, bushfires were burning to the north and south of Daly Waters and to the east and west of Daly Waters. The airstrip there is suitable for the light aircraft used for aerial survey; the strip is connected to landline telephone and there are aerials for radio transceivers as well.

The help given to me over the years has been tremendous. I hasten to assure honourable members that none of the fires controlled by the Bushfires Council have been lit by me or my employees, but each time I call on the Bushfire Council for help in controlling fires that have come onto Moroak I get the same tremendous help. The chairman and members of the Bushfires Council and the staff are to be congratulated, but let us not forget the wonderful work done by plant operators. Their work is arduous and in some cases dangerous, but their willingness to work around the clock is remarkable and shows their appreciation of the damage that wild fires cause.

Miss ANDREW: I am somewhat loath to present the following information because I am not fully informed as to the background and I have not seen the context of the speech from which it comes. However, having been told by a certain ministerial office in Canberra today that I could listen to it on the ABC if I liked as the Minister read his speech in the Senate and was forced to remind them that unfortunately we were not privy to such broadcasts although the advantages of course are debatable, I have had to rely on sources other than the Minister's office. I feel that this information is of such importance, especially to members from isolated electorates, that I would like to bring what information I have to the attention of the House. I have not had time to study this document in detail or pass comment, but I will simply read the facts and discuss my attitudes towards them tomorrow.

I refer to the statement being made by the Minister for Education in the Senate right at this moment regarding allowances for students:

Substantial increases in allowances for needy students attending universities, colleges of advanced education and high schools were announced today. Senator Carrick also announced increases in allowances for Aboriginal students and isolated children. The new rates which will cost $50m a year will apply from the commencement of 1977. Senator Carrick said that the means test based on

family incomes had also been increased but by less than the movement in inflation since the last rise. This means that fewer students will be eligible for full allowances.

Senator Carrick also announced that the Government had decided against proceeding with the reintroduction of tuition fees for higher and second degree students or for overseas students in tertiary institutions. Senator Carrick said an estimated number of 149,445 students would benefit from the allowances compared with approximately 141,312 this year. The scheme covered under the new awards include tertiary education assistance, adult secondary education, pre-school teacher education, Commonwealth teaching service scholarships, postgraduate awards, secondary allowances, Aboriginal secondary grants, study grants and overseas study and assistance for isolated children.

The new rate of allowance for an independent student under the tertiary assistance scheme has been increased by $12.43 a week, or 40 per cent, to $43 per week. However, where previously only one rate applied to both independent students and dependent students living away from home, the Government has decided to introduce an intermediate rate for dependent students living away from home. Senator Carrick said these students could be expected to benefit from some family support when compared with the independent students. The dependent students' at home allowance has been lifted by $4.77 a week, or 25 per cent, to $24 a week and the dependent student away from home allowance by $7.23 per week, or 24 per cent, to $38 a week.

Under the same scheme, the allowance for a dependent spouse has been increased by $14 per week to $29 a week, and the rate for a dependent child by 50 cents to $7.50 a week. Separate incidental allowances will continue at their present rates despite suggestions by the investigation committee that they should be incorporated in the tertiary education assistance scheme living allowance.

Senator Carrick told the Senate that, in future, widows, widowers and other single independent students with dependents will be able to receive incomes of up to $4,850 a year without affecting their entitlement to allowance under the tertiary education assistance scheme. These people were treated currently as single students and their allowance was reduced when their income exceeded $1,500. In future, allowances would be reduced at the rate of $1 for every $2 of income in excess of $4,850.

Senator Carrick said that the Government's decision was taken after consideration of submissions from an interdepartmental committee, student organisations and the Williams Committee on the tertiary education assistance scheme. He said that the Williams Committee had taken the view that the public purse should not be expected to bear the total costs of tertiary education. The committee believed that, in view of the significant benefits which generally accrued to the individual from such education, the student and/or his family should bear part of the cost.

Under the tertiary education assistance scheme, the means test for a married student will in future be applied to the spouse's income in the financial year preceding the year of study. At present it applies only to the calendar year in which the student is receiving benefits. Senator Carrick said this has resulted in a number of over-payments due to the inability of the spouse to estimate income for the current year. The maximum personal income which a student may receive without affecting his or her allowance will remain for 1977 at $1,500.

I have pages and pages of information here which, as I mentioned in my preamble, I have not yet been through; however, I will be making this available to members in perhaps the presentation of papers tomorrow.

Motion agreed to; the Assembly adjourned.

Thursday 7 October 1976

Mr Speaker MacFarlane took the Chair at 10 am.

CONSTITUTIONAL DEVELOPMENT

Dr LETTS (by leave): I table a copy of the press release of 24 September 1976 issued by the honourable A.E. Adermann, Minister for the Northern Territory, entitled "Constitutional Development in the Northern Territory". I further table a copy of a joint statement issued by the Minister and the Majority Leader on 27 September and I also table a copy of a statement which I have prepared entitled "Transfer of Executive Responsibility to the Northern Territory Legislative Assembly". This latter paper has been prepared in some haste and does not attempt to cover the whole range of the subject but it may provide some useful points for a further debate which I envisage will arise out of these papers.

I move that the 3 papers dealing with constitutional development in the NT be noted and I ask leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

LOCAL GOVERNMENT BILL

(Serial 146)

Bill presented and read a first time.

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

This bill deals with 3 separate proposals. The first proposal is contained in clause 3 which amends section 44B of the Local Government Ordinance. Section 44B sets out both the maximum daily sitting fee as well as the aggregate payable to the mayor and aldermen of a municipality in any financial year. It is felt by the Majority Party that the maximum annual aggregate, at present $1,000 which was set in 1973, should be raised to a more realistic figure in light of the increasing burdens being placed on our elected representatives in local government. There is little doubt that, as a result of continually increasing demands on the time and social responsibilities of the mayor and aldermen, many councillors find that the position costs them a considerable amount financially. We must be wary not to create a situation whereby responsible citizens are deterred from standing for election to local government bodies because it is going to cost them financially to do so.

This bill amends the ordinance to allow a council to determine what fees should be paid in respect of inspections, committee meetings, general meetings and other duties. There will be no maximum daily allowance set under this bill. Councils will also be at liberty to determine any differential which should apply between the mayor, aldermen and chairman of committees so far as daily sitting figures are concerned. The annual aggregate, the maximum annual amount which can be paid, would be removed from the ordinance and set by regulation. I foreshadow now that regulations will be prepared to prescribe a maximum amount of $3,000 to be payable in any financial year.

The second proposal is to amend the procedure to be adopted for supplementary elections. Honourable members will recall that, when seeking urgency for a bill to correct certain abnormalities at the last sittings of this Assembly, I gave an undertaking to have legislation introduced during these sittings to prevent that situation whereby a by-election was to be held and potential voters in the Darwin area had no chance whatsoever to get themselves on the Commonwealth electoral roll and have themselves eligible to vote. The moves that we passed at that sitting allowed a certain period for persons to correct their own details on the Commonwealth electoral roll if they were incorrect.

In framing a proposal intended to make the situation far more acceptable and, hopefully, a more permanent solution, the following guidelines were used. Firstly, the public should have reasonable time to enrol in the event of any by-election being necessary. Secondly, the period between enrolment

day and nomination day should be sufficient for up-to-date rolls to be prepared. It is absolutely absurd that we can have a "close of nomination day" for aldermen of the council and the rolls for that particular municipality are not prepared and completely up-to-date. The period between nomination day and polling day should be sufficient for official electioneering to be conducted and to allow candidates time to get their message across. The last criterion considered when forming this proposal was that the overall period from cause to election should be kept to a minimum. Under the ward system, for example, an area may have no representation at all whilst the seat is vacant and it is obviously necessary to have a by-election conducted as soon as possible to fill vacant seats.

In keeping with these guidelines, the bill allows up to 14 days for persons who are not on the Commonwealth electoral roll, or who are incorrectly enrolled, to correct that situation. A further 21 days is allowed to allow the Commonwealth Electoral Office and the Council Returning Officer to compile a common roll for the municipal area. Unfortunately, this lengthy period is absolutely necessary due to the large amount of work required to conform with the various provisions of the ordinance in compiling a common roll. The period between nomination day and polling day will be a maximum of 21 days. This is considered to be a reasonable period for candidates to conduct their promotional campaigns.

The third part of the bill provides that, within the boundaries of a municipality, council bylaws will prevail where there are any inconsistencies between a bylaw and the provisions of a regulation made under an ordinance.

Honourable members will be aware that some contention exists as to the adequacy of the bylaw-making powers under the Local Government Ordinance and this amendment is intended to fill the present legislative vacuum which casts doubt on bylaws that are inconsistent with regulations. This move is the first of a series which will be progressively put forward to solve any problem associated with the adoption of bylaws which are both valid and adequate for local government authorities to fulfil their proper role in the Northern Territory.

All the items in this bill have been discussed in some detail with the corporations in Darwin and Alice Springs to ensure their concurrence. On the proposal for changing the procedure to be adopted for by-elections, the Commonwealth Electoral Officer has been consulted as his department is very much involved in that particular proposal.

Debate adjourned.

TRAFFIC BILL

(Serial 143)

Continued from 6 October 1976.

Bill passed the remaining stages without debate.

LITTER BILL

(Serial 131)

Continued from 6 October 1976.

In Committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr EVERINGHAM: On listening to the speeches on this bill yesterday by the honourable member for Nightcliff and the honourable member for Port Darwin, I had it borne in upon me, on reflection, that they appeared to be of the view that, if a person received what I will call a "ticket" for littering, he would be under some pressure to pay the $20 penalty for the offence rather than defend the matter even if he considered he was not guilty. It seemed to be the opinion of the honourable member for Nightcliff that the financial pressure would be that you pay the $20 and get out of it or you defended it at vast expense. As I read the legislation, it seems that, if you choose not to pay the ticket, you go back before the

court and you are dealt with under section 6 where the maximum penalty, according to the copy of the Litter Ordinance 1972 that I have in front of me, is $200. So that it would seem to me that both these honourable members are somewhat in error in believing that there will be pressure on people who believe themselves innocent of these offences to just pay the ticket and shut up. I did not think I could let this opportunity pass without making that point.

Clause 6 agreed to.

Clause 7 agreed to.

Title agreed to.

In Assembly:

Mr PERRON: I move that the bill be recommitted for further consideration of clause 6.

Motion agreed to.

In Committee:

Clause 6 (on recommittal):

Mr PERRON: Clause 6 of this bill covers a variety of matters which were raised by honourable members yesterday and I would like to take this opportunity to clarify a couple of those points. They tie in as well with an amendment which I will be proposing.

The honourable member for Port Darwin indicated that the owner of a vehicle could not exonerate himself under the bill from an alleged offence in cases where a notice had been issued pursuant to subsection 2(b)(iv) of proposed new section 9A. This is not so.

The Chairman: Order! To what is the honourable member speaking?

Mr PERRON: Clause 6, proposed new section 9A, subsection 2(b)(iv). I also refer to a section of the principal ordinance, subsection (7) of section 8, which alludes thereto.

The point is that the honourable member indicated that there was no provision for a person under the owner onus clause of the principal ordinance to get out of having to pay the fine or the charge that is levied under the notice if he was not the driver of the vehicle. In actual fact, section 8(7) provides that, if the person receiving the notice files a statutory declaration with the necessary person in authority indicating who was in charge of the vehicle at that time, then the person who owns the vehicle is not subject to further liability.

Another query relating to clause 6 was that there is no indication where the money derived from such charges or fines would go. In actual fact, the honourable member for Port Darwin went so far as to say that it was a pretty snide sort of trick. Had he taken time to look at the circulated amendment which was available to members, he would have seen that it indicates quite clearly that the money in these cases goes to the respective board, the Reserves Board or the Port Authority or the City Council, depending on which officer issued the ticket and within whose boundaries. In the case of on-the-spot tickets which are issued by the police or by persons who have been declared by the Administrator under section 5 of the principal ordinance, the money will be paid into the court and will no doubt find its way into consolidated revenue.

The honourable member for Arnhem asked what happens if somebody refuses or neglects to pay. If he studied more closely, he would see that, if the person does not pay a fine, he is subject to a summons and the matter will be heard by the court. The honourable member for Jingili has mentioned that a $200 maximum fine exists under the principal ordinance. I will not go into other objections which were raised because it is probably doubtful that they could be connected directly with clause 6 of the bill before us.

I move circulated amendment 121.1 which clarifies where the money derived from litter fines is to go.

Amendment agreed to.

Mr PERRON: I move circulated amendment 121.2.

Amendment agreed to.

Clause 6, as amended, agreed to.

Bill passed the remaining stages without further debate.

LICENSING BILL

(Serial 132)

Continued from 6 October 1976.

Mr ROBERTSON: In supporting the bill, I would like to reply to a few points raised by the honourable members for Nightcliff and Port Darwin. The member for Nightcliff's principal concern was not so much with what the bill sought to do but rather that she felt that people were denied the right of objecting to the change of the nature of the licence. It is not a substantial change in the licence because it remains a private hotel licence. This merely broadens the class of people and the circumstances under which liquor can be served on the premises subject to there not being in existence in the locality a competing type of licence. To put the whole thing in perspective in relation to objections, I would point out that there is no objection available under the present law, nor has there ever been and I doubt if there will ever be, to such things as notice of change of manager by a company holding a licence, notices of entry, certificates to conduct a licensed club or a registered club which, incidentally, is merely changed by letter. Further, there is no objection to the extension of licence limits where a person enlarges the premises. This is until the next annual licensing sitting. There is no objection to material alterations and additions by the public; there is no facility in fact for the complete removal of a licence from one premises to another provided the licence type remains the same. The member in charge of the bill is not making any departure at all from normal licence practice so I do not really think that there is any valid objection which could be made by the honourable member for Nightcliff.

The honourable member for Port Darwin referred to the bill rather disparagingly as brindle. The intention here is to assist the ailing tourist industry and the Majority Party is firm in its commitment to assist in every possible way. This amendment relates to areas within reserves which will no doubt always be used exclusively for purposes of tourism. That industry is being mocked by various people and from numerous directions. The Majority Party is certainly not going to stand by and see inadequacies within one law of the Northern Territory contribute further to the demise of that industry.

I cannot resume my seat without making reference to the manner in which the honourable member for Port Darwin commented about his interpretation of the purpose of this bill. He claimed it was a law about Aboriginal people. I think it is quite out of character for the honourable member to make a statement like that. My own attitude is that the Aboriginals themselves are probably expressing more concern about licensing laws than anyone else and, certainly, in the consideration of licensing laws, the Aboriginal people's wishes are taken very strongly into account. Indeed, I think the last clause of this bill is a direct result of representation made by the Aboriginal people. The honourable member put such a slant on his voice in the way he said it that he inputed to the Majority Party almost a racist attitude.

Mr Everingham: Discriminatory, he implied.

Mr ROBERTSON: He implied, as the honourable member for Jingili says, that the bill, particularly the last clause, was brought in because of a discriminatory attitude among the Majority Party. In fact, the opposite is true. The last clause is here purely because of strenuous recommendations and submissions made through the honourable member for Arnhem to the Majority Party and it is at the express wish of Aboriginal people that this provision is being made - quite contrary to the mischievous manner in which the member for Port Darwin reported it was made.

Mr EVERINGHAM: I too would like to support this bill and mainly comment on the statements of the honourable member

for Port Darwin yesterday which, though short, cannot be allowed to pass unheeded. The legislation is proposing to extend to persons holding a private hotel licence, where the premises are situated on a reserve and where they are situated at least 30 kilometres by the shortest practical route from an existing publican, storekeeper or roadside inn licence, the right to sell and dispose of liquor in the same manner, to the same persons and subject to the same conditions as a publican could sell and dispose of liquor. If we look at the ordinance, we see that persons holding a private hotel licence are authorised only to sell and dispose of liquor to bona fide lodgers or boarders at the private hotel and only, aside from that, to persons consuming a meal at the private hotel during certain hours and as an ancillary to the meal. It appears that what has happened in the Ayers Rock reserve is that the Reserves Board resumed all the leases which had previously been granted by it and surrendered the existing liquor licences, one of which was a roadside inn or a publican's licence which permitted travellers to call in and have a drink. Since then, apparently, none of the persons who have managed to obtain private hotel licences in that part of the world - and I make it quite clear that the situation could exist on any reserve in the Northern Territory - have been able to obtain or convince a licensing court that they should be granted a publican's or roadside inn licence. It may be that this is because the standards expected today are higher than when the licence for a hotel at Ayers Rock was originally granted. Ayers Rock is an area of international tourist significance and you can hardly have people going there in the heat of central Australia and not being able to get a drink. This is what this piece of legislation is attempting to overcome.

Here we have the sinister overtones mooted by the honourable member for Port Darwin in what I would describe as a dangerous and irresponsible piece of humbuggery if ever I heard one. The honourable member implies that this legislation is practising discrimination when, in fact, it is widening and broadening the terms of the licence so that anyone driving down the street can pull up in front of these private hotels and walk in to obtain a drink. He says that it is a piece of law directed against the Aboriginal people. But Aboriginal people will be able to pull up in front of these places - and they cannot now unless they are going to have a meal or stay there - and just walk in and buy a drink.

The persistent pushing by the honourable member for Arnhem and I think also the honourable member for Tiwi has finally been rewarded in the amendment to section 36 which is now before this House. I certainly cannot see anything objectionable in adding this ground to the grounds of objection available to persons wishing to object to the renewal of storekeepers' licences. I support the bill.

Mr KENTISH: I rise also to support the bill. I think that both the points embodied in the bill are necessary amendments to the liquor ordinance as it presently stands. The first point is fairly well self-explanatory and needs little to be said about it; it is a matter of convenience to travellers who may find themselves in awkward positions in reserves and also a matter of convenience to licence holders who find difficult circumstances confronting them in the care of their guests.

The alteration to section 4 is an alteration that will apply all over the Northern Territory; there are storekeepers' licences all over the Northern Territory and it will apply in any place where a storekeeper's licence is causing undue disruption in the neighbourhood. There has not been adequate means in the ordinance for dealing with such a situation up to now. This amendment will give the opportunity for an additional ground for objection to a licence in all parts of the Territory and applying to all sorts of people in the Territory.

Mr POLLOCK: I thank members for their support of the bill. The matters which raised concern for the honourable members for Nightcliff and Port Darwin have been well covered by speakers this morning. However, one matter I just would like to comment further on was

that raised by the honourable member for Nightcliff, the general review of the Licensing Ordinance. I did answer a question yesterday morning about that matter and gave an assurance that we were doing all we could to have the liquor aspects of Territory legislation reviewed and reformed. One thing I did omit to tell her was that this is a high priority of the Majority Party. It is perhaps the number one priority after the constitutional development and Aboriginal land legislation which we must have prepared and passed through this place. After that comes the licensing review and, as soon as the staff is available to help us, we will get on with the job. There is no shirking the job as far as I and the Majority Party are concerned.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mrs LAWRIE: I appreciate the thought and consideration that the Executive Member for Social Affairs has given to my comments but I am still not convinced that it is a proper procedure by legislative action to extend licences in this manner without the public being able to enter an objection. I still do not have my doubts and fears resolved but I am extremely pleased to hear that there will be this long promised review of the Licensing Ordinance.

Clause 3 agreed to.

Clause 4 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

SEEDS BILL

(Serial 123)

Continued from 17 August 1976.

Dr LETTS: Honourable members generally have supported this legislation. The honourable member for Port Darwin spoke about it at some length and did offer some criticism and asked some questions. All of his remarks were of a very constructive nature and some of his suggestions have been adopted.

The honourable member for Port Darwin queried whether the definition of "seeds" under this bill would include other material used for propagation such as bulbs, tubers and corms. We find that it will not include such material but they would be covered elsewhere in legislation.

He raised a number of queries about the difficulties which might be experienced under the ordinance in terms of sampling material for laboratory testing and samples used by inspectors to see if it was true to type. I understand that he has had discussions with officers of the Animal Industry and Agriculture Branch who were largely responsible for this legislation and has been satisfied on this and other technical points. It is possible to sample seeds in bulk from bags and large containers without necessarily having to expose the whole of the contents of the container to the atmosphere. It is possible to take a small but sufficiently large sample without damaging the whole package.

The honourable member did draw attention to the effect of clause 7. He indicated that it would not have the effect that I had expressed in the second-reading speech: to apply it broadly to commercial sales of large quantities of seeds but to exempt from the stricter requirements of the legislation the small packets of backyard seeds which are sold through shops. I find that the honourable member was quite correct. The bill was incorrectly drafted and I thank him for drawing the matter to our attention so that the original objective may be achieved. We have produced some amendments to cover that particular problem. These amendments will remove the previous definitions of "exempted sale" and replace them by a more direct expression which will make it much clearer.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

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

Motion agreed to; the Assembly adjourned.

Tuesday 12 October 1976

Mr Speaker MacFarlane took the Chair at 10 am.

PUBLICATIONS COMMITTEE - THIRD REPORT

Mr POLLOCK: I present the third report of the Publications Committee and move that it be adopted. I seek leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

ALCOHOL PROBLEMS OF ABORIGINES - NT ASPECTS

Mr POLLOCK: I table a report, "Alcohol Problems of Aboriginals - Northern Territory Aspects". This is an interim report of the House of Representatives Standing Committee on Aboriginal Affairs.

I move that the report be noted and seek leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

STATEMENT - WATER SUPPLY

Mr PERRON: There is a growing movement of people in Darwin who advocate that excess water charges should be abolished for the household consumer. There seems to be some disagreement, however, amongst the advocates as to whether the excess charges should be abolished for everyone indefinitely or only for those people who move onto new blocks throughout the Territory and have to establish a garden. Some propose to limit the proposal to Darwin on the grounds that, as a result of the damage to trees and other vegetation by Cyclone Tracy, we deserve a concession in order to make Darwin a garden city.

The Darwin City Council has also been vocal in the past with persistent claims that special concessions should apply to the cost of watering ovals, parks and recreation areas which are maintained for the benefit of the whole community. Two other areas in the Northern Territory which have a good case to make for concessional treatment are Alice Springs and Tennant Creek. Both areas have severe dust problems, very absorbent soil and a low annual rainfall.

So many arguments can be presented for a reduction in the cost of water that it would be a difficult task to decide what areas should not have some form of concession. Should we favour Darwin and not Alice Springs, or new house owners and not those with established gardens, or sporting groups and not community organisations? To contemplate altering the existing tariff structure for any group or organisation, we must also consider the effects such action would have on other consumers. At present, we pay according to the amount of water used. In order to reduce the cost of water to one group, we must also increase the cost to another group. Unfortunately, we cannot increase the supply of water without incurring additional costs. Those who believe that, because the Darwin River Dam contains more water than we need, we should not have to pay for excess water are not being realistic. The cost of a water supply does not relate to the amount of water available but to the amount of water consumed and how far it has to be pumped. Even if the Darwin River Dam had twice the storage capacity it would make virtually no difference at all to the costs incurred. We are not really paying for the water itself; we are paying to have it stored and delivered.

Only about 3% of the annual expenditure in the Northern Territory Water Supply Undertaking is attributable to administration. The other 97% consists of operations, maintenance, depreciation and interest. Operational costs to pump water increase dramatically as consumption rises and it is therefore in the interest of all of us not to encourage the wasteful or excessive use of water. In making that statement, I am not inferring that watering gardens is wasteful. I merely point out that we should be wary of creating a situation whereby consumers have no incentive whatsoever to limit the amount of water they use. Experience shows that, when

water charges are not based on consumption, people often do not bother to replace leaking tap washes or even fix broken lines. We must bear in mind that a dripping tap wastes over 4,000 gallons of water a year and a water sprinkler left on continuously can use up to 1,600,000 gallons of water a year.

When excessive and wasteful water usage is reduced, it is sometimes possible to defer large capital expenditure on new or modified works with the resultant saving in costs. The pumping capacity at the Darwin River dam is about 18 million gallons per day. The average consumption during September was just under 15 million gallons per day and reached a peak of over 16 million. It is interesting to note that the consumption for Darwin for the first half of this year was 25 per cent above the same period in 1974 when we were presumed to have had a similar population. At the present rate of growth, the more expensive smaller pumps at Manton Dam will have to be used to augment peak supply next year, and in the near future additional pumps will have to be installed at the McMinn pumping station if we are to avoid water restrictions in the peak months of August and September.

Another misconception is that the installation of meters and paying people to read them costs more than it saves. This is not the case. Meters are read by staff who have other duties as well, and the amount which could be attributed to meter-reading in Darwin is about $12,000 per annum. Even if meters were not installed, it would still be necessary to have an insepctor to make regular checks on areas where water might be running to waste. It is therefore unlikely that money would be saved at all. The meters themselves cost approximately $20 each, and have a life expectancy of 15 years. It works out at about $1.32 per year.

If we take a lesson from D.A. Hearne's book "Trees for Darwin and Northern Australia" or the publication "Tropical Gardening in Darwin" produced by the DRC, we find that a lot of water is wasted by poorly designed sprinklers and oversaturation of the soil. It is anyone's guess how many millions of gallons run to waste down gutters from sprinklers that are left on continuously. A well-nourished lawn should only require 30 to 40 minutes of watering every 5 to 7 days, according to the DRC publication. Water that saturates the soil below the root zone is useless to plants and runs to waste. It appears that the water we use on our gardens can be used more effectively if a planned approach is adopted using modern watering systems and plant nutrients.

Consumption figures show that 60% of consumers use the current basic allowance of 110,000 gallons or less. A further 33% use between 110,000 gallons and 220,000. If the basic allowance was raised to say, 150,000 gallons, the basic charge would also have to increase to compensate for revenue loss which was formerly paid for by excess users. This could be against the interest of 60% of consumers who currently use the 110,000 gallons or less. In closing, I stress the need for a sensible and informed approach to any proposal for restructuring the water supply tariff, which stands at the moment at 46c per thousand gallons for the basic allowance and 68c per thousand gallons for the next 220,000 gallons.

Dr LETTS (by leave): I move that the statement be noted and ask leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

CONSTITUTIONAL DEVELOPMENT PAPERS

Continued from 7 October 1976.

Dr LETTS: In my earliest days in the Northern Territory, I developed a keen interest and a deep faith in both its resources and its people. Coming here as a public servant with, as I thought at the time, only a short-term interest, I was bitten by the place as so many are. My work took me to all corners, to places like the Cobourg Peninsula which is steeped in history, places that make one want to learn more of the history of the region and make

one wonder why it had not had a happier history. One looked back into a long saga of unfulfilled promise, from the settlements at Cobourg and Escape Cliffs, through to the sugar plantations of Delissaville that failed, through the decimation of the cattle industry by ticks and pleuro-pneumonia, through the Commonwealth takeover and the Gilruth chapter, through the shameful neglect of the Northern Territory between the two world wars, through the changes of policy - particularly land policy, through 180 degrees - with successive changes of federal government, and one found a story of go and stop, of hope and failure, of many personal and collective tragedies. And always in the background was the factor of remote administration, remote control - "Big brother knows best".

As a Commonwealth public servant for 13 years here, I had a good look at the system from the inside, and it was a bit of a shock. Responsibility was in the hands of ministers whom we saw briefly, once or possibly twice a year, ministers who made decisions on matters as trivial as signing the appointment documents of junior field officers they had never seen and of whom they had no personal knowledge. Then there were the permanent heads who came here once a year if they were lucky - sometimes not at all during the course of a year - and whom nobody locally ever saw or knew. And the day-to-day decisions affecting the lives of the people were, as they still are, in the hands of senior public servants with no answerability whatever to the community.

Taking an early interest in what passed for the local legislature in those days, going back to the "7 to 6" days, I sat whenever possible in the public gallery of this Chamber. I heard locally-elected people whom I respected deeply, like Ward, Brennan, Drysdale, Withnall, Kilgariff and many others, repeatedly calling for a greater say in our affairs. I knew in my heart that these were the voices of truth. They were echoing voices that had come down to us through the ages, from early civilisation, the voice of man demanding a say in his own affairs through democratic processes - not as a lust for power, but as a right.

Even in the Territory the call was not new. I find that in 1918 the mayor of Darwin was locked up in Fannie Bay Gaol because he would not pay his taxes without some say in the running of the place. Anyone who has lived here for a reasonable time, who has a piece of land, a house, has perhaps raised a family, who has a stake in the Territory, has felt or seen at some time or other the cold hand of remote administration and knows of the archaic policies and the protracted or arbitrary nature of many decisions.

It was disenchantment and disrespect for this system which made me get out of it and join forces with elected people who, irrespective of policical colour, were working for constitutional reform.

Through 1971/72, when I picked up this long saga which others had been working on for years, we ran the gauntlet of interdepartmental committees and delegations to Canberra, culminating in the offer of the transfer of some executive powers which the Legislative Council of the day declined to take up. We then witnessed a period of greater fragmentation of administrative control than ever before; we became the centralists' playground. I make the point that there are plenty of centralists in both major political parties in this country and also that, for some reason, federal members seem to take a special brand of superiority unto themselves.

Now we have another move towards the transfer of executive power and some of the reasons advanced against the proposition which was offered in 1972 could still apply today. For example, some might say that we have just enough responsibility, including some troublesome areas of special difficulty, to get us into trouble; or they might say that, without the control of land and major resource elements, you have nothing worth while to administer; or they may ask what guarantees there are that legislation which is passed here will always receive assent. If those queries were valid in 1972, and they probably were, we must take into account that there have been some changes from that position. We now have

a fully-elected Assembly and Administrator's Council which was not promised then. Since then, we have had the Joint Parliamentary Committee Report on the Northern Territory, setting out some pretty sound guidelines in a number of the major matters to be considered. There are changes that have already been made to the Northern Territory (Administration) Act and which are awaiting assent. Within the past 2 weeks, there was a Cabinet decision which goes beyond any previous decision. Let us have a look at that.

In the Minister's first statement, in paragraph 1, he told us that the Government had agreed to an initial transfer of a significant number of functions. The second paragraph reflects the Government's commitment to progressively transfer executive responsibility to the elected representatives of the Legislative Assembly. The third paragraph speaks of the interdepartmental committee; I will put that at one side for a moment and come back to it at the end. The fourth paragraph is a very important one where it is laid down that the Department of the Northern Territory and the Minister for the Northern Territory will be responsible for the coordination of all Commonwealth activities in this region. The fifth paragraph refers to the desire to proclaim the recent amendments to the Northern Territory (Administration) Act and to make consequential amendments to the Territory legislation here, and also to the need for the passage of a revised Public Service Ordinance and amendments to the Australian Public Service Act to safeguard the rights of Commonwealth public servants affected by the transfer. The final paragraph refers to the Government's commitment to an evolutionary process to achieve greater autonomy. There is a bit of padding and fluff that one usually finds in these Canberra press releases but, if one picks out the key phrases, one realises that it is a very significant statement of the Government's decision and that the material in it is virtually all consistent with the Joint Parliamentary Committee Report.

I know that there will be reservations in many minds about the interdepartmental committee. Most Northern Territory people regard such institutions as being, as the honourable member for Ludmilla might say, as useful as the tits on a boar pig. However, I believe that we should not prejudge this particular institution, because it has a difficult task to perform. One of our major tasks will be the setting up of a Northern Territory Treasury and an examination of the legislation and other things involved in that. At the moment, we just do not have the resources to handle that job. If the interdepartmental committee can assist us by providing those resources, it will have performed a useful function. I know that, until they have proved themselves useful, there will be doubts and criticism.

As a brief announcement, the Minister's first statement left many things unsaid and some questions unanswered. We will turn then to the second statement which I tabled in the name of the Minister and myself to see if there are any further details there. This statement gave the list of actual functions to be transferred in the initial transfer and provided the target for the first transfers by the end of this calendar year. It gave stronger reassurance than the first statement of the full protection of the rights of individuals affected by the transfer, both public servants and members of statutory bodies. I hope that the third statement which I tabled last Thursday, although prepared in haste, had some more useful information for members of the Assembly.

The first subheading in that statement dealt with the range of functions and table of functions to be transferred. I am now able to provide some further amplification of that table because I sought clarification of the Cabinet decision as it applied to that list. I can tell honourable members that weights and measures legislation and administration are included in the transfer as part of the consumer protection area. Recreational matters are included in relationship to grants for community activity, and motor vehicle registration, which is linked departmentally with local government, is also intended to be in that first transfer list.

The last paragraph under the subheading "The timetable" says that, in the case of water, sewerage and electricity services, further discussions with the Government will be held to clarify certain financial aspects. I will be dealing with this in more detail in a moment when I come to financial aspects but honourable members will be aware that there is a current inquiry into the operations of these services, or in particular into the electricity service. They are aware that there is an accumulated deficit situation and it is, we believe, only fair to this Assembly and the people of the Northern Territory to have those matters clarified before the final decision and target date on that is mutually agreed.

As far as further transfers are concerned, the job of the consultative committee is to work out the timetable and it is my intention at least that, when that timetable is worked out or varied from time to time, it will be made available for public information. I thought I had it with me but I believe that I omitted to bring it - a question which was answered on behalf of the Government by Senator Webster in the Senate last week on this very matter. The question was asked by Senator Kilgariff and, in answering, Senator Webster said that an indicative timetable would be drawn up, but it was only to be considered as a broad guideline and that the actual rate of movement into constitutional development would depend on the public reactions which came at various stages to the changes made.

The third subheading in the paper which I prepared and tabled last week, is "Financial aspects", and, as the paper indicates, one could summarise the financial aspects as set out there in the words "business as usual". The estimates have been prepared and are passing through the Federal Parliament for this year. Apart from the usual supplementary estimates and variations, they will stand, and the various branches of the public service and the statutory bodies will work within those estimates. But there will be major changes arising between now and next August.

The statutory bodies' and the branches' financial estimates previously went up through the ranks of the public service, through the First Assistant Secretary in the Department of the Northern Territory, up through the Deputy Secretary, up through the permanent head of the department, and finally on to the Minister for the Northern Territory. This will no longer be the system as it applies from the date of transfer, from the end of this year. The senior officers of the statutory authorities and the branches which are transferred to us will work directly to the Executive Members who will have some of their own financial advisers in the matter. For example, the Commissioner of Police will work directly to the Executive Member responsible in that area for the preparation of his estimates. The Executive Members will bring their estimates together in a cabinet-type formula for a total revue of Northern Territory requirements; and then the Executive Member for Finance, probably with the Majority Leader, will have the job of going to Canberra to see the Minister for the Northern Territory and the Treasurer, finalising the final stages of the estimates, in exactly the same way as Papua New Guinea did when it was proceeding on its march towards independence. Then we would hope that those financial details will be shown to a large extent as one line in the next Federal Budget, and the details of them will be developed here in this House by the Executive Member for Finance who gives his own budget speech for the first time on budget day next year.

I would like to spend a couple of moments on this area of finance, as there seems to be a good deal of confusion. Take, for example, the particular point raised by the honourable member for Nightcliff in a recent article in the Darwin "Star" when she asked about the effect of the proposed transfers on the cost of, say, electricity supply. As I mentioned before, we know that there is an accumulated deficit which has not yet been met in charges. It goes back before the time of the present Government and before this transfer was mooted. Thus, the Federal Government will have to make a decision

either to pass this accumulated loss on to the user or to write it off or to do something in between. This decision will have to be made with or without the transfer of functions and to try to suggest that they are interdependent is really not fair. As far as I am concerned and other members are concerned, we will not accept executive responsibility in such areas without satisfactory answers and arrangements being made.

There are some other people who seem to demand broader financial guarantees from the Commonwealth. What are these guarantees which they ask for? Have we ever had any? Back in 1910, the Commonwealth undertook to build the north-south railway but where is it? They are busy closing down the little bit of it that they did build. In 1969, the Commonwealth promised $20m for redevelopment in the port. Where is it? There were plenty of broken promises by the Commonwealth before and after that. The fact of the matter is that, as things stand now, with no executive functions transferred, the Commonwealth can do as it likes financially in the Northern Territory. There is nothing to guarantee the additional injection of funds. And there is always the risk of go slow or stop policies as the Territory saw for 25 years between 1915 and 1940. If it had not been for the war, we would not have seen the things about us that we see now. The Commonwealth has only to sit on a static level of funding for 2 or 3 years and costs, tied up with inflation, will ensure negative development. Our failure to accept executive responsibilities would not stop that. Are our memories so short that we have forgotten the unilateral decisions on the closure of the railway, the deferrals in the Works Program in 1975/76, the troubles with the Home Finance Trustee funds, the delays and unsatisfactory decisions on aid to pastoral industry - all of those by the great Commonwealth financier? At least, on the transfer of functions, the Treasurer will have to talk to us; he will not be able to escape that.

I do not take a great deal of comfort from any guarantee just to rebuild Darwin. There is not to my mind much future in an articicial town of 50,000 people here on the seaboard if there is a picture of stagnation behind it in the pastoral, mining and tourist industries. It will not take long for the well to run dry if that is the best on offer.

And what about the cost of not having a say in our own affairs; what about the waste of funds at present? In my own electorate recently, the financial foolishness represented by the false start on the Timber Creek town plan, the Hooker Creek sewerage scheme which was a fiasco, the overdone Pine Creek hospital and, most recently, the Batchelor education mess - all show mismanagement running into millions of dollars. That is in one electorate in recent years. Add to that the Tea Tree school and other prime examples. Let us not be too modest about it, we could do as well or better with what is available.

The broad financial guidelines are laid out in the Joint Parliamentary Committee Report and the Government has accepted those. They are on page 57 of the report, running over to page 58. I would not want to bore the Assembly by reading them - I apologise for not showing it to you before, Mr Speaker, but I am sure that you are very familiar with these two pages - I seek your leave for the incorporation of page 57 and a portion of page 58 dealing with financial recommendations in Hansard so that the financial guidelines will be incorporated with the statement.

Leave granted.

84. The total funds made available to the Territory could be divided into:

(a) funds for the Department of the Northern Territory to administer the "state-type" functions retained by the Australian Government. Of the expenditure estimated for 1974/75 (see paragraph 77), about $130m is in respect to Aboriginal affairs, police, education and health only, these being major functions for which the Australian Government will retain expenditure

responsibility. The arrangements for the provision of these funds would be as outlined in paragraph 78; and

(b) funds for the Territory executive to administer the "state-type" functions transferred to it. The provision of these funds could appear as "one line" in the Australian Government Budget. As indicated earlier, this amount would be the result of prior detailed negotiations between the Australian and Territory Executives.

85. The Committee recommends that:

(a) the Australian Government provide revenue grants of an amount that would enable a Territory Executive to provide services related to its functions at a standard broadly similar to the States provided the Executive make a broadly similar effort to the States in raising revenue and controlling expenditures; and

(b) the Australian Government provides general purpose capital grants and specific purpose grants to the Territory on a similar basis as such grants are made to the States.

Dr LETTS: These broad guidelines, of course, do need further refinement and the Executive Member for Finance is in fact going to Canberra for a couple of days at the end of this week. His main task is to deal with the Treasurer and Treasury officials in seeking refinement and clarification of some aspects of the financial arrangements. I can assure you, Mr Speaker, that when we have further details we will be reporting to this Assembly.

The last part of my statement dealt with the public service aspects. I have not a great deal to add to this at this stage. I dealt the other day, I think at question time, with a Northern Territory News reference to the fact that discussions should have taken place with public service associations or unions before the drafting of the bill started. I corrected that misapprehension at question time by saying that discussions had taken place and that the drafting of the bill had not started. In fact I hope it will actually start today. I would have thought that the newspaper would have had a responsibility to make some correction there, seeing that it was contained in an editorial, but be that as it may.

I repeat that guarantees of safeguards of the rights and entitlements of public servants have been given. The actual details of those will be spelt out in legislation, in an ordinance which will be introduced in this Assembly. Before then, of course, there will be final discussions with those most affected. Then there will be discussions during the course of its passage, both with members of this Assembly and anybody else who has anything to offer on the matter.

As far as the Executive is concerned, that is to say the Executive Members of this Assembly, I have in a small final paragraph indicated that re-arrangement of executive positions will be necessary. I envisage that the Government will probably wish, in its implementation of the Northern Territory (Administration) Act, to preserve the same kind of arrangement as it has at the moment under the act: that is, to have an Executive, in the sense of members of the Executive Council, of 5 members. This will mean that, if we are to continue with the full cover that we have now we may have to make other arrangements as we do at the moment with respect to any other Executive Members over and above those 5. At the moment, those other 2 Executive Members are only recognised in our standing orders and that would probably be the case in any new arrangement that comes in under that act. The matter is still under consideration by me and I am discussing it with the Minister as the representative of the Government. I am not yet in a position to give any further clarification on that point.

I believe that if we take this opportunity for transfer of executive functions, we will be well on the road away from colonial administration; in fact,

we will be past the point of no return, bearing in mind that there are something like 900 personnel and a budget of some thing like $60m involved in this transfer.

Those who do not agree with our aims for constitutional development come in various shapes and forms. For example, there is some political opposition, which is unfortunate, in relation to what should be a truly Territory cause. The usual arguments raised by political opponents depend on financial bogymen and on the fear of the unknown. Such arguments show an ignorance of the nature of state-Commonwealth financial relations. Others who doubt or oppose the move include some short-term residents who have anxieties about transferring back into the big world below and going into some other public service up here may alter their plans and hopes. There are possibly greedy people who are content to take their regular percentage rake-off from the pay packets of public servants and other workers up here. To those people, I say that the Northern Territory has no future if we only see it as a gigolo supported and fed by the painted lady Darwin, content to take whatever our Canberra protectors dish out in policies and decisions.

The matter of a referendum has become something of a call - that is, if red herrings can call. What question would you ask in a referendum at this time? About the only sensible question you could ask is: "Do you want Canberra to have all the say?" I suggest that the answer to that in the Northern Territory would be a resounding "No". The second question might be: "Do you want to have a greater say in your own affairs?", and I would suggest that the answer would be a resounding "Yes". That is really the level we are going into at this time. Surely experience arising from this first step becomes the basis from which we ask further questions some time in the future, the final question being: "Do you want total control and total responsibility and in what form?'.

The proposed initial transfer will come before this Assembly again when the legislation to put them into effect is under debate - changes to the Public Service Ordinance, the Police and Police Offences Ordinance and to the numerous other ordinances which will require small alterations. In the meantime, I would like to make it clear that, on this subject, there is an open door to my office - first to all members of this Assembly to consult with and or advise me, particularly to the independent members. It is open to representatives of the public service unions and any other unions which would like to talk to me, it is open to representatives of business and to members of other political parties with differing views to mine; and also to the media. I would be happy to give whatever time I can to discuss, to hear criticism, to try to clarify points. I probably will have to call on the assistance of some staff in order to help me to do this. The point is that, if we approach this project with good will and cooperation, we can and will make these transfers work.

Mr WITHNALL: Before I deal with the tabled statements, I would like to make some general comments and deal with the current use of the expression "statehood in the Northern Territory". Anybody who uses that expression does the cause which I and the Majority Leader support a good deal of harm. What we can obtain now, and what we can gradually increase as time goes on, is a regional government which is not a state of the Commonwealth of Australia. The way to statehood proper is strewn with so many obstacles and pitfalls that the achieving of statehood by a territory or by any part of an existing state is almost impossible.

Reading the Constitution, I am bamboozled as to how the Northern Territory could become a state. Making it a state would be opposed by the existing states and obviously it would be opposed by the public servants of the Commonwealth who would see a good deal of their functioning taken away from them. That is a criticism that I have made of every Commonwealth government since I have been talking about this subject. The Commonwealth Government and the Commonwealth Public Service have never really understood the meaning of the word "federal". They have

never really understood that a federal government deals with the organisation of people and it has no land base from which it works. Where a federal government is successful, it never administers land; it administers certain fields of legislation and social control but it never administers land. Neither the Federal Government nor the public service have really settled down to understand that - because they have always had the Northern Territory as a sort of playground where they could satisfy their instincts to deal not only with the organisation of people in the society but also the organisation of functions outside the truly federal sphere.

I welcome the decision of the Government, I welcome the proposals as made, but there are, of course, as one must understand, many disappointments. The package deal, if I might call it that, which has been handed out by the Commonwealth Government and which is under debate at the present time is a lot less than I proposed in a select committee report in 1957. That report proposed the creation of an executive council, and indicated in broad outline the sort of fields which we thought then would be appropriate to be handled locally. I am very disturbed, as I have already indicated, that there is not to be at this stage - and I doubt whether at any stage - a control of land by the local regional goverment. Control of land seems to be to me one of the essential things to government if you are talking of government on a regional basis. It is not essential to the federal idea and most essential to the regional idea. I think that one of the more serious omissions in the deal that has been outlined by the Majority Leader is that this Legislative Assembly, fully elected as it is, having after this plan is put into force an Executive drawn from it, is still not to be trusted with assent to its own laws. The power of veto still lives, the power of non-assent is still being used. That is a quite disgraceful situation, that the Federal Government should insist that, while we may make laws on these subjects and while we may administer laws within the field indicated in these papers, we are not allowed to control the assent to those laws. We still have to have a big brother standing over us. It will be pointed out that the states of Australia, the colonies of Australia before federation, were still legislatures in which the law they made might be disallowed by the Queen. But I would like to point out to honourable members that the Queen I think did not deal with any such law. I think the last time there was a law disallowed was in 1893.

I plead, therefore, with the Majority Leader and the Minister and with the Federal Cabinet, to come out into the open and to say unequivocally - and they can do it without altering the law - that where a subject matter is within the competence of this Legislative Assembly and where it is a matter to be transferred to the local executive, then they will observe the convention that the Administrator, or whoever performs his office, will assent to that ordinance without any interference and without any reference at all to the Minister, to the public service of the Commonwealth or to the Governor-General of the Commonwealth of Australia. I plead with the honourable member to take that to the Minister immediately because it does him a great deal of disservice and it diminishes the stature of this Assembly in the eyes of the public and the Commonwealth of Australia if that situation is allowed to continue.

Although the honourable member has some cause for optimism, I suggest there is still room for a good deal of pessimism. The extent of the powers to be transferred is in my view minimal. It is not a list which has been drawn up on any principle at all, except on the principle that the powers to be transferred were all that could be prised out of the federal departments from whom they are to be transferred. I warn the Majority Leader that there will still be a very strong departmental resistance to any erosion of any department's authority and scope of activity. No public servant likes to see any authority which he has taken away. The origin of that dislike is twofold. First of all, he fears that it may result in the diminution of his functions and therefore of his salary and, secondly, because it is in the

nature of mankind, and particularly in the nature of senior public servants, that the exercise of power is something to be desired in itself. I ask the honourable member to understand that future difficulties may very well spring from departmental resistance and that is the level on which he must attack the problem.

So far as financing is concerned, the honourable member said in his statement that final negotiations as to the Northern Territory budget will be between the Executive Member for Finance, the Majority Leader, the Minister for the Northern Territory and the Treasurer. May I point out that I have not the slightest doubt that the figure which will be given to him and to other persons present at any such negotiations will have already been determined by the Treasury without discussion with the honourable member's office. Members of the public service who compose that department will have made the decision and will have handed it to the Treasurer, and indeed to the Minister, before this conference ever starts; at that stage you will find it pretty cut and dried. The problem will be to see that somewhere or other the authority of members of the local executive can be exerted at a stage prior to the matter being determined by the relevant department and having the seal of approval put on it by Treasury.

While I welcome the move, I must express my regret that the powers to be conferred on the local executive are so small and relatively unimportant. I am delighted to see that police control is to be handed over to the Northern Territory because I do not think that there is anything more intimately bound up with the life of a community than its police, and I have always had the view that police should be recruited and controlled locally. This was the case, and still to a great extent is the case, in Great Britain where police were controlled, not for Great Britain, not for England or for Ireland or Wales, but by the local counties. All police came from the counties themselves and they were controlled locally by persons drawn from the counties. The decision to transfer police to local control is one for which I can offer the honourable member and the Minister my sincerest congratulations. This is a step in the right direction and it does involve some real authority in the new executive to be created.

My congratulations are of course necessarily dependent upon everything that has been said in these statements going forward in the manner in which I hope that they will go forward. But there is still a good deal to do. I urge the honourable member to look askance at this proposal for an interdepartmental committee. Interdepartmental committees are the invention of the devil himself. If you want to make sure that some proposition goes a very little way only, then you refer it to a departmental committee. Not only is it an unwieldy body, it is a body in which there will be so much dissension and so much ...

Mr Everingham: Axe grinding.

Mr WITHNALL: ... so much axe grinding that the object of the interdepartmental committee will never really be obtained.

I thank the honourable member for the opportunity to debate this matter and I trust that any future effort in the same direction that he makes, or that members of this Assembly make, will meet with an even greater reward than this represents.

Mrs LAWRIE: It is difficult to speak to these particular statements because I do not have the detail which I would like to have. We have to speak to a series of statements which amplify what we have expected for a long time, the initial transfer of powers to the Executive Members of this Assembly. I would have liked more time to study the statement that the Majority Leader made this morning because he did amplify some areas in the written statement. A more useful debate will ensue in this House when we debate the setting up of the Treasury, the funding of the so-called embryonic new state, or whatever title it may be given, and the setting up of the public service. It is difficult to have a rational debate on the simple transfer of some powers without knowing the consequential

things which will enable the Executive to operate for the betterment of the Northern Territory.

Members have spoken of the need for assistance to the cattle industry and the agricultural industry and there have been debates on the paucity of services provided by the fire brigade and the police force through the lack of funding over many years. We have had select committees into the prison services, the fire service and the McKinna Report on the police service. Welfare services in the Territory are woefully deficient. All these things need to be upgraded. My concern is that the present Prime Minister and Treasurer, and I speak of them in particular and not the Government as such, are anxious to hand over to the states and to the territories areas which cost them money. Therefore, it will be of the utmost importance for the Majority Leader, the Executive Member for Finance and Community Development and their colleagues to ensure these areas are will upgraded because they cannot be upgraded if the funding is to come from the taxpayers of the Northern Territory.

Obviously, there are great advantages in decisions being taken on the local level where those decisions affect the very life of the people concerned. There have been some incredible decisions by many governments at a federal level which have affected Northern Territorians and I think the Majority Leader would be one of the first to acknowledge this. Stupidity, when decisions are taken 2,000 miles away, is not the prerogative of any particular party; it seems to spill over the lot, and a lot of the blame must be laid at the feet of their advisers who have no electoral responsibility to the people here. So having local decision-making at a political level is a significant advance. Of course, it is a double-edged sword: Executive Members are going to have to cope with living with the decisions they make, and they have the added burden of having to make these decisions at a time of severe budgetary restraint.

One of the problems with this Assembly is that, because the vast majority of the members are of the one political persuasion, it appears that some of them, in good faith and quite honestly, believe that a similar statistical group of the Northern Territory support everything they say and do. That is not so, and I am not talking about simple political divisions now, where one can say 60% at the last elections voted Country-Liberal and 40% voted ALP, and a small percentage - intelligent ones - voted independent.

Mr Everingham: That's only a matter of opinion.

Mrs LAWRIE: Yes, it is a matter of opinion. My fear is that the present Country-Liberal Party are not aware generally of some of the areas of concern abroad in the general community. Some of them are but they are presenting a party political face, as they must, But some members do seem to feel that because this Assembly is 17 to 2, and on many occasions 18 to 1, the population of the Territory is similarly divided, In good faith, I advise the Majority Leader that concern has been expressed to me - not on party political lines - but general concern, as to how the Territory will continue to be funded.

It is not possible to say that, because of a transfer of local powers, X amount of money will be cut off. No one knows, and it is this uncertainty which is causing some of the fears. It is not possible for the Majority Leader and the Executive Member for Finance and Community Development to say either, because they realise, as we all must - we cannot kid ourselves - that the decisions on the level of funding are still going to be taken in Canberra, They must present a very good case - one would hope they will because their particular star will rise or fall with it - but still the decision as to the continued development of the Territory will be taken in Canberra.

There were statements made in a newspaper some time ago regarding the closure of the North Australia Railway which made one feel that the present Government, in this financial climate, is not as committed to expansion in the Northern Territory as we would like. It

would not matter if the majority in this Assembly were 17 to 2 in favour of the ALP, the people elected to this place will do the best they can for the Territory. However, we are still at the mercy of Canberra for funding. I point out that the state premiers have grave reservations about the new federalism policy which does not augur well for us.

As a Territorian, and as one who has no intention of ever leaving the Territory, I wish every success to the Majority Party with this initial transfer of powers but it is my duty to point out that there is little else one can do on a debate of this nature. As yet, we do not have specifics as regards the Treasury, the funding, and, very importantly, the public service of the Northern Territory. Until we have those specifics, this debate can only be general and self-congratulatory. Last week, I asked the Majority Leader if he could advise whether the people transferred from the Commonwealth Public Service to the Northern Territory Public Service, who have been assured they will retain their rights of advancement in the Commonwealth Public Service, will be a separate breed of people from the present Northern Territory Public Service people who do not have those rights. The answer was not forthcoming because no one knows. It is subject to drafting of particular legislation and, until that legislation is drafted and presented, we really do not know how smoothly and how well this Assembly can operate. At the moment, we can only wish each other good luck.

Mr TAMBLING: The announcements that have been made in the last few weeks are major steps forward for this Assembly and for the Northern Territory.

In the federal election campaign of late last year, there were a number of announcements made that really took up what should have happened 2 or perhaps 3 years earlier but the Labor administration chose not to do so. The only significant benefit that was given to the Northern Territory by the Labor administration was the creation of a fully-elected Legislative Assembly. But then, because of a number of compounding reasons and their own basic inefficiency and lack of intention to do anything, they did not compliment this Assembly with any degree of autonomy or power. The policy statements put forward by Mr Fraser and other federal ministers last year set out clearly that it was the aim to achieve a maximum degree of autonomy for the Northern Territory in the shortest possible time and the principle of the Joint Parliamentary Committee's Report was accepted by the Liberal and National Country Party even though the JPC had had a Labor majority on it.

I would like to comment on some of the points that have been made by both the honourable member for Port Darwin and the honourable member for Nightcliff. In dealing with finance, the honourable member for Port Darwin seemed to be sceptical about the way in which we will be dealt with by Treasury. He seems to feel that we are going to attend meetings and be given a gross financial figure within which to frame our priorities. I do not accept this because, whilst in the past the Northern Territory may have had to go along with a shopping list and be told what was available in the store, the decision-making is now changing from a system of public servants going to Treasury and then putting a final paper of endorsement before the Minister. The discussions are now going to take place earlier and the final decisions will be between politicians of this Assembly and the Federal Government.

The Joint Parliamentary Committee's report was very explicit in that its recommendations said that the Australian Government would provide revenue grants that would enable a Territory executive to provide services related to its functions at a standard broadly similar to the states provided the executive made a broadly similar effort to the states in raising revenue and controlling expenditure. We will certainly be able to do that. The authority of Executive Members will be able to be flexed in so much that budget and local cabinet decisions will be made much more quickly and will be more responsible to electoral representation or the needs of a particular community.

The honourable member for Nightcliff seems to want everything given to her first rather than working to get it. She seems to have no trust and no faith in a system of parliamentary government or ministerial decision making. I do accept that there are going to be lots of problems; it is not going to be smooth going or easy. I am not afraid to live with the decisions that we make here as an executive. I am not afraid of the make-up of this Assembly being so strongly one-sided at the moment. It would make no difference if the majority in this House was a majority of one. The same decision would be made in that the Majority Party would have the major say.

What is important is that the consequences of budget priorities will be able to be measured at the electoral box. The honourable member for Nightcliff seems to be confusing two things. She seems to be confusing the intent of the Majority Party at this time to take the Territory to this important step of constitutional development and she seems to be making the very important mistake of confusing Treasury and financial principles with those of social legislation. Whilst there are important links for administering social legislation subsequently by a government, the legislation itself, which is very often a reflection of party political policies and programs, is not necessarily the same as the administration of the financial side of things that have to be carried on from time to time.

I am rather surprised that the honourable member for Nightcliff does not seem to be fully aware of the manner in which the states and Commonwealth financial arrangements are carried on. We have to face the fact that it is a completely new ball game. I believe that it is very important that civic leaders of whatever political persuasion be very careful of the press reportage of what they are actually saying. It is very easy to engineer fear in the community. It is very easy to create a questioning as a result of ignorance. I would rather the honourable member for Nightcliff be much more positive in coming out and stating where the state and Commonwealth arrangements are weak, or where they have strength for the Northern Territory. If she needs help in this regard, I am sure the Darwin Community College would be pleased to accommodate her in their courses.

The honourable member also referred to the fact that state premiers are concerned over the new federalism policy, Again I think she is being a little bit muddled in what she is reflecting. I do not think there has ever been a time when state premiers and state treasurers have been totally happy with what the Federal Government has been able to make available in carving up the cake. The important point is that the Federal Government's new federalism policy is framing up a much fairer basis to enable state governments to distribute the priorities within their states. This is exactly the same situation that we will have in the Northern Territory. We will be able to go ahead with local initiative in all our development policies. It is our duty to create an opportunity for the Northern Territory community to have a major say in all the important aspects of government, both financial and as far as legislation is concerned.

Mr EVERINGHAM: I rise to congratulate the Majority Leader on the considerable amount of work that he has put in personally - as I know - in getting this Legislative Assembly and the Northern Territory this far on the road to constitutional development. Whilst I congratulate the honourable Majority Leader, I must also pay tribute to the men who went before him, those men he mentioned himself in his remarks earlier this morning. The honourable member for Port Darwin has played his part. The former member for Ludmilla in the Legislative Council, now Mr Justice Ward, has played his part - and there are other men who have worked very hard to see the Territory get to this first stage on its road to eventual self-government, whether it be called territorial or regional or state self-government. What's in a name? So long as you have the control, that is what counts.

We have heard the honourable member for Nightcliff talking about money. When the people in an area like this

are unable to raise the amount of money they require to provide adequate services for themselves, they will always have to go cap-in-hand to someone else. While I am quite sure that the Executive Member for Finance and Community Development and the Majority Leader will both endeavour to negotiate the firmest possible financial contract that they can with the Federal Government before going too deeply into self-government, whoever is providing the money has at least some measure of control. Mr Bjelke Petersen and Sir Charles Court have found that, whether they like it or not, if they want to build a railway from Port Hedland to Townsville, if they want some money, they have got to go cap-in-hand to Canberra to get it. Those are just the financial facts of life and wishful thinking by the honourable member for Nightcliff will not alter them.

I am at one with the honourable member for Port Darwin in his grave distrust of the Commonwealth Public Service. I do not say that of any particular member of the Commonwealth Public Service but of the men at the top who obviously want to maintain the system as it is. He and I certainly agree that there is no requirement for the Federal Government to be interfering in matters of land, and of course they cannot do so elsewhere. The only place that they can do it is in the Northern Territory and the reluctance to transfer control of land to the Northern Territory Executive is in my belief fostered by public servants to ministers. I am certain that one of these days we will get it but it will be a long, hard fight to get control of land.

In relation to matters of speculation on the public service structure in the Northern Territory, no one can say in any great detail how the interchangeability between the Commonwealth and the Territory Public Services will take place. To me it just seems a matter of common sense: if you join the Commonwealth Public Service and you are seconded to the Territory Public Service, or you agree to go into it for some reason, then surely you should be able to get out of it at some later stage. But if you join the Territory Public Service, that is a different matter. You have chosen for yourself to join the Territory Public Service which, so far as I can see, is in no way inferior to the Commonwealth Public Service; it will have the levels and rungs to go up; it will have under-secretaries and it will have secretaries and all the rest of it in due course. It will be a satisfying and challenging career for young people who are citizens of this Territory and who want to stay here and give their best to this Territory. Although we have a large transient population of public servants at present, I hope that this will gradually drop to a much lower level and the Territory Public Service will become the major service in the Territory.

I once again congratulate the Majority Leader. He has done pretty well to get us this far in the fairly short time since the government of our political persuasion took office. It does not necessarily follow that, because they are our political friends, they give us everything we have been asking for. We all know that it has been a hard fight. It will continue to be a hard fight and I hope that the Majority Leader does not weaken.

Dr LETTS: I am getting a little older every day and a little more feeble no doubt, but I will keep going until at least after Christmas. I would just like to be here to burn our birthday candle or whatever it is.

The honourable member for Jingili has covered some of the points which I intended to cover in reply and I thank him for his remarks. It was Shakespeare who said, "What's in a name", followed by S.J. Dennis followed by the honourable member for Jingili - he is in very illustrious company. The honourable member for Port Darwin made a good point, that we are really talking about responsible self-government, something which existed in the separate colonies of Australia before the name "state" ever came into being. What we are talking about does not depend on which name we use but on the principle of responsible self-government, people in the region having a say in their own affairs. Those who misrepresent it

otherwise are doing that cause, the basic human rights cause, a grave disservice.

I can assure the honourable member for Port Darwin that I will continue to pursue my endeavours to get some say in the control of land. At least perhaps in so far as the environmental matters represented by Parks and Wildlife Commission are concerned, we may say that there is some land to come to us.

As to the assent to laws, I agree with him entirely on that. The position was complicated a little bit in this case by the Joint Parliamentary Committee failing to recommend straightout that the Commonwealth deny itself the power of veto in respect to functions transferred. They put up some kind of a rather murky proposition that the Commonwealth retain some sort of power of regulation-making in this respect which we rejected and still do. We will be trying constantly and firmly to have the suggestion which he has made adopted.

I know that the honourable member for Port Darwin is going to have the opportunity to pursue some of these matters at the Constitutional Convention in a week or two's time and I am sure that we and the rest of Australia will listen with great interest to somebody who is as familiar with and knowledgeable on this subject as he is - constitutional law as it applies in the Territory.

Finally, the honourable member for Nightcliff did make some reference to finances, the fact that we are at the mercy of the Commonwealth. I thought I had dealt with this argument at some length in the remarks I made this morning on financial arrangements and pointed out that in fact it works the other way: we are not so much at the mercy of the Commonwealth in respect of those matters in which executive authority has been transferred. But I do not blame her for not having picked up my remarks when they were made. Perhaps if, after she has read the Hansard of today's debate, she would like to discuss the matter further, she knows that I will only be too pleased to sit down with her and do that.

I thank all honourable members for the contribution they have made.

Motion agreed to.

SEEDS BILL

(Serial 123)

Continued from 7 October 1976.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3:

Dr LETTS: I move amendment 113.1 as circulated.

Clause 3 is a definition clause and the amendment has the effect of removing the definition of "exempted sale". This expression "exempted sale" occurs again in clause 7 and, following comments by the honourable member for Port Darwin, it is replaced, as we will see when we come to the amendment to clause 7, by a more direct statement and therefore the definition is no longer necessary. Most of these amendments are interrelated and I understand that the honourable member for Port Darwin has indicated that he is in agreement with them although he is not present at the moment.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 6 agreed to.

Clause 7:

Dr LETTS: I move clause 7 be amended by scheduled amendments 113.2 and 113.3 as circulated.

These amendments and the one which follows it are proposed to change the grammar for the purpose of removing paragraph (i) of subsection (1). That paragraph is the present statement of the exemption and, as the honourable member for Port Darwin has pointed out, it is wrongly expressed. It will be proposed to omit this new paragraph when we come to it and state the exemption in a proposed new subsection.

Amendment agreed to.

Dr LETTS: I move amendment 113.4.

This proposes to omit the present paragraph (i) from clause 7(1). Members will need to look at the next amendment in considering this one. Amendment 113.5 indicates the insertion which would be proposed if (i) is removed by this amendment.

Amendment agreed to.

Dr LETTS: I move a further amendment to clause 7 as circulated in schedule 113.5.

This proposes that the control of the sale of goods as laid down in the whole of this ordinance does not apply where seeds are sold in parcels the mass of which is less than the prescribed mass. This applies to the small packets which are sold in seed stores.

Amendment agreed to.

Dr LETTS: I move amendment 113.6.

This amendment removes the need for seeds exempted pursuant to the new subsection we have passed to comply with the requirements of subsection (2).

Amendment agreed to.

Dr LETTS: I move amendment 113.7.

This removes the reference to "exempted sale" which we have now taken out of the definitions and states that a person selling seeds does not need to comply with this subsection if the sale is exempted by proposed subsection (6). That proposed subsection is similar in terms to the exemption provision of the new subsection (1)(a) which we have carried.

Amendment agreed to.

Dr LETTS: I move amendment 113.8.

This inserts a new subsection (6) to exempt persons selling seeds below a prescribed mass or value from the requirements of subsection (3) and it is linked to an amendment which we have already carried.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 and 9 agreed to.

Clause 10:

Dr LETTS: I move amendment 113.9.

There appear to be some words dropped from the original drafting of subclause (1) of clause 10. The sentence is incomplete and the amendment proposed will insert words which will give the intended meaning.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clauses 11 to 38 agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

TRUSTEE BILL

(Serial 102)

Continued from 5 October 1976.

Mr WITHNALL: It is with some diffidence that I rise to comment upon a bill of this nature because the difficulties of framing a law relating to trustees and to the investing of moneys by trustees must be obvious to anybody and more obvious to a lawyer than to anybody else. My primary comment would be that it is a very worthy piece of legislation but, since I have no comment to offer which could result in the cutting down of the number of provisions in the bill, I suppose that comment can only be made, and I hope received, as a general comment upon the difficulties of framing a law in this very difficult field.

I accept that it is necessary that the scope of investment of a trustee should be enlarged on the provisions which are presently in force and which, for the most part, date from the last century. The provisions of this bill extend the areas of investment which a trustee may make into the modern comm-

ercial field of stocks, shares and debentures and permits a trustee to be a little more daring than previously he could have been. Having made that general comment, I confess that I have no criticism of the content of the bill.

I have no criticism of the way in which the policy in the bill is expressed except that, in some small areas, some attention could be given to drafting amendments. I draw the attention of members to the provisions of clause 4(2). In this subclause there appears the words "subject to subsections (1A), (1B), (1C) and (1F) in debentures, including debenture stocks and bonds whether constituting a charge on assets or not, issued by any company in which at the time of investment it would have been proper for a trustee to invest in the purchase of ordinary stock or shares". I find some little difficulty in the expression "a company in which at the time of investment it would have been proper for the trustee to invest in the purchase of ordinary stock or shares". This is the only piece of legislation which relates to the investment in stocks and shares of a company and I think there might have been a much clearer and easier reference to the provisions of the new paragraph (h) to be inserted in section 4(1) of the principal statute.

I have a very difficult comment to make. It is difficult because I think perhaps I recognise the difficulties the draftsman may have had in conceiving the provision in the first place. My comment relates to the new subsection (1C) of section 4. Subsection (1C) provides that a trustee who proposes to make an investment under a power conferred by paragraphs (h), (i) or (j) in subsection (1) shall take proper advice as set out in subsection (1D). Subsection (1D), subparagraph (i) of paragraph (a), seems to me to be very wordy and somewhat turgid and the use of the expression "description of investment", not defined anywhere, seems to allow anybody to provide a meaning for that himself. The subsection deals with the giving of proper advice and proper advice, generally speaking, in this field has got to come from stockbrokers. I have had very little dealing with stockbrokers but, by and large, if a man is a stockbroker, he has got charge of the investment of moneys in certain companies and I suppose it is inevitable that there will be some sort of urge on the adviser to favour those investments with which he himself is personally concerned. I do not suggest that this is a dishonourable thing for him to do but, because he knows them best and knows they can do best, he certainly would feel inclined to advise the trustee to invest in those investments.

One of the things I do object to about this subsection principally is that the advice does not only relate to the original making of the investment but relates to the intervals at which the advice should be renewed in effect. I do not distrust my fellow man as much as it might seem by what I am going to say, but if a stockbroker is short of business he can say, "Come back to me tomorrow"; he can say, "Come back to me next month"; he can say, "Come back to me in 6 months". And what I complain about is that the statute as it is proposed to be enacted does not give the adviser any guidelines as to when the next bit of advice should be sought. I do not know much about the stock market and, I will be perfectly frank with honourable members, I have not sought a great deal of information in consideration of this subclause. But it seems to me that there may be intervals, and there may be a way of describing those intervals which is available and could be incorporated in the bill. For instance, I think there is some sort of index of the rise and fall of share values, some sort of a market indication which is available at regular intervals, and I wonder whether or not it might be possible that that sort of index might be made available, and some indication given in this bill to the adviser that he may renew his advice according to the general trend of prices as expressed by some such index. I apologise to members of the Assembly because I am not at full bottle on the matter but I do think that it is rather hard to say to a man, "You should advise about what securities he shall invest in, and then you should tell him how often he is to come back". It seems to me that, if you are going to say that in a piece of legislation, you

have got to tell the adviser how he is going to decide how often the trustee must come back.

I have a comment about subsection (4). I understand that there are some amendments available which may deal with some of the comments I have to make. Those amendments indeed are probably available as a result of some private conversations I have had. But the comment I have to make about the new subsection (4) of the principal statute is that it provides, or it is proposed to provide: "Where any security to which subsection (2) applies is purchased by a trustee after commencement of this ordinance at a price greater or lesser than its redemption value" - and it goes on to provide a number of things. But I think that the reference to subsection (2) is an inaccurate reference because subsection (2) deals not only with securities which are redeemable but also with securities which are not redeemable. I think the reference probably ought to be paragraph (a) of subsection (2). There are a number of ways of curing the defect and I commend that to the honourable member in charge of the bill.

Clause 6 provides that the Administrator may by a notice in the Gazette approve an incorporated building society operating in the Territory as a society in which a trustee may invest. Today we had a debate about the new executive authority and I am going to suggest to the honourable member in charge of the bill that at least we should be talking about the Administrator in Council rather than the Administrator. At least we ought to slip into the form of language which is used in states, "the Governor in Council" or, in the Commonwealth, "the Governor-General in Council"; and we ought not to be investing powers in an Administrator solus. My reason for this largely lies in the fact that if you refer to the Administrator in Council or the Governor in Council, then you refer to a political decision made by a political body responsible to a legislature. If you refer to the Administrator alone or the Governor alone or the Governor-General alone, I think you are inviting a private decision, a decision made on his own personal considerations.

While it is true that references in state statutes and in Commonwealth statutes to the Governor or the Governor-General are construed in a political field, references in this Northern Territory to the Administrator, without having any reference to the Administrator's Council, are apt to be construed as meaning that the decision is to be made not by the local executive but by the public service department which can advise the Administrator. This is a fairly serious matter and some reconsideration of this section is surely due.

I apologise to honourable members because I have not had sufficient time nor sufficient access to sources of information to be able to make any positive proposals, particularly about the question of advice to trustees. The general provisions of the bill are going in the right direction. I would love to see it simplified but I expect that is probably beyond the capacity of most draftsmen. However, I would like the draftsmen to give attention to the matters that I have raised.

Mr EVERINGHAM: I have listened with interest to the remarks of the honourable member for Port Darwin and I think that most members of the Majority Party would agree with the sentiments contained in most of his remarks. This is a traumatic piece of legislation in that previously one has felt that trustees, who are often people simply named in a will as executor of a friend's estate, have been pretty strictly guided in where they will put the funds of that estate. Usually, the reason for having a trustee is that the persons getting those moneys are under 21 or persons older than that who are perhaps of an unsound mind or in a condition of health which renders them unable to administer their own affairs.

At some stage in the last century, it was felt advisable to give trustees guidance in the way in which they would invest the funds. I have grown up knowing that trustees would be guided in a very narrow field of investment in government securities and two or three companies authorised in the Northern Territory for trustee investment. One has never had to worry and one has always been safe and had a security

blanket like Linus in the comic strip. We now see this major departure, which has received legislative approval in other states, whereby trustees are being cast adrift to decide for themselves as to where and what they will do with this money that belongs to someone else. Sometimes they have not even been asked when they have been nominated as a trustee in someone's will and they find themselves having control of these assets and expected to look after them. They then have to decide whether they will accept the nomination of trustee and carry out the duties properly or whether they will renounce the trust. If they are not prepared to give due consideration to their trust, it may well be that they should immediately renounce the trust.

Whilst every reasonable precaution has been taken in the drafting of this legislation, it will be obviously possible for a trustee to get into murky waters with some of the investments because today even what seem to be the most rock solid of companies can teeter towards the financial brink. It has been suggested to us that we should provide that the trustee must spread the eggs and not keep them all in one basket. This has come from an investment manager of one of Australia's largest organizations and I think it is very sound advice. I would support the amendment which might be proposed by the Executive Member for Education and Law which would provide that persons giving the advice to trustees try to direct the avenues of investment into a diversified field so that no great amount of the capital of any trust estate is held in any one company or area. I have no doubt that the Executive Member is sensible of these suggestions and that probably in the committee stage we will see an amendment along those lines.

I notice the relatively minor criticism of the drafting of the bill made by the honourable member for Port Darwin. I accept what he says. It is, however, a very difficult piece of legislation and I see no disgrace for the draftsman in that 2 or 3 minor errors can be picked up, I do notice that the draftsman has had the foresight to incorporate clause 7 which provides that the trustee may concur in schemes of arrangement and the like, and also deals with the rights which may arise under certain shares or debentures which the trustee sees fit to invest money in.

This legislation is going along the right track because people today generally have a greater degree of education. When the original legislation was passed in about 1893, there were no daily stock exchange reports unless you lived next door to the stock exchange. We did not have the means of communication and it was obviously necessary to do the best that could be done to keep trustee investments safe. Today, there are stockbrokers on every corner although perhaps their number has diminished a little in the last couple of years. There are any number of other people who feel themselves well qualified to give advice in financial matters and I can see that the acceptance by a person of the status of a trustee could perhaps be an interesting as well as responsible task in the future.

Debate adjourned.

PAROLE OF PRISONERS BILL

(Serial 135)

Continued from 6 October 1976.

Mrs LAWRIE: I rise to support this legislation. When I introduced the original Parole of Prisoners Bill in the Legislative Council, I had hoped that a parole board would have been established speedily to deal with parole matters for Northern Territory prisoners whether they be held in Northern Territory gaols or elsewhere. Unfortunately, that has not been the case. Eventually, we saw the appointment of the Parole Board and in fact a member of that board has had wide experience in other places in parole and general rehabilitative matters. However, we find that the Parole Board has not officially met; it has met on an unofficial basis. I have examined this bill and agree that there were deficiencies in the original legislation. My sorrow is that it has taken this long to fix them up, The need for

the Parole Board was spoken about and accepted some years ago. The need, therefore, is the greater now as it becomes more urgent. I notice that the Executive Member has stated that he will be seeking urgency for this bill. He also, of course, gave us an outline of the provisions of the bill on the last sitting day of the last sitting. The bill, in concept, does not move from the original Parole of Prisoners Bill. Hardship is certainly being caused throughout prisons in Australia where Northern Territory prisoners are being housed. Accordingly, I advise him that if urgency is given I would not oppose it in this case but would actively support it.

The present parole system is unwieldy, cumbersome and difficult to administer properly. Parole is granted under the hand of the Governor-General and, as we are all aware, there is a tortuous procession of events from the original recommendation for parole until such time as parole is granted. This is not the fault of any one particular person or department, it is simply because the range of command is so vast and the Governor-General is so removed that parole cannot be granted speedily or with the greatest efficiency.

One of the problems that arises then is that prisoners, particularly in interstate prisons, see their fellow prisoners being granted parole in reasonable time and they are also aware that their fellow prisoners - let us take for instance Yatala in South Australia - have their records subject to review and examination by a South Australian parole board. There is then an incentive for a prisoner to behave himself and to demonstrate that he is capable of accepting and coping with parole, which is no mean feat. Some people prefer not to be paroled, and there have been cases of prisoners refusing to apply for parole or indicating to a parole board they did not wish to be parolees because they did not want the necessary restrictions that go with parole. A Northern Territory prisoner in a place such as Yatala does not have the same incentive, does not have the same proximity to a parole board, and prisoners held in Northern Territory prisons are no better off. The officers do their job, compile reports, the department does its job, and then action seems to cease. I have taken up certain cases where I think people have been unfairly denied parole - it is denied by its never getting anywhere really - and the Attorney-General in 2 cases stepped in, examined the case and parole was granted. This parole had been recommended by the department.

It is ridiculous for us to have put up with such an unwieldy system which is costing us money and keeping people in prison longer when we would all be better served by having them out in the community.

Because of these points, which have all been discussed and agreed to so often before, I hope that this legislation receives an early assent. I commend the Executive Member for Social Affairs for the time and effort he has put into tidying up the legislation.

Mr BALLANTYNE: I rise to support the bill which amends the principal ordinance in a way to make it more logical in the normal sense of parole and non-parole of prisoners. There are some very important facts of the law dealing with the non-parole and parole periods; I believe that the ACT had a similar problem but legislation was introduced and those matters have been overcome.

The 1974 amendments have given rise to problems whereby in a Supreme Court decision it was held that the ordinance did not enable individual sentences of less than 12 months but totalling a period of more than 12 months to be aggregated so that a non-parole period could be fixed for the person released on parole. By virtue of the faults in the previous drafting, the parole board has not been able to function, although I believe there has been one informal meeting, as the honourable member for Nightcliff just said, to establish plans for its commencement. But because of the board not meeting, no prisoner has been able to go before the board. There is provision in the principal ordinance for prisoners to go before the board but, because they have not met, no prisoner has had that opportun-

ity. It is under section 3G where the prisoner has the right to go before the board.

Further to the existing problem, we have had a situation arise where, under an order by the Governor-General including conditions for parole, a Maningrida man had to report weekly to a parole officer in Darwin. You can see the unusual situation there, Mr Speaker, which is quite ludicrous - that a Maningrida man has to report to a parole officer here in Darwin.

There is provision for parole officers under section 3P(1) and (2) but there again, because the board has not met, this unusual state of affairs of the law exists.

Section 4A, subclauses (1) to (4), clarifies the fixing of the non-parole period where prisoners are serving a previous sentence. I will not be going into the detail on that because the Executive Member for Social Affairs clarified that in his second-reading speech.

I agree that this is a very urgent piece of legislation and it is to be hoped that when it is passed it will be given assent very quickly so that the board can get on with the job. All I can say is that, when it does meet, it will carry out the proper function of a parole board. I commend the Executive Member for Social Affairs for making the urgency of this bill known to the House and bringing it on today. I hope that his wishes are fulfilled and we will now see some action on the Parole Board. I commend the bill.

Mr EVERINGHAM: I certainly support all the provisions of this piece of legislation and I support the principle behind the parole of prisoners. However, I did find a couple of remarks of the honourable member for Nightcliff to be rather strange. Apparently it is now to be considered a ground of hardship on which bills should be certified as urgent, according to the honourable member, that the bureaucratic system operates inefficiently. If we accept that, Mr Speaker, as a ground of hardship on which you should certify the urgency of a particular piece of legislation, then every piece of legislation almost that comes before this House should be a matter of the utmost urgency, because bureaucratic inefficiency is rife, and not just in the area of parole of prisoners - it is rife in every aspect of our dealings with government. If unfortunately prisoners are suffering from bureaucratic inefficiency, they are not suffering any more than you or I are suffering every day of the week.

Therefore, whilst I certainly do not want to see people held in prison any longer than they should be held, nevertheless I cannot find it within myself to agree that this is a matter which is so urgent that the normal time taken for the passage of legislation under standing orders should not operate. I believe it is a piece of legislation that should be considered in the normal course by a number of interested sectors of the community and feedback should be allowed to the members of this Assembly. If there had been more feedback when the original legislation was passed by the then Legislative Council, perhaps we would not still be here in 1976 amending that piece of legislation so that it can come effectively into operation.

There was another remark by the honourable member to which I took exception. She said that it is costing us money to keep prisoners in gaol when we would all be better served by having them out amongst us, I hope that I do not take her out of context when I quote here in that way, but it seemed to me that the honourable member for Nightcliff considered that every prisoner in every gaol should have a carte blanche for parole.

Mrs Lawrie: What a lot of rot! I did not.

Mr EVERINGHAM: That is what you said, Why don't you think before you speak? I wrote it down as you said it.

Whilst I am in favour of the principle of parole, I believe that each application for parole should be very carefully considered.

Mrs Lawrie: Don't we all?

Mr EVERINGHAM: Why should we have a judge pass a sentence of imprisonment for a certain term and then be committed to wiping out this sentence? Why bother having it?

Mrs Lawrie: What a lot of rot!

Mr EVERINGHAM: Let them out, wipe the sentence, the judge did not know what he was doing! This is in every case. I think a prisoner has got to earn parole, not just automatically become eligible for it because of the woolly thinking of a lot of people in the community today who seem to believe that 3 months behind bars will cure everything and that they will all be much better when they are let out on parole.

Passing on to other matters, I do note the provision in section 9 of the amending bill where the board may in its discretion order the release of offenders rather than the Governor-General as it presently stands. I would hope - and this may be a feeling peculiar to myself - that in due course, when an Executive Member has absolute charge of this area, the board will make a recommendation to the appropriate Executive Member who will have the final decision rather than the board making the decision itself.

The chairman can require the attendance of the prisoner before the Parole Board and I think that this is a very necessary provision because, whilst it may seem a routine provision, most of our prisoners, if not all, who are sentenced to more than 2 years are conveyed to a prison in the south to serve their term. To get them back to the Territory for a parole board interview would cost quite a deal of money and it is certainly wise that this specific provision is incorporated in the legislation so that the board will have no hesitation in acting to call a prisoner before it if it feels that it should do so.

I certainly support the legislation. I support the parole of prisoners. I do think, however, that the Parole Board should act cautiously in each case and not take the attitude that it is costing us money keeping them in gaol. Unfortunately that is a situation brought on the prisoner by himself and no one else and I believe that this is too often lost sight of in today's climate.

Debate adjourned.

TRAFFIC BILL

(Serial 136)

Continued from 6 October 1976.

Mr BALLANTYNE: I rise to support this amendment to the Traffic Ordinance. This bill gives rise to the concept of introducing traffic infringement notices, commonly known as on-the-spot fines. A traffic infringement means an offence against a law in the Territory of a kind specified in the first column of the schedule, and the schedule describes the penalties for the various traffic infringements.

The bill also introduces the traffic infringement system and a traffic infringement notice means a traffic infringement notice issued in pursuance of the section. And so we have a new system of introducing notices to the public. Clause 4 gives an outline of all the infringements. There is a proposed section 36J(1) which requires that a member of the police force may require information. That is a normal circumstance when a person is picked up for an infringement. The person is asked his name and address, whether he holds a current licence to drive a vehicle etc. When a member of the police force has required a person to make a statement in accordance with subsection (1), the person will not refuse or fail to make the statement as required or make a false statement in answer to the request. There is also provision for a special licence to drive and that comes under section 55B of the principal ordinance.

The main penalties for the traffic infringements are in the schedule and these are considered of a minor nature. Therefore, the penalties are not very high. If we really look at the infringements, we can see that some of those infringements can cause all sorts of problems as far as safety on the roads is concerned.

Mrs Lawrie: Or on the beaches.

Mr BALLANTYNE: Yes, there is one infringement of driving in a prescribed area on a beach. I think that is most dangerous and it also upsets the natural environment in those areas.

I would say that, in some cases, the penalty is fairly light. For instance, there is failing to obey and give way at a stop sign. There was a case recently where 2 young girls were involved in an accident and, unfortunately, the lights were not on in that car. Another driver came out of a side street, collided with that car and the person was killed. These are the sorts of things. I am a stranger to this town although I have been visiting here for 2 years and I have seen a lot of infringements by people driving across pedestrian crossings. You are frightened to walk down Smith Street.

There is one penalty here for failing to wear seat belts properly adjusted. I have travelled in a lot of government cars - I dare say most of the people in this Assembly have - and I find it very difficult sometimes to latch them up; I am going to be picked up one day. I might give an added warning that they are out on the warpath at the moment on seat belts.

There is another penalty here, $20 for crossing an unbroken line or double lines. I have seen this occur many times. I know cases where you have large buses and, because of the design of the roads, very narrow in some cases, they have to break the law and go across the line. Still the law will be there now for an on-the-spot fine of $20.

There are other penalties, particularly for motor vehicles with a load in an unsafe position, insecure and projecting without a flag. That is a very serious offence. That could cause all sorts of problems and I see the penalty there is $20. We ought to tighten up the law a bit more and I can only say that the average motorist is getting off very very lightly with some of those offences which are considered of a minor nature.

I have no hesitation in supporting the bill. I commend the honourable member for presenting it to this Assembly.

Debate adjourned.

ADJOURNMENT DEBATE

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

This morning I was asked a question by the honourable member for Nightcliff with regard to a contract for restoration programs at the Nightcliff Primary School. I have been advised by officers of the Darwin Reconstruction Commission that work currently planned for the Nightcliff Primary School is part of a staged program, that a roof over the school assembly area is to be provided and that this roof will be completed by the end of January 1977.

Mrs LAWRIE: Firstly, let me say I shall convey that news to the people of the Nightcliff Primary School and await further development.

Last week in a Darwin newspaper there was an article headed, "Stir over judge in quest - girl quizzed on marihuana". The article went on to make certain statements, the veracity of which I have been able to ascertain, that some of the girls entering the Miss Australia Quest were quizzed by a member of the judging panel as to whether they smoked marihuana and, at least in one case, if they knew of anybody else who did and how their friends were obtaining supplies. I regard this as a most serious misuse of a quest.

In the Assembly last week, I asked the Executive Member for Education and Law if she could advise me as to the appointment of the panel and if in fact there had been a detective on it asking these questions. This morning the honourable member said that she could give me very little information; she had been unable to obtain the information sought other than the fact that there was a policeman on the panel but he was acting apparently in a private capacity because he had applied for 24 hours recreation leave. When I make my further remarks, they do not concern

the member who gave me that advice as I am well aware that this particular happening was not with her knowledge.

I find the reply given by the Executive Member in good faith to be quite incredible, and I use that word in its proper sense. I cannot find any area of credibility in a reply that states that a senior policeman - she has not been able to give me his name but I know who he is - can operate in such a capacity as a panel judge and ask such questions. He asked some of these contestants, the younger ones, if they smoked marihuana which at present constitutes an offence. What if the girl had said yes? What would her rights have been then? Any ensuing court case would have been meat and drink to a good defence lawyer but that such a situation should arise is both disgraceful and incredible. Any person taken to a police station for interrogation is advised of his rights. He is told that he does not necessarily have to answer and, if he does, the answers may be taken down and used in evidence. He can ask for a lawyer to be present. We have seen recently in Darwin courts, magistrates making some very interesting remarks about police procedures and the courts try to ensure that when people are being interrogated they are advised of their rights and that the interrogation proceeds in accordance with established procedure. And yet we find a beauty quest, or a talent quest - call it what you will - a Miss Australia Quest, where kids are asked leading questions which could lead to self-incrimination without any such advice. We also find, very interestingly, that the same girls had been told that they were not to disclose the questions they were being asked. We also find that when news reached the local paper of this unfortunate - to say the least of it - happening, the senior organiser of the quest had a conversation with the editor of the NT News and nothing was ever printed. That is a cozy little club is it not, a cozy kind of censorship?

Honourable members will note that I have not mentioned any names. I could. I know who the policeman was, I know who most of the judging panel were and I know the other people, but I do not wish to inasmuch as it is not a witch hunt for a particular person's head. I am raising this in the Assembly to try to ensure that this kind of thing is never allowed to happen again.

What a peculiar situation, when a girl could go to her parents and say, "I would like to raise money for the spastics. I would like to enter in the Miss Australia Quest", and the responsible parent should then have to say, "By all means, but we will have our family lawyer at the judging panel with you, to ensure that your rights are preserved". Yet if the last judging was any criterion, that is what is necessary.

I asked the Executive Member for Education and Law who was responsible for placing this senior policeman on the panel but she has not been able to supply me with that information. The relevance of that question is as follows. If he was operating in a private capacity, surely the chairman of that judging panel should have stopped such questioning. Did the chairman of the panel invite him to be a judge or did the person involved, the senior policeman, solicit such appointment? If he did, it is difficult to believe that he was simply operating in a private capacity. As I said, I do not doubt the good intentions of the Executive Member in supplying such information as she was able to but I do not believe the reply was satisfactory.

Mr Speaker, I hear honourable members muttering that it has nothing to do with the Executive Member. The question was proper because she has responsibility in this House for matters affecting the police force. I asked her if that person was acting in an official capacity or not and she very properly did her best to find out and gave me a reply. I am not too sure where the honourable members opposite stand in this. Do they honestly see that it would be a very unusual happening in the Miss Australia Quest or do they close their eyes to it? Let us hope that future Miss Australia Quests are a little better run, that the organisation is tightened up a little bit so that if kids are before a judging panel the questions the kids are asked are right and proper ones given the circum-

stances, and not as were asked in the last Miss Australia Quest.

Mr DONDAS: I rise once again to discuss the Block 8 cafeteria. You bow your head in shame, Mr Deputy Speaker, and so do I because we have been able to do nothing about it in 18 months.

I asked a question concerning the reopening of the Block 8 cafeteria and I have received a copy of a letter sent to the Executive Member for Social Affairs. I think it is very important that this particular letter be read out because I can back it up with the other statements that I made which were reported in Hansard on 2 previous occasions:

I refer to your letter of 6 October 1976 about question without notice number 1289 concerning the cafeteria at Block 8, Commonwealth Government Centre.

At the time of the cyclone, Block 8, including the cafeteria area, had not been completed. In order that the cafeteria could provide the service it did early in 1975, emergency and temporary work was undertaken. Before it can be brought into operation, the work on the building has to be completed. It is expected that this will be done this financial year.

The arrangements for the operation of food services are that the Department of Employment and Industrial Relations provides technical services and operating labour while the major department in the area provides the administrative support; that is, procurement of supplies, accounting and personnel services. I understand that the Department of Employment and Industrial Relations is at present having discussions with the Department of Construction, but planning for the return of all staff from Brisbane and Adelaide is not yet complete and in this context the major occupying department cannot presently be identified.

In view of the Government's restraints on staffing, it is not known when sufficient labour to operate the cafeteria will be available.

On present indications it could well be that, on completion of the construction work, the ground floor area would be used for office accommodation, at least for a time.

That letter is dated 7 October. Let me refer honourable members back to 25 May 1976 when I made a statement that there was $200,000 worth of equipment sitting in Block 8. It is idle, it is deteriorating and nobody seems to know what is going to be done.

Mr Ryan: It would be appreciating in these days of inflation.

Mr DONDAS: In the meantime, we have some 3,000 public servants in the area who are in need of this facility.

In the course of the last few weeks, I have been endeavouring to make some investigations into why the cafeteria was not reopened. I rang the Department of Administrative Services and Property and they said it is a bit strange because the DRC had been there since December 26 and had nothing to do with it. I rang Barclay Brothers who were the contractors and they informed me that the cafeteria had been handed over in May 1975, although the complete building had not been handed over. I rang the Department of Labour and asked why they were not operating this food outlet. They said, "We are sorry but we cannot do anything with it. It has been closed down by the Department of the Northern Territory and until such time as they give it to us we cannot get ourselves involved. As soon as the department gives us the green light, we will be only too pleased to get in there and operate it again". That was on 25 May 1976. Being a very hardworking MLA, I refer back to Wednesday 2 June 1976, and there is a little brief history in my adjournment speech again. I spoke of several things, but in particular: "The cafeteria at Block 8 Mitchell Street was designed as an Australian Government food service to cater for Australian government employees. Though incomplete and damaged by cyclone Tracy, it was opened on 13 January 1975 at the request of the Department of Services and Property to supply an emergency food service to the community. The cafeteria closed on 19

March 1975". It goes on to repeat what I have just said.

Let me get back to the letter that the Executive Member for Social Affairs has received. They do not know who actually has that area downstairs. They cannot identify the department or who owns the equipment. As the Executive Member for Transport and Secondary Industry has indicated, with inflation it could be worth a quarter of a million dollars. If we allow this situation to continue, that equipment will eventually be rendered useless; it is a type of equipment that should be used regularly. I presume they have deep fryers, fat boilers, over there, that you put oil into to cook the fish and chips and if that equipment is not used it will rust and deteriorate.

Mr Ryan: Stainless steel, Nick.

Mr DONDAS: Cooking fat gets into stainless steel after a certain time and it does eat it away, believe me.

Mr Robertson: Make them an offer they cannot refuse; a takeover bid.

Mr DONDAS: It would be a very good idea, Mr Deputy Speaker, and I think that the members ...

Mr Withnall: "Nick's Fish and Chips."

Mr DONDAS: It is known as "Big Al's."

Mr Ryan: How about "Big Nick's"?

Mr DONDAS: I think that most members realise that there is a problem, and there is no reason why the Department of Services and Property cannot put that area up for tender. I am quite sure that there would be some enterprising gentleman or organisation in this town who would snap up the opportunity of providing an outlet for public servants in this area and, at the same time, saving valuable equipment from being rendered useless and wasting the taxpayers' money.

Mr RYAN: Before getting on to the main subject of my adjournment speech this afternoon, I would like to comment on the honourable member for Nightcliff's remark concerning the Miss Northern Territory Quest. It seems strange that she is so concerned with the answers that the Executive Member for Education and Law made this morning. This situation has now been bandied around for almost 2 weeks and if the honourable member for Nightcliff is so concerned, and she appears to know all the people concerned, I wonder why she does not herself make an approach. She seems to be able to speak to most people around the place, or this is the impression that we get, but she is intent on giving the Executive Member for Education and Law a fair sort of a hiding for not giving the right answers. I do not believe that the Executive Member for Education and Law has anything to do with the Miss Northern Territory Quest. The answer given this morning was that the police officer was acting as a private citizen. As far as I am concerned, the answer given was quite satisfactory. I would suggest that the honourable member for Nightcliff make her own inquiries and I am sure she can get the ear of the press to put forward her views on the matter. However, I certainly do not feel that there is anything wrong with a member of a panel asking a contestant whether or not she smokes pot. The honourable member for Nightcliff was concerned that the young lady might have incriminated herself. That is something that we will not know. However, I am sure that nobody in the Territory, Darwin or anywhere else, would like to see a Miss Australia who smoked marihuana.

Without going any further, I would suggest that the honourable member for Nightcliff conduct her own investigations into the matter. It is not a matter for the Executive of this Assembly. If she is unhappy at the way the quest was run and the judges were selected, let her go and find out what the problems were and make her own assessment. As far as I am concerned, any questions can be asked. Quite often we find on the odd occasion that a quest entrant for a Miss something or other has children and there are all sorts of problems because they have children. I wonder if a question concerning children was asked at the same time.

Getting on to the main subject of my

adjournment speech, Mr Deputy Speaker, over the last week or so we have heard about a problem that exists with the Mataranka telephone exchange. Possibly I could be accused of taking a non-active interest in this type of crisis. However, this is not done unintentionally. I have found from past experience that, when a situation arises such as has arisen at Mataranka, if I as the Executive Member responsible for communication take action at an early date - that is, when the problem first arises - and nobody outside of the immediate area of possibly Mataranka and some of us in the Assembly who know about the problem make approaches to our federal colleagues, very little takes place. I know that this may appear a strange way to act, but I have found that it is better to wait until the excreta hits the fan before taking any action. If you take action when it should be taken, at the start of the problem, you find that very little interest is shown. So I have tended to sit and watch developments take place with regard to this problem. Last week we had a similar problem with Connair and our federal colleagues, while they were interested to a certain degree, could not particularly recognise the problem. However, towards the end of last week when it looked like being a national strike, it was interesting to note that somehow or other they became extremely interested and in fact the problem looked as though it may have been solved.

However, today I received a telegram from the Mataranka Progress Association which said:

Communications in Mataranka nonexistent. No railway. No newspaper. No radio. You are required to inject some realistic commonsense thinking into Telecom. Telephone is a public facility and it is responsibility of Telecom to keep it operating regardless of their internal problems and/or inefficiency. Signed, D. Fishlock. Mataranka Progress Association.

As a result of that telegram, I thought I had better do whatever I could. I rang the Minister for Posts and Telecommunications. He was in the House and I spoke to his secretary. I followed that discussion up with a telegram which quoted the telegram I just read out. My telegram also said:

The exchange operator in Mataranka has refused to continue handling exchange work as he considers the remuneration inadequate. This may or may not be correct. However, this town no longer has telephone communications to a standard which it has been accustomed to. The installation of an automatic exchange can only be achieved some time in the future. Therefore I ask that you intervene and ask the commission to reconsider the situation and offer the operator an increase in fees so that the service can be continued until such time as an automatic exchange can be installed. The Legislative Assembly in general and myself in particular are being criticised because we seem to be unable to influence the situation. Hopefully you will be able to take action which will relieve this criticism.

That telegram went about 20 minutes ago and I am hopeful that I will get a satisfactory answer from the Minister for Posts and Telecommunications who I believe has no direct control over the Posts and Telecommunications Commission, However, he may be able to make some very realistic suggestions, If the problem cannot be solved, it is not the fault of the Assembly or the Executive Member, it rests solely with the Federal Government and the Department of Posts and Telecommunications.

Mr KENTISH: I have a number of subjects to comment on this afternoon. Since our last meeting, I have gathered up some news items which might be of interest to the Assembly, presuming that some of my fellow members are too busy to read these sorts of things for themselves,

There was an item about the CSIRO's new salt beef process. Apparently, the CSIRO have found a new method of salting beef and curing it for transport and export. The new process is being hailed as a major breakthrough for the crisis hit beef industry. It has been

developed by the CSIRO research laboratory in Brisbane. The process allows beef to be shipped to areas without refrigeration and gives a storage life of at least 4 months at a temperature of 37 degrees celsius. It is a remarkable thing that, at long last, we have found a way that meat can be handled in this manner and at an economic level. At a time when Africa was so badly hit with famine and we had reports every week of people dying by the thousands, we did not know what to do with our beef in Australia. To export it under cold storage was not a practical proposition because there was no cold storage at the other end. Even though a commodity was in great excess here, we could not render help to those people in 1973 and 1974. Apart from the fact that we may be able to help people in difficulties throughout the world in times of famine, it has a trade potential that appears to be of great value to Australia. Since beef is one of our major industries in the Northern Territory, we should all be very interested in that matter.

I have picked up another item dated September 21 about Tehran: "Iranian authorities confirmed here today that 2 airforce phantom jets chased a flying saucer over the capital on Saturday". We have been hearing about these things for many years and in fact they are regarded as somewhat of a joke. The pilots reported they were chased in their turn by the mysterious object. They went up to chase this object away and it turned around and chased them. The interceptors took off after the civil airport controllers spotted a ground object giving off red, blue and green lights. The Tehran press quoted the pilots as saying that when they intercepted the saucer at an altitude of 1,800 metres it shot off at several times the speed of sound only to return and pursue them. When the pilots tried to open fire on it, their electronics and radio communication system was suddenly paralysed. It is not the first time I have heard that, and I guess that most of the Assembly members have heard those sorts of things, and it is something that has happened and been reported as fact in recent weeks in Tehran. It makes us wonder. It would appear that we are not alone in the universe. As human beings we may appear to be in control of the earth, although which sections of the human beings control the earth is always a matter of conjecture and controversy, but for a long time it has been obvious that we have extra-terrestrial neighbours. We may disbelieve such reports. We may find reasons for wiping them off - imagination or something like that - but they still become more persistent, more objective and appear to be more factual. I just pass that on for what it is worth.

I have noticed that these razor blade people - we are all addicted to these razor blades; most of us are in this Assembly, anyway - the Gillette people, have joined a growing list of American multinational companies which have admitted making questionable payments in foreign countries. "Gillette, which makes a wide range of men's grooming products, said a company investigation had revealed that $A324,000 in questionable payments were made by some of its overseas divisions between January 1972 and December 1975. The company did not identify the country in which the payments were made, but it did say that at least some of the money was paid to government officials". These sorts of things have been turning up lately, in seeing of aeroplanes and all manner of other things. It is being presented to us today as if it is something very new, something that has just come out of the blue lately, and we are all very upset about it and very flustered to think that such a thing could happen on the surface of this magnificent world that we live in. But in the 1950s in Darwin, when I was an officer of the Agricultural Department, I went out to get some tenders. I think it was possibly at that time for army stretchers, folding beds. I went around the town to see if I could get some tenders from second hand shops for a few of these and similar pieces of equipment, and I was amazed then to find that I was asked very quietly by the person to whom I was addressing myself what I wanted out of the deal, what was my corner, what I required out of the deal if he got the contract, what would be my cut. I had to assure him that I was not expecting any cut at all and that I would not accept any cut. This was Darwin in the 1950s.

Most of us who talk to people who have been overseas or come from overseas - as I say it can happen in Australia and probably does happen in Australia - know that a terrific lot of deals can have side payments attached to them. So it puzzles me, the self-righteous reporting we are getting about this nonsense. It seems to be a fact of life that in the Middle East you do not do business with anyone, with any government, without paying some government official a very substantial fee for accepting your tender. I doubt if less than 90 per cent of tenders would be put through without some of these side payments to private individuals. It is just one of the facts of life, and an unleasant one of course. As Australians, we do not like this to any degree. When you go overseas people who give service are wanting tips - some of course are not paid a wage. As Australians we are not used to tipping and we abhor this system of side payment. Nevertheless, we should not be starry-eyed at this stage about what has been happening in the rest of the world for perhaps 50 years - or perhaps you may go back 1,000 years or more - and amaze ourselves that such a thing could possibly occur.

I have another small item. We have 2 reports here. One is from a top US admiral who said Australia was in no direct threat from the Soviet naval presence in the Indian Ocean. He went on to say that if Australia did not have its own oil it might be worried about interference to its oil supplies, but seeing we have a fair bit of oil we do not want to worry about the Soviets filling up the Indian Ocean with ships and submarines. He said that there has been no significant build-up in Soviet naval strength in the Indian Ocean over the past few years but there has been a steady increase in the development of Soviet bases. A week later, a lady from England by the name of Mrs Thatcher - I think you have heard of her before, Mrs Margaret Thatcher - said in Canberra that it is a potential threat and one which we ignore at our peril. She said this in answering a question at the Federal Council of the Australian Liberal Party. She was asked if she saw any threat to British trade to Australia from the Russian naval presence in the Indian Ocean, a contentious issue in this country recently. She went on: "Most of our raw materials have to be imported and come a long way and for us it is vital that we have a navy to defend our trade routes. For us it is vital and for Russia it is not, so why has she got such a large navy because it is not necessary for her own supplies?" So there we have 2 opposite points of view about the Russian presence in the Indian Ocean. I leave those things for the speculation of members.

Mr ROBERTSON: Mr Deputy Speaker, I might support Mrs Thatcher's view rather than that of the admiral from the United States.

I have in front of me a statement by the honourable member for Elsey with a request that I read it. Before doing so, I would say that, while I have quite some sympathy for the honourable member's views in this statement, they do not necessarily coincide entirely with my views in detail. The statement reads:

There is a great reluctance by government - this Government and naturally the Whitlam Government - to assist people other than those in the populous areas. This Government restored the superphosphate bounty but that belated, reluctant and inadequate assistance to cattlemen seems to be all that Treasury will approve. Compare the aid to Darwin and Alice Springs with that given primary industry, namely $7.2m. When this figure is broken up, you will find that $1m is all that filters through in direct aid in carry-on finance and in freight subsidy. The $889,500 to the tuberculosis and brucellosis campaign is about the same as the cost of the Casuarina swimming pool and, of course, there is the massive financial injection of $65,000 to rural reconstruction and $335,000 to other loans - whatever they may be. This adds up to $2m. The rest is hidden somewhere, no doubt in research and administration costs. Darwin reconstruction receives $200m and the Northern Territory Reserves Board nearly $1m. You will see that the emphasis is again away from rural

industry support. It is estimated that 42% of the Northern Territory population lives away from the 5 major centres and of this figure only a few produce what wealth comes from the Northern Territory; that is, such people as fishermen, miners, cattlemen and farmers. Sure, those who live in the major centres pay taxes and contribute to the economy in that way but the productive people are again neglected.

No doubt the parents of the 120 isolated children in the Northern Territory requiring education were astounded with the liberality of the Government's increase in its student boarding allowances. So they should be. The increase of $150 per annum from $350 to $500 is magnificent, I don't think. Indeed, it is reminiscent of the Labor days.

Recommendation 27.1 in chapter 7 at the conclusion of the Standing Committee on Education and Arts report of July 1976, "Education of Isolated Schoolchildren", says: "The problems relating to the education of children living in the isolated areas of Australia have been shown to be serious, diverse and widespread." No doubt this is why the Treasurer unbuttoned the purse-strings to the extent of almost $200,000 for the whole of Australia in 1977, and with no retrospectivity.

Recommendation 27.2 says: "Concern for the education standards and accomplishments of the next generation have been expressed in many and varied ways. This concern has not only included such matters as the quality of life, but has become strongly associated with the questions related to the necessary and productive development of Australia's isolated areas. Families must be encouraged to work and live in isolated regions and must be enabled to stay there without disadvantages".

Recommendation 27.3 says: "Therefore the exercise has been more than an educational inquiry. It has been an activity of national importance which has involved the areas of social welfare, economic development, cultural advance and community stability".

Recommendations 27.4 and 27.5 of the document are also of great importance. Recommendation 27.4 says: "It follows that if Australia is to benefit from total national development, there must be interdependence between the isolated part and the rest of Australian community. If this interdependence is recognised and understood, there will be a wide appreciation of the necessity for the provision of funds and facility for the education of isolated school children".

Recommendation 27.5 says: "But what will happen if the present disadvantages of living in isolated areas are not alleviated? Already people are leaving those areas. The Australian community must ask itself whether it will continue to accept this situation".

Members of the committee were Senators Davidson, Bulton, Collard, Martin, Robertson and Ryan. Former members were Senator Carrick, now the Minister for Education, Senator Georges, Senator Hannan, Senator J.R. McLelland, the late Senator Milliner and Senator Scott. Surely that is a good cross-section of the Senate.

It would appear that even recognition of the plight of isolated children has received indifferent attention from the Treasury, despite the added trouble that primary industry has found itself in with the lack of markets over the last 3 years. Hooray for the sound sense of the Treasurer! Compare this additional $150 per annum, plus an extra return air fare, plus additional supplementary help, with the cost of, say, replacing the tiles on the Alice Springs school. Some deal! Big deal!

For many years now, I have been pressing for hostel accommodation to be built in Katherine for outback children who wish to attend Katherine Area School to complete their secondary education - no luck, no money and no interest. Why not? The Prime Minister was the Minister for Education

who revitalised Katherine as an educational area. The Katherine Rural College could help greatly black, white and coloured people of the area; it could help Australians of all colours and help our Southeast Asian neighbours too. Once again, the emphasis is mainly on the money in the south rather than on those who are acknowledged as deserving of special treatment.

Inquiry after inquiry takes place - these are mere stalls, merely deferring the need for monetary action, for financial expenditure. A university college with faculties of tropical medicine, tropical agriculture and tropical veterinary science demands attention. If Treasury permits the approval of only this miserly sum of an extra $150 per annum per child, against the continued representations of the Cattlemen's Association and against the various committees on education and this last report, what hope has rural education got?

Rural reconstruction is another area where help is needed. The need for this special type of assistance is recognised throughout Australia - in the more favoured areas. Up here, it is even more evident. Our markets are more restricted, our costs are higher, our expenses are higher and our wages are higher. I do not need to tell honourable members about this. They recently took up a petition showing that their Darwin component, sheltered from the travails of primary production, cannot even water their gardens without financial hardship.

The outback resident has been stripped of all the equalising factors found necessary and desirable by previous Liberal-Country Party governments. The Whitlam government did this with unparalleled ferocity. It took great delight in so doing. But now the same political party complains bitterly of the effect on the cities of Newcastle and Whyalla of the removal of the 35% subsidy on ship building. However, to be fair, I see little likelihood of the former subsidies to primary industries being restored. Those subsidies to primary industry were the equivalent of tariffs to secondary industry. Were they necessary? If so, why have they not been restored while primary industry, particularly beef, is on the rocks and in the doldrums? Some government, this!

Rural reconstruction for the Northern Territory was at 0.1 of the national requirement. Our need is greatest so we were correspondingly neglected. Our need is greatest because we have no Rural Bank despite election promises, because of our isolation, because of our beef mono-culture, because of our lack of development - for many reasons which still obtain, but mainly because of the lack of markets for the last 3 years and, before that, because of the lack of a good market. Top End cattlemen were usually paid well below comparative prices on the eastern seaboard, which meant they had to borrow more to develop. As I explained earlier this year, if cattlemen have debts of between $200,000 and $300,000, then their interest bill will be between $25,000 and $40,000 per annum. With nil income for 3 years, this situation has become so serious that, unless their debts are spread over a greater period at a special interest rate, cattlemen cannot hope to continue to do what Australia should be glad they are doing - developing the north. No one else wants to. The Commonwealth Development Bank, set up to provide finance for development when that finance was not otherwise available, was a great thing and provided loans at low interest rates. Now, at commercial rates, it has become merely another commercial undertaking. This Liberal-Country Party Government has done nothing to reverse Labor Party policy on this matter either.

Communications are of grave concern to people in the outback. The Connair dispute has not worried many cattlemen because Connellan struck them off his calling list years ago and at a moment's notice. He has been serving only Aboriginal communities of large populations - 100 Aboriginals at Roper Valley or Hodgson Downs don't seem to matter. "Let us

get the mail to a larger community". To quote the honourable member for Tiwi in a debate on Wednesday 6 October 1976: "Mail is going out once or twice a week but before, with the Connair service, it went out 4 or 5 times a week". This is where the subsidy goes. In my electorate, only the township of Borroloola is affected, because that was the only landing spot Connair used. Every cattle station, Aboriginal community or mining venture got its mail from either Katherine or the 'Loo. No, Connair relinquished the title "Never-never Mailman" years ago.

Roads are not receiving attention from the Government despite their acknowledged need in the Top End. The Minister for Construction sent me a long telegram outlining what the Government was doing - spending $6m, or it may have been $10m, on the roads north of Elliot and mostly in my electorate. It sounds like a lot of money. But you have nearly 300 miles of the Stuart Highway; 300 miles of the Carpentaria and Tablelands Highways; 150 miles of the Roper Highway; 100 miles of the Mainoru road, including the Bamyili bottleneck; 100 miles of the Buchanan Highway; the access roads; the Victoria Highway past the King River - the bridge there incidently holds up all traffic year after year; and development roads through from Borroloola to the Queensland border. It is, in all, over 2,000 miles of road. The Minister included the Newcastle Creek works in this sum so, split up, it is a mere bagatelle - and he knows it!

As for telephonic communications, you know about Telecom's refusal to consider the needs of 14 subscribers at Mataranka. The radio telephone is a most inadequate piece of outdated, outmoded party line equipment; it is the invention of the devil. Yet the Katherine and Alice Springs radio telephone subscribers comprise almost all the cattle stations and mining ventures in the Northern Territory - a "Who's Who" away from the cities.

Shipping affects the man away from the ports too. How much it affects the Darwin resident is well known by complaints in the media. But this affects all, particularly those who have been hardest hit by the economies practised by both the Whitlam and Fraser Governments.

It is time for a change. Not long ago, a leading Queensland cattleman said that there were 2 major pressure groups in Australia - money and the trade unions. The third could be the food producer. If you take primary production away from the Territory, what have you got? You have only the tourist industry and the public service industry. The Tourist Board gets, according to my information, $0.5m. This compares well with the figure for other boards. But roadworks and footpaths, no doubt necessary in Darwin and Alice Springs, cost $1m. The cyclone relief figure, 19 months after the blow, is $146m. But $21m has been made available at 8⅓% so that, if you live in Darwin, you get in this Budget $163m spent on you. If you do not, you get the unidentifiable figure of $7.3m for the rest of the Territory.

Mr STEELE: I address myself this afternoon to some electorate matters and the role of the elected representatives, in Darwin in particular. Last month, I canvassed around my electorate and inspected some of the houses in my electorate at the request of some of the good citizens there. I discovered that people from the Department of Housing and Construction have been around and removed panels from walls and inspected internal sections of buildings and decided they were too rotten to do anything with. They put the panels back on and the poor old citizens out there have heard no more. I went in to bat on this particular matter and on 14 September I wrote to the Assistant Secretary, Public Utilities and Housing, Department of the Northern Territory, Post Office Box 231, Darwin, and unfortunately I will have to weary you by reading the letter:

Dear Sir,

Welfare Housing

I wish to advise that I have com-

pleted an investigation as to the serviceability of 12 houses in the Ludmilla area which come under the above heading. The lot numbers are 3336, 3364, 2262, 2259, 3341, 3303, 3309, 3270, 3264, 3147, 3153 and 3182. Eleven of the 12 houses, with only a slight variation in condition, are in need of urgent rehabilitation because of dry rot and cyclone damage. The residents of these homes are anxious to learn of the timetable for repair or reconstruction as they have been advised by the grapevine that (1) the homes are beyond repair (2) the homes will be sold. Your early reply may help to alleviate some of the existing pressures placed upon these residents by the rumours flying around.

That was on 14 September and to date there has been no reply.

I will just refresh honourable members with a small comment about replies from Government departments - this happened to me last year. I wrote to the same character in charge of this section around about April or May last year concerning Home Finance Trustee problems. He did not reply so I did my thing, went around the back door and got the problem fixed up. I wrote to this character again a month later on another matter and he did not reply again. In those days, of course, we were at the mercy of the "Grey Ghost", the then Minister of the Northern Territory, who used to put up here once every 6 months and we had no recourse whatsoever; we were really down the scale at that time.

What I want to know, Mr Deputy Speaker, is what I should do now. Should I send Brian Walton an extract from the Hansard? Should I ring up the Minister and worry him with these what could appear to him to be trifling matters? Or could I send telegrams to this character in charge of Public Utilities and Housing? What should I do? I am the representative for that area, I am the person that these people come to to make their complaints. I would really like to know what to do.

Mr Robertson: Try despairing.

Mr STEELE: Yes, perhaps I could tie myself to a pedestrian crossing and get run over a few times in protest, but I do not think that would achieve very much.

I would like to comment on the remarks of the Executive Member for Finance and Community Development on Wednesday 6 October concerning roads to the northern suburbs. It has been apparent for a long time that some sort of subsidiary system has to be improvised and Bagot Road is just hopeless. Despite his comment about Sydney and Melbourne, it is still hopeless for Darwin; we have very short tempers up here and we are more prone to accidents, according to the statistics.

The Ludmilla residents group in the last 18 months - nearly 2 years now - has pressed for the closure of the Wells Street and the Hudson Fysh area. It was one of the few features of the Cities Commission Report that had any value as far as we were concerned and we endorsed their recommendation. Of course nothing happened; the pressures from other areas were just too great and we still have this problem of Wells Street and Bagot Road traffic coming up Wells Street.

I just point out to the Executive Member that linking the suburb of Nightcliff through Fannie Bay might pose some small problems. A linkage road would have to run from Totem Road to Coconut Grove across to Nemarluk Drive and there is a problem there of an unresolved land claim and the fact that those particular residents may not like the idea. Despite this, if there is a road put in from Ludmilla North to Fannie Bay, it would have tremendous advantages for children going to school. People in that area have no shopping facilities whatsoever; they have to drive from Ludmilla North up to Nightcliff or back down to near the two-and-a-half mile depot and do some of their shopping there.

The Executive Member for Transport and Secondary Industry, in reply to a question of mine the other day, said that he had some favourable comment from the Department of Housing and Con-

struction about the earth heaps at the two-and-a-half mile depot. Well, he is a fairly optimistic sort of a chap and I hope that he is on the right trail, but the Department of Housing and Construction which for the last 2 years has heard the plaints of the residents of Ludmilla and other places about the removal of the two-and-a-half mile depot - and I am talking about the DRC's plans and the Cities Commission's plans for the ultimate removal of that depot - has now gone to the trouble of spending hundreds of thousands of dollars on new sheds in that area. So just how sincere these people are about the dirt heaps remains to be seen.

Motion agreed to; the Assembly adjourned.

Wednesday 13 October 1976

Mr Speaker MacFarlane took the chair at 10 am.

PETITION - ROTHDALE ROAD POWER LINES

Mr EVERINGHAM: I wish to present a petition from certain residents of the electorates of Jingili and Sanderson. The petition has not received the certificate of the Clerk because it is not strictly in conformity with standing orders. It is, however, couched in respectful, decorous and temperate language and it does not contain, in my opinion, any irrelevant statement. I therefore move that so much of standing orders be suspended as would prevent me from presenting this petition and moving that it be received and read.

Motion agreed to.

Mr EVERINGHAM: I move that the petition be received and read.

Motion agreed to.

To the honourable Speaker and Members of the Legislative Assembly for the Northern Territory

We, the undersigned residents of Jingili and Sanderson residing in or near Rothdale Road, do humbly pray that the Legislative Assembly will restrain the Department of the Northern Territory from erection of 66 kv overhead electricity feeder lines from McMillans Road to the Casuarina substation on Trower Road. These overhead power lines are not pleasing to the eye and do not lend themselves to increasing the beauty of the area. Damage caused to residences on the eastern side of Rothdale Road during Cyclone Tracy when the existing lines were forced down over houses due to the collapse of the poles was very considerable and we consider that in the interest of safety and aesthetics these lines should be underground. And your petitioners ever do humbly pray.

PETITION - FACILITIES AT BORROLOOLA

Mr TUXWORTH: I present a petition from 69 residents of and visitors to Borroloola relating to the lack of facilities in the town and the sites sold for a caravan park and a service station. I move that the petition be received and read.

Motion agreed to.

To the honourable the Speaker and Members of the Legislative Assembly for the Northern Territory

The humble petition of residents of and visitors to Borroloola respectfully showeth that the township of Borroloola is sadly deficient in basic amenities both for its residents and visitors in that there are no public toilet facilities and the covenants on sites sold 3 years ago for a caravan park and a service station have not been complied with although these facilities are urgently required for the benefit of the travelling public. Your petitioners therefore humbly pray that the Legislative Assembly by whatever means it deems appropriate will urge the Department of the Northern Territory to provide public toilet facilities at Borroloola and arrange for their upkeep and forfeit to the Crown for resale the sites for a caravan park and a service station, and your petitioners as in duty bound will ever pray.

STATEMENT - ELECTRICITY DISTRIBUTION

Mr PERRON (by leave): In making this statement to the House, I propose to briefly explore the advantages and disadvantages of various electricity distribution systems which can be used in the Northern Territory. The statement is intended to stimulate public interest and discussion with a view to ascertaining the preferences of those people who will both benefit from as well as pay for whichever system is adopted for the future. Although I will touch on other options, the major departure from past practice which will be discussed is that of underground residential distribution. Underground residential distribution is the most advanced, convenient, safe and efficient system which could be implemented. It is also the most expensive.

Although underground residential distribution of electricity has been used extensively overseas for many years, it is only in the last decade that it has gained extensive acceptance within Australia, the main deterrent being the appreciably higher cost when compared with conventional overhead construction. In the Northern Territory, the first steps to evaluate underground electricity were to be taken with a small pilot program in the new subdivision of Anula prior to December 1974. After the cyclone, the Darwin Reconstruction Commission accepted recommendations that the new subdivisions of Anula and Wulagi be serviced completely with underground reticulation. That decision was taken at a time when hurried decisions had to be made in order to get work under way and to rehouse as many people as possible as fast as possible. We are now at a stage where decisions have to be made that affect far more people than live at Anula and Wulagi, and those decisions have to be made in the light of cold, hard economic facts.

As the Northern Territory has a variety of climatic and geographical features, the essential and desirable features of an electrical distribution system vary as well. For example, the benefits of undergrounding electricity in Alice Springs are almost entirely aesthetic, whereas in Darwin one might rate aesthetics as a third benefit, after cyclone protection and serviceability, due to the fact that power failures as a result of lightning strikes are virtually eliminated. Looking back at Alice Springs, we must not underestimate the value of a skyline which could be unobstructed by ugly poles, lines and transformers. A town with such magnificent geographical features and unlimited tourist potential has to guard its natural assets closely.

Assessing the value of undergrounding electricity in Darwin and other coastal areas is much more difficult. For example, whilst the system would be virtually cyclone proof, how should we rate that in terms of value? It is liable to be a long time before we have another cyclone with Tracy's intensity. Although a reticulation system might be in service for a much longer period, the predictable life of any system is only about 30 years. After that period, it is anyone's guess that we will even need a distribution system to get electricity into our homes. In addition to the life factor, we must bear in mind that Darwin is better built than before and, providing construction standards are maintained, there will be far less debris to damage an overhead electrical system in any future cyclone. To further complicate the issue, the Darwin situation is divided into two parts, existing areas which already have overhead reticulation and new subdivisions which are yet to be developed. Unless the whole system is placed underground, and not just the new outer suburbs, there will still be power failures from lightning strikes and cyclonic damage to the existing overhead system and this will affect power supplies to the areas which have undergrounding.

The major obstacle to undergrounding electricity in areas which are already serviced is establishing an equitable method of cost recovery. In new subdivisions, one way to recover the extra cost of undergrounding would be to increase the reserve price of the land. This method would restrict the cost to those people who would benefit directly and would not alter tariffs. We need to know how prospective purchasers of land in our new suburbs feel about this concept of cost recovery. Another option would be to allocate a portion of the cost to the subdivisional development and the remainder to be recouped through tariffs. In existing areas where land is already owned, it seems the only way to pay for undergrounding would be increased tariffs or a surcharge on tariffs.

Other major options I mentioned earlier include cyclone resistant overhead reticulation and rear-lot construction. It must be clearly stated in discussing cyclone resistant overhead reticulation that this construction is not cyclone proof. Winds and flying debris during a cyclone would still cause considerable damage to wires and fittings. The resistant feature of this system would apply mainly to the structural strength of poles and towers, although even in this area it would be expected that

some poles would fail due to debris impact. This system would possibly lessen but would not eliminate lengthy delays in restoring power in the event of another severe cyclone. The increased pole sizes and decreased pole spacings of the cyclone resistant overhead system would increase the visual impact substantially, making it the worst choice aesthetically.

Rear-lot construction involves conventional overhead wiring located on an easement on the back of the block with underground cables servicing street lights. Substations are generally incorporated in the backyard easement although they can be located in road reserves or parks. The relative aesthetics of rear-lot construction are a debatable point. Whilst the overhead construction is removed from the street and removed also from the front of the house, it is still present and in most cases is even closer to the house, at the rear. Although the appearance at the front of the blocks is similar to underground reticulation and there is a significant visual improvement for the person driving down the street, the householder still has to gaze upon an ugly mass running across his backyard.

Rear-lot construction involves considerable additional expenditure in that separate columns have to be installed for street lighting and extra cable used to connect these lights with feeder lines in the back yards. The rapid growth of trees in tropical areas could pose a problem as they have to be lopped regularly and this might prove costly to the householder. The factor of access also makes maintenance and repair much more difficult. The heavy plant and elevated work platforms usually employed would often be unable to fit between houses and side fences and in any case would cause extensive damage to lawns and gardens. Most work would have to be attempted with ladders and hand tools and this would increase maintenance costs appreciably. Whilst being the most aesthetically pleasing overhead system, rear-lot construction has the same disadvantages in cyclonic areas as any other overhead system.

The 3 options I have mentioned are possible alternatives to the conventional overhead system which has been in use throughout the Northern Territory up until now. With all its disadvantages, conventional overhead is still the most economical way to distribute electricity. For that reason I include it as an option to be considered.

In deciding what should be done in the future and how best to recover the cost involved, many factors must be taken into consideration which I have not mentioned. Most of them are of a technical nature and probably beyond most people. They include operational flexibility of each particular system, maintenance costs, resistance to damage, future load capacity, disruption to consumers during installation, the resources required and time required. As tenders have not been called for undergrounding electricity in Darwin, it is difficult to establish a firm estimate of costs. However, it is expected that it would be in the range of $2,700 to $3,000 per block. This figure represents an increase of approximately $1,600 per block over the cost to install a conventional overhead system. The main concern at this stage is whether to adopt underground residential distribution in new urban subdivisions or not. A broad consensus of opinion is sought from the people who would not only enjoy the benefits but pay the costs as well.

Mr DONDAS: I move that the statement be noted and seek leave to continue my remarks at a later hour.

Leave granted.

Debate adjourned.

LEAVE OF ABSENCE - MEMBER FOR TIWI

Mr STEELE: I move that leave be granted to the honourable member for Tiwi. He was absent yesterday and will be absent today. He has been hospitalised at Bathurst Island.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr POLLOCK: I move that so much of standing orders be suspended as would prevent me from presenting 3 bills to-

gether and the 3 bills being 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 one committee of the whole.

Motion agreed to.

POISONS BILL

(Serial 147)

DANGEROUS DRUGS BILL

(Serial 148)

PROHIBITED DRUGS BILL

(Serial 149)

Bills presented together and read a first time.

Mr POLLOCK: I move that the bills be now read a second time.

The purpose of these bills is to incorporate in Northern Territory legislation the requirements of the United Nations Convention on Psychotropic Substances. The Australian Government has decided as a matter of policy that it should formally ratify that convention and a bill authorising such ratification was passed by the Commonwealth Parliament in August this year. A necessary prerequisite to Australia's ratification of the convention is that the laws in all Australian jurisdictions embody the terms of the convention. This is already the case with the relevant Commonwealth legislation relating to international trafficking in these substances and with the legislation in the various states relating to internal manufacture, distribution and use of the substances. The laws of the Northern Territory and of the Australian Capital Territory do not, however, comply with the requirements of the convention and I am sure that honourable members will agree that this is an unsatisfactory state of affairs, not merely from the viewpoint that our legislation could debar Australia from becoming a party to the convention, but from the fact that our controls over psychotropic substances are looser than those in any Australian state.

The term "psychotropic substances" as used in the United Nations Convention refers to substances which have the capacity to produce a state of dependence together with either stimulation or depression of the central nervous system resulting in hallucinations and/or disturbances in motor functions, thinking, behaviour, perception or mood and, in respect of which, there is the likelihood of abuse so as to constitute a public health or social problem. The particular substances covered by the convention are listed in the schedules to the convention and range from relatively minor barbiturates, tranquillisers and sedatives to the highly dangerous hallucinogenic drugs such as LSD.

The convention provides for varying levels of control to be exercised according to the abuse potential of the respective substances. As may be expected, the controls required under the terms of the convention in respect of the highly dangerous hallucinogenic drugs are extremely stringent. Provision is made in the convention for very restricted use of these substances for medical and scientific purposes; however, there are no foreseeable circumstances where any of these substances would need to be used for any legitimate purpose within the Northern Territory.

The bills now before you therefore amend the respective ordinances under which these substances are now controlled and place them all under the Prohibited Drugs Ordinance. The effect then is to place a total ban on the manufacture, distribution, use or possession of any of the substances listed in schedule 1 to the convention. There are legitimate uses for other substances covered by the convention and it is therefore necessary to introduce controls which conform to the requirements of the convention. Essentially these substances may be grouped in 2 categories: one group included is the amphetamines and the other substances with a similar abuse potential and a second group made up of the

barbiturates and other tranquillisers and sedatives. There are some common control measures which need to be applied to both groups, with additional measures to be applied to the amphetamine group only. For convenience and to restrict the number of amendments to a minimum, the bills provide for all of these substances to be controlled under the Dangerous Drugs Ordinance.

Turning now to the individual bills, I refer honourable members firstly to the Poisons Bill. At present, a number of substances covered by the United Nations Convention are included in the first schedule to the Poisons Ordinance and are thereby subject to the general controls provided in that ordinance. It is proposed that all substances covered by the convention be controlled either under the Dangerous Drugs or the Prohibited Drugs Ordinances. The Poisons Bill will therefore simply delete all such substances from the first schedule to the principal ordinance. The Prohibited Drugs Bill adds a number of substances to the schedule to the principal ordinance and thus has the effect of placing a total ban on the manufacture, distribution, use or possession. These substances are all included in the group of drugs which the United Nations Convention requires to be subject to stringent controls because of their high abuse potential.

The bill also provides separate penalties for trafficking or supplying as opposed to simple possession or use and provides for persons in possession of drugs in excess of prescribed quantities to be presumed to be trafficking in those drugs. The penalties provided have been substantially increased, particularly in relation to trafficking offences. There are essentially 2 reasons for this. Firstly, the United Nations Convention requires that parties to the convention ensure that serious offences are liable to adequate punishment, particularly by imprisonment or other penalties involving deprivation of liberty. Secondly, and more importantly, is the fact that the misuse of drugs in the Northern Territory is a serious problem and existing penalties are not acting as an effective deterrent. We as a legislature need to indicate to the courts and to the community generally that we are determined to do everything we can to stop illicit trafficking in drugs.

The bill also inserts several new sections in the principal ordinance relating to police powers and associated matters. There are no provisions at all in the ordinanace at present relating to these matters and the lack of adequate powers of entry, search etc is a hindrance to the effective policing of the ordinance. The increase in penalty necessitates the removal of serious offences from the court of summary jurisdiction and this is also provided for in the bill.

The third bill is the Dangerous Drugs Bill. The amendments to the principal ordinance incorporated in the bill remove the provisions relating to hallucinogenic drugs and insert new provisions relating to another group of drugs defined in the bill as psychotropic substances. Hallucinatory drugs are now to be controlled under the Prohibited Drugs Ordinance and the psychotropic substances as defined are in fact the substances covered by the United Nations Convention other than the hallucinogenics.

The bill sets out various controls to be exercised over psychotropic substances including registration of manufacturers and distributors, security requirements, maintenance of records including prescriptions, limitation of supply by pharmacists, doctors, dentists and veterinary surgeons and restrictions on the use of these substances. These measures are in accordance with the requirements of the United Nations Convention and provide an effective system of control over the manufacture, distribution and use of the drugs concerned.

Penalties providing for offences involving both pyschotropic substances and other drugs such as narcotics covered by this ordinance have also been increased although not to the same extent as is provided in the Prohibited Drugs Bill. The existing penalties are totally inadequate. For example, the maximum penalty for trafficking in opium is a $400 fine and/or imprisonment for 12 months. The bill also pro-

vides for police powers etc to be brought into line with the corresponding provisions in the Probibited Drugs Bill and for serious offences to be removed from the jurisdiction of courts of summary jurisdiction.

Since the bills were drafted, it has been noticed that the descriptive terms used for some of the substances covered by the bill could cause some problems. It has also been noted that the provisions in both the Prohibited Drugs Bill and Dangerous Drugs Bill relating to search warrants need some revision. I therefore foreshadow that amendments relating to these matters will be presented during the committee stage. These amendments will not involve any substantive changes to the bills.

I would also like to indicate that there is also in the Dangerous Drugs Ordinance a mistake in the schedules, in that the schedule is listed as "schedule, second schedule, third schedule and fourth schedule" where in fact it should be second schedule part 1, part 2 and part 3". I foreshadow an amendment to correct this.

At a conference which was held in Melbourne last Friday week, at which regrettably the Northern Territory was not represented, the Australian states made some decisions and recommendations in relation to penalties which are considerably higher than the penalties proposed in the bills here, which are themselves quite a deal higher than the existing penalties. It is possible then that the penalties as provided in these bills will be further increased to be in line with the other states of Australia. We do not want any easy way out in the Territory.

I indicated in my opening remarks that my purpose in introducing these bills is primarily to enable the Australian Government to ratify the United Nations Convention on Psychotropic Substances. The bills meet that purpose. However, they do not really rectify all the weakness and anomalies in the existing legislation as it relates to other substances. This can be achieved only by a comprehensive review of the legislation concerned, a task which I am advised is receiving priority attention by the Department of Health. Although the bills do not remedy all the defects in the respective ordinances, they do represent a significant tightening up of the laws relating to psychotropic substances as well as paving the way for Australia to ratify the United Nations Convention, I commend the bills.

Debate adjourned.

CONSTRUCTION SAFETY BILL

(Serial 154)

Bill presented and read a first time.

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

The intention of this bill is to amend the Construction Safety Ordinance which at this stage is still awaiting assent. The reasons given by the department for the ordinance still awaiting assent are that there are some areas that are unsatisfactory and which require amendment. These amendments do just this and, hopefully, on the passing of the bill and the completion of the regulations for the ordinance, we will soon see the ordinance come into operation. The amendments will make the administration of the ordinance easier as well as introducing further safety provisions.

Clause 4 amends the definition of "serious bodily injury". This amendment will avoid any confusion as to whether a weekend day is classified as a working day.

By amending section 5(1)(d) the ordinance will now cover all diving work in relation to construction work. Regulations incorporating the latest Australian standards pertaining to diving are currently being drafted.

Section 12(2)(b) is amended thus clarifying the interpretation of who is to notify the Chief Inspector of intention to commence work. Persons carrying out work on their houses and using only step ladders and planks are not required to give notification of intention to carry out work. I am sure that that new provision will take away

any fears that the average home builder might have that this particular legislation is going to affect him adversely. It has been my intention right from the outset of this legislation to ensure that a person building a home is not under any strong threat of extra payment because of the provisions in this ordinance. We have clarified the situation and the average home builder has nothing to worry about whatsoever.

To avoid any inconvenience to contractors or government departments who are carrying out continuous, repetitive construction work such as erecting power poles, the inclusion of section 12A allows a contractor to notify the Chief Inspector once only of his intention to carry out this work. This was another point which was raised. Quite obviously in repetitive work if each time a pole had to be erected the contractor had to get a licence, it would create a very large amount of paper work. We have endeavoured to cover this situation satisfactorily.

The amendment to section 14(2) is required to ensure that the safety supervisor has adequate experience in the construction industry. Three years experience is the minimum provision in most Australian states.

The original ordinance allowed for the licensing of riggers and scaffolders and it is now intended to extend this to licensing the dog man, the person who slings loads and directs the movement of cranes. Only recently there was a fatal accident out at the new home construction area in which it would appear that a concrete panel had been slung incorrectly with the result that the slings let go and a person working under the panel was killed. Another person also working under the panel was very lucky to escape with his life. The amendment to sections 21 and 32(a) and (b) brings this about.

Section 24 is amended to allow a person to make safe a damaged scaffold where this scaffold could do further damage to life or property.

I commend the bill.

Debate adjourned.

HOUSING BILL

(Serial 115)

Bill presented and read a first time.

Mr TAMBLING: This is one of the most pleasurable tasks that could befall any Executive Member. To be able to introduce legislation that is immediately going to have the potential of affecting some 600 families in the Northern Territory is a very pleasing task. It has been long awaited. I am sure that there are many people who have anxiously and patiently waited for this legislation to hit the deck and enable the Northern Territory Housing Commission to reintroduce a satisfactory home sales scheme and to reinforce that scheme in centres outside of Darwin. The Majority Party has always put forward strong and positive policies with regard to housing. We believe that it should be a major objective to encourage all people who wish to do so to own their own home. We fully recognise the advantages that home ownership confers upon families: greatly reduced costs of housing over a life span, absolute security of tenure, the acquisition of a valuable asset to ensure security and a pride of ownership that provides for personal incentive for property improvement.

In the Northern Territory, we have a very peculiar situation with regard to the needs of housing and the needs of our own community. It is unusual because our community is so diverse and so different. To traverse the complete north-south road of the Northern Territory and all the towns in between, it is very easy to see that there have to be differing situations in different communities. I believe that the Government and the Majority Party have already taken a number of very strong initiatives to ensure proper housing in the Northern Territory. For example, we recently introduced in the Assembly a scheme for the Housing Commission to build on private land and to work as agents for people requiring Housing Commission homes to be built on their own land. That scheme also ensured that people in Darwin who wished to rebuild damaged Housing Commission homes that had been sold prior to the cyclone could do so without disability or dis-

advantage to those former home owners. This Assembly has recently passed very important legislation with regard to strata titles. That also will have a very positive effect on the housing requirements of our community. The Government has maintained excellent schemes through the Home Finance Trustee: the ordinary scheme to enable private citizens access to funds to build if they wish and special funds to those people in Darwin who are rebuilding cyclone damaged housing. The Majority Party also has under active review at the moment the land policies of the Northern Territory and the considerations that are coming out of the Else-Mitchell Report.

In preparing this legislation, we have worked closely with the Minister for the Northern Territory and the Northern Territory Housing Commission. It has not been an easy task and in fact there are some problems that still have to be resolved with Treasury. However, I present this bill to enable us to get to grips with these urgent problems and to ensure that they are solved in the period that the bill will lie before this House, for the next month or so.

I mentioned in my opening remarks that this bill has the potential of assisting initially some 600 families in the Northern Territory. I do not have the up-to-date statistics on each community but figures that I had supplied to me earlier in the year indicate that, under the provisions of this bill, 363 homes in Darwin or 22% of the Darwin tenants would become eligible to purchase. In Alice Springs, 162 would immediately qualify, that is 23% of the tenants in that community, 25 in Tennant Creek or 17%, and 33 in Katherine or 26% of the tenants. That would be the purchases that could take place under the terms of eligibility that I will detail in a moment. When you add this to the sales that have already taken place of Housing Commission homes in the Northern Territory, then of all the dwellings constructed by the Housing Commission, some 40 to 45 per cent will either have been sold or have the potential to be sold now. That is a rather remarkable statistic and it would bear very positive comparisons with what housing commissions are able to do in other states.

It is intended that Housing Commission houses, but not flats, throughout the Northern Territory will become available for sale to approved tenants. The provisions are set out in the ordinance and further details of the scheme are to be determined by the Administrator in Council and published in the Gazette. The Administrator in Council will also define the class or classes of tenants which will also be published in the Gazette. I should indicate what, at this stage, the approved tenant qualification will be and this has been endorsed by the Majority Party.

The following tenants will become approved tenants for the purposes of this scheme: a married couple with or without children; a person with dependent children; a widow or widower of a tenant with dependent children; and a couple living in a bona fide de facto relationship with or without children. Satisfactory tenants in the above category, of not less than 5-years standing in a commission multiple unit rental dwelling and who wish to purchase a commission house, will be transferred to a new commission house which the tenant may select from the limited range of houses of the commission's choice. If the sale agreement is not signed within 3 months of the transfer, the tenancy of that house will be cancelled and the tenant may be transferred back to a commission multiple unit rental dwelling.

Tenants who have been in the opinion of the commission satisfactory tenants for a continuous period of 5 years will be approved tenants. People who were commission tenants up to the date of the cyclone on 24 December 1974 and whose tenancies were terminated as a result of the cyclone will be able to include any period of continuous tenancy immediately preceding the cyclone as part of the required 5-year tenancy period. They will also be able to include any period of continuous tenancy after the cyclone, together with a period not exceeding 1 year in which their name was recorded on the commission's accommodation waiting list, providing that they reapply for

tenancy not later than 6 months after assent is given to this ordinance.

An important point that must be considered is that the commission may refuse to treat a tenant as an approved tenant if his rental history during the 5 years immediately preceding the date of the application for purchase has been, in the opinion of the commission, unsatisfactory. The rental history of a tenant may be considered unsatisfactory if the tenant had a notice to vacate served on him during the 5-year period, he had been in arrears of rental for a cumulative period of more than 12 weeks during the 5-year period, his maximum rent arrears had exceeded the equivalent of 6 weeks rent during the 5-year period, he had breached the commission's tenancy agreement in any other way during the 5-year period, his maximum rent arrears had exceeded the equivalent of 3 weeks rent at any time during the 12 months immediately preceding the date of application to purchase, he has any rent arrears at the date of application to purchase or he owes any money to the commission for maintenance of a commission dwelling of which he has been a tenant which is his responsibility under the tenancy agreement. The commission may refuse to treat a tenant as an approved tenant if he or his spouse own freehold or leasehold residential land in the town in which the dwelling which he has applied to purchase is situated; if he or his spouse had previous financial assistance from the commission to purchase a house built by the Housing Commission in the Northern Territory, unless the previous house was repurchased by the commission as the result of Cyclone Tracy or there are other extenuating circumstances; or if he or his spouse had previous financial assistance from the Home Finance Trustee or under the Sale of Government Homes Scheme, unless the previous house was repurchased by the Government as a result of Cyclone Tracy or there are other extenuating circumstances.

In clause 6 of the bill the proposed section 13A(2) provides that an approved tenant may make application to purchase either in his own name or jointly with his spouse including a bona fide de facto spouse. Also, proposed section 13A(3) provides that the commission may, in its discretion, sell to an approved tenant or jointly to the approved tenant and his spouse a dwelling of which he is the tenant, or a dwelling chosen by him from a limited range of alternative dwellings, which probably will be new dwellings selected by the commission.

With regard to the sale price, this is set out in clause 6 under the proposed section 13A(4). The sale price proposed will be not less than the average of the capital cost of the dwelling and the market value of the dwelling at the date on which the contract of sale is signed by the applicant. The market value of the dwelling will not include improvements made by the approved tenant with the approval of the commission. This aspect of the bill still needs to be finalised with the Government because of the financial arrangements that exist between the Government and the Housing Commission.

We have introduced into the bill a completely new concept to enable us to negotiate further with the Australian Government. This new concept introduces an equity value for deduction from the purchase price. Currently, I am not aware that it is a policy of any state. However, I believe it is a very reasonable proposition. We have already established that a person must have a 5-year wait in order to qualify to purchase and I believe that, if we could gain acceptance for this equity value, it would reward that person for being a better tenant and for having proven his ability to wait and it will also protect the commission from speculation of early sales.

The sales price under this proposed scheme will be reduced by an amount of not less than the tenant's equity which is the principal component of the rent paid by the tenant in respect of the dwelling which he has applied to purchase or in respect of any other commission dwelling of which he had been the tenant over a period of 5 years immediately before the date of sale. The tenant's equity is the amount of the annual amortisation allowance to provide for the repayment of the capital costs. This is set out in proposed

section 13A(5). It would also be proposed to treat this equity in the same way for spouses, widows or other people who become eligible to purchase.

Under the proposed section 13A(6) a deposit of $500 or such larger amount as the purchaser may require will be necessary on entering into the contract of sale and the balance of the sale price, reduced by the tenant's equity as adjusted, will be repaid over a period agreed between the commission and the purchaser but not exceeding 45 years. A purchaser will be required to insure the dwelling in the joint names of himself and the commission against damage by fire, storm or tempest while any of the price is unpaid. Likewise, the purchaser will be required to maintain the dwelling in good repair while any of the price is unpaid. Furthermore, the purchaser will be responsible, while any of the price is unpaid, for payment of land rent, rates and other charges relating to the dwelling or the land on which the dwelling is erected.

In proposed section 13A(7), provision is made for the Administrator in Council to declare the interest rate applicable to the class of purchaser to which the purchaser belongs. The Administrator in Council will specify classes of purchasers and make publication in the Gazette. Likewise, the rate of interest applicable to the various classes of purchasers will be published in the Gazette. Under the proposed section 13AAA(2), the commission will be required to review the interest rates payable by the various classes of purchaser at least once in each year and recommend to the Administrator in Council any variation considered necessary.

It is envisaged that the Administator in Council may prescribe an interest rate equal to that applicable to the sale of state housing authority dwellings. However, this is one of the areas that I indicated still need considerably more assessment and discussion with the Government with regard to the financial relationships of the Northern Territory Housing Commission. The current State Housing Agreement Act provides that low interest funds - I think it is 4% - are made available to state housing authorities. But there are certain restrictions on the percentage of their housing stock that can be sold.

Similarly, there are restrictions in the states on the approved tenant depending on the average weekly male earning or eligibility factor. Both the interest factor and this factor require considerably more discussion with Treasury to recognise the special situation of the Northern Territory and, from my initial discussions with the Minister for the Northern Territory, he has indicated a very flexible and open attitude in this regard.

In clause 7, under the proposed section 13B(1), a dwelling that has been sold under the proposed section 13A cannot be subleased, transferred or assigned during the period of 5 years immediately after the date of sale. However, this does not apply where the owner has made an offer in writing to the commission to resell the dwelling to the commission and the offer has not been accepted within 6 weeks of the date on which the offer was made. Likewise, it does not apply so as to prevent a transfer or assignment of the dwelling by operation of law, by will, by way of mortgage entered into with the consent of the commission, by a mortgage as a result of a mortgage sale between the spouses or between parties to a dissolved marriage. Furthermore, it does not apply in the case of a sublease which has the prior consent of the commission.

Under the provisions of the proposed section 13B, an owner of a dwelling who wishes to sell, transfer or assign the dwelling within the first 5 years after sale may request the commission to advise the price which the commission is prepared to pay for the dwelling and, unless the commission provides information within 6 weeks after receiving the request, the owner is relieved of the restrictions on transfer imposed by the proposed section 13B(1) and therefore may proceed to sell, sublease or transfer the dwelling privately. If, however, the commission makes known the price it is prepared to pay within 6 weeks after receiving the

request for this information and if the owner is dissatisfied with the amount, the owner may request the commission to obtain a government valuation and advise the owner as soon as it is received from the Valuer-General. In such a case, the owner, having received advice from the commission both as to the amount the commission is prepared to pay and the amount of the government valuation, may formally offer the dwelling to the commission at either the price the commission is prepared to pay or at the amount of the government valuation; and the commission, if it wishes to accept the offer, must do so within 6 weeks after the date on which it was made known. If the commission does not accept the formal offer within 6 weeks after the date on which it was made, the owner is relieved of the restriction of transfer referred to in the proposed section 13B(1). The commission is required to provide a certificate to the owner stating that the offer has not been accepted within 6 weeks after the date on which it was made and this will be taken as conclusive evidence that the restrictions on sale during the first 5 years no longer apply.

Under proposed section 13B(7), any agreement entered into by the owner during the first 5 years after the date of sale purporting to give a person an option to purchase a dwelling from the owner at the completion of the 5-year period is void and no money paid for the option is recoverable. We have seen in the past a number of loopholes in this regard under the former scheme and it is intended to close them.

This bill is very timely and very necessary. I believe it will bridge the gap and will stabilise our community much further and provide a great deal of satisfaction for many members of our community.

Debate adjourned.

MINES SAFETY CONTROL BILL

(Serial 145)

Bill presented and read a first time.

Mr TUXWORTH: The original Mines Safety Control Bill, Serial 120, was widely circulated to interested parties in the mining industry and these included the Northern Territory Chamber of Mines, mine managements and over 13 unions. Numerous suggestions for amendments were received and many of these were accepted. The resultant alterations to the bill are therefore quite substantial and, in order to present a clearer picture, I have decided to withdraw the Mines Safety Control Bill, Serial 120, and replace it with the Mines Safety Control Bill, Serial 145. A schedule giving details of the amendments to the original bill has been circulated to honourable members and 4 more changes are apparent and self-explanatory. I propose to indicate some of the more salient amendments with reasons where necessary for their adoption.

Part I, dealing with the preliminaries, has had several amendments to clause 4 dealing with interpretation. Approval for a particular situation or thing has often to be given on the spot by an inspector, therefore the words "in writing" have been omitted from the definition of "approved". In addition, the necessity for approval both by an inspector and the board has been amended. Where approval in writing or the board approval is required, it will be stated in the relevant clause. The definition of "continuing offence" has been omitted because the expression is no longer used in this bill.

For the sake of clarity, district inspectors and special inspectors have been specifically mentioned in the amended definition of inspector. The definition of "machinery" has been modified to include pressure vessels and pipes, chains and various attachments. This, of necessity, has meant a definition of "pressure vessel". In addition, the previously grey area of foundation and structures relating to machinery has been included. In defining "manager", the owner and agent of the mine have been included so that it has been made clear that, in the absence of the manager, they are responsible for ensuring compliance with the statutory provisions. The definition of "mine" has been amended to include a place where the products are to be treated. This will enable inspections at the construction stage to

be undertaken. "Shaft" and "winze" have been redefined to give greater clarity to their meaning particularly in regard to regulating procedures. As the application of the word "standards" must be the subject of careful review, preferably by more than one person, the board is considered to be the appropriate body to do this and therefore "the board" has been substituted in place of "the Director of Mines" in the meaning of standards. The definition of "this ordinance" has been omitted as the expression throughout the bill does not in all cases include the special rules or the regulations. As it may only be necessary to exempt part of a mine instead of a mine or a class of mines from the provisions of the bill, a subclause to this effect has been added to clause 5.

The main amendment to part II, Administration, concerns disqualification. Clause 8 has been added relating to the pecuniary interests of an inspector and the impersonation of an inspector.

In part IV, clause 12 deals with the general powers of inspectors and includes 2 new subclauses which allow delegation of the power to prosecute and allow simplification of proof in any proceedings. You will note that, in the same part IV, clause 14 deals with the requirement of government mining engineers with regard to dangerous matters. The previous bill had a subclause relating to procedures for objection to a decision of an inspector on these matters. These procedures have now been consolidated in clause 63 which deals solely with the subject of reviews and will also cover instances arising under clause 13 which deals with the powers of inspectors in relation to dangerous conditions in a mine.

Clause 16 contains a new subclause making it mandatory for a manager to comply with an order of a warden or a mining registrar made after an examination of a reported unsafe working place.

Part V deals with management and, in clause 23, the requirement that "the Director of Mines may require the appointment of assistant managers" has been changed to "the Chief Government Mining Engineer may require the appointment". This is solely for appeal purposes, as there is no appeal from a decision of the Director of Mines. In the same part, clause 23 contains a new subclause that leaves no doubt that the manager is responsible for ensuring safe working environment in a mine.

The appointment of a deputy manager is contained in clause 24. The original clause stated that a mine should not be without a manager for a period exceeding 30 days. This period has now been extended to 60 days and this allows for the taking of longer leave periods normally enjoyed by Territory personnel.

Part VI deals with accidents and injuries, and an important amendment has been written into clause 32 dealing with the cessation of work in the case of an accident that causes death or permanent disability. Where an accident occurs in a workplace in a continuous process plant where continuation of that work will not involve an alteration to the workplace which could affect investigation of the accident, work need not cease. A continuous process plant has been defined as a plant where treatment is carried out and which of necessity operates continuously. Clause 33 in the same part deals with the reporting of accidents and indicates those which must be reported to an inspector. An additional type has been added, namely the occurrence in, on, or about a mine of an abnormal radiation hazard.

Clause 44 in part VIII contains an amended definition of a "licensed person" in relation to winding and winding engine drivers. This is designed to give a clearer meaning to the expression and also to enable it to tie in with the amended clauses 45(2), 46(4) and 47(2). In consequence, clause 49 becomes more effective as a penal provision.

Part VII, dealing with employment, has been amended by the addition of clause 43 dealing with the necessity of a person to speak, read and write the English language readily and intelligibly if he is to be appointed to cert-

ain responsible positions. A person who is unable to readily and intelligibly speak the English language shall not be employed underground in a mine.

Part IX, dealing with the plans of mines, contains references to scales. These have been amended from the original bill to scales with more relevance to existing mining operations.

In the matter of regulations and rules in part X, several amendments have been made. These include provisions for making regulations in relation to 56(2)(c), the prevention, suppression and control of noise in mines; (g), the control of disposal of waste products whether solid, liquid or gaseous in mines - this was foreshadowed in the second reading speech of the earlier bill; (h), specifying the safety procedures to apply in the drilling for petroleum or natural gas; (j), the specifications for and the construction, use and control of machinery, winding and other engines and explosives in, on or about mines; (k), the control of persons who are in charge of machinery; (u), the fixing of fees, allowances and expenses payable to members of the board in respect of their services as members and to persons other than officers who are required to perform duties under this ordinance; (w), penalties for offences against the regulations not exceeding $500; (y), the procedure to apply on a review of decisions under section 63; and (z), the furnishing of returns, statistics, plans and other particulars relating to the safety and health of employees and other persons in, on or about a mine.

Two amendments in part XI, Miscellaneous, are worth noting. Clause 63 dealing with the review of decisions has had a new clause added stating that the Chief Government Mining Engineer shall not sit at a meeting of the board at a time when a decision of his is being reviewed. Penalties in clause 66 have been amended to be more consistent with the present day money values.

The bill, as it now stands, contains the results of amendments from all sides of the mining industry. My second reading speech for the original bill on 26 May gave a full background to that bill which still applies to this amended version. I have therefore no need to reiterate all I said. However, I do ask all honourable members to give their urgent consideration and subsequent approval to this bill. It is a bill which could become the leader in the field of mining safety legislation, thus protecting the safety and health of all those employed in our great industry, an industry so essential to the Territory. I commend the bill.

Debate adjourned.

LEAVE OF ABSENCE - MEMBER FOR PORT DARWIN

Mrs LAWRIE: I move that leave of absence be granted for this sitting day to the honourable member for Port Darwin who has been called away unexpectedly and urgently on business.

Motion agreed to.

ALCOHOL PROBLEMS OF ABORIGINALS - NT ASPECTS

Continued from 12 October 1976.

Mr POLLOCK: The alcohol problem of Aboriginals in the Northern Territory is one which has been long canvassed over recent years. In the words of the Minister for Aboriginal Affairs the other day, there have been 29 reports on the subject in recent years. It is refreshing, I suppose, to see a new report on the matter. It is a little refreshing to read some of the recommendations which have been made in the report of the Standing Committee on Aboriginal Affairs of the House of Representatives. This committee did visit a great number of centres in the Territory and took quite a deal of evidence from members of the community. The committee is to be congratulated on producing the report that it has in the time that it has had. However, I have been disturbed on reading the remarks of the chairman of the committee who presented the report and by what the Minister has said. Unfortunately, the Minister has not made a written statement on it and I gather that the press reports only cover some of his remarks about what he is going to do about the liquor laws of the Northern Territory.

It seems to have been forgotten that the Northern Territory liquor laws concern the people of the Northern Territory as a whole and are processed through this particular House and that the people of the Northern Territory will not accept laws which might be passed in any other place or on the sole recommendation of people in another place. One of the recommendations, for an interdepartmental committee to be established in the Northern Territory, is perhaps refreshing when one compares it to other statements which have been reported in the press over the last few days.

I will not go into detail on many of the points raised by the committee. It has pointed out the consumption in the Territory, the operations of the law, the experience of dealing with the problems, their causes etc. I will not go into those, but other members will have plenty to say on them. However, I would like to examine some of the recommendations of the committee.

Recommendations 1 and 12 have not received much prominence at all. Recommendation 1 states that there should be greater cooperation and consultation between the Department of the Northern Territory and the Executive of the Northern Territory Legislative Assembly to improve the legislative process in respect of the Licensing Ordinance. For the past 18 months, as the Executive Member for Social Affairs, I have been endeavouring to have work done on a review of the Licensing Ordinance. Perhaps, with the recommendations of this report, we might finally get somebody to buck up and take note that really there needs to be something done. The Majority Party has been striving to get something done to the Licensing Ordinance and to adopt many of the recommmendations of the Adams committee on licensing which was brought into the old Legislative Council. The Majority Party Executive has approved in principle working papers on liquor reform and alcohol and drug dependency but unfortunately we have been severely hampered by the fact that we have had absolutely no staff who can sit down and prepare these papers to the stage of drafting instructions. Despite repeated requests, we still have not been able to get the staff. All we have been able to get hold of is advice that perhaps we should set up another committee. In some ways, recommendation 13 does recommend the establishment of another interdepartmental committee. Well let us hope that it will be a working committee and that it finally will come up with something rather than perhaps just another report.

A further recommendation of the committee is that the law be amended to prevent alcohol being carried on charter aircraft, taxis, mail or other means to or in the vicinity of Aboriginal missions and reserves. That sounds very simple but unfortunately it is not quite as simple to legislate for and to police. We have problems where taxis and charter aircraft rather indiscriminately convey liquor to Aboriginal reserves. It is very difficult to prove these matters in court and to actually effect the apprehension redhanded. This is perhaps tied up a little bit with recommendation number 9 that there be increased mobility of the police and the establishment of additional police stations on Aboriginal reserves when requested by Aboriginal communities. The conveyance of liquor by taxi and light aircraft to Aboriginal reserves and communities is a problem which has been with us for some time. Just how you can effectively deter the practice, I am not so sure. I am quite sure that it will not be very easy.

The establishment of licensed clubs on missions and settlements is a further recommendation. It states that these should be established on varying conditions to meet the local community needs. The Majority Party supports in principle the establishment of a liquor commission and a liquor commission should provide the basic guidelines for categories and types of licences. The commission should be able to use its discretion in each individual area or case. This is reflected in the fourth recommendation, that licensed clubs be established. I am sure that they can be established, only if the communities want them, with individual terms and conditions but under broad guidelines laid down by the commission.

Recommendation 6 states that the Licensing Ordinance should be amended to provide the special guidelines and conditions applicable. We feel that the commission should have its guidelines and meet the individual needs of individual communities. Conditions vary from place to place in the Territory. There are various types of licences and, whilst we might make provision for those in the review of the legislation, the special guidelines and conditions can be laid down by the commission. This is the great hope.

It is a recommendation that reference of the question of customary law to the Law Reform Commission await the committee's determination of the important implications involved. We have to await this report but it is very important that what Aboriginals may do about the enforcement of law in their own communities has the support of the normal process of law and of human rights. We cannot allow a system of law to be evolved in a particular community which does not have in it the safeguards and in many respects the normal processes of law which occur from place to place. It has been suggested to me in particular areas that individual people might be able to lock up anybody who has liquor with them in an Aboriginal community. It has been suggested in one particular area that the local council, without any legislative backing, should be able to take the law into its own hands. That of course just cannot be allowed to develop although local councils could be involved in many ways.

There is a recommendation for the development of alcohol education programs. Again, going back to the proposed liquor commission, this would be one of the responsibilities that the commission would have - responsibility to provide adequate health and education programs and, of course, to provide the necessary funds to organisations - private organisations, community groups and so forth - and to carry out its work which is much needed in the community.

The main thing which people in the Territory want from this report and from the reports that have gone before is some positive action to implement many of the recommendations which have been made. I think I speak for everybody here when I ask the Government to assist this Assembly by providing the manpower to help us prepare the drafting instructions and then finally allow this Assembly to process the law in the way which we want to, to reform the liquor laws of the Territory, and to provide us with a drug and alcohol authority and the liquor commission. If we can do that relatively quickly, and it is not something that is allowed to linger on any further, then something from this report and all those that have gone before will be achieved. However, if the report is allowed to be talked about, debated and then filed away in the library like so many others that have gone before, then we are no further advanced than we were when we started.

With those remarks, I will leave the report for comment by other members.

Mr ROBERTSON: Initially, I might continue in the direction in which the honourable Executive Member for Social Affairs led off and that is to draw honourable members' attention to the proliferation of reports that we have had on this matter. He indicated that the Minister had declared that there were some 20 reports and it is my understanding from the report that there were some 50 reports directly relating to the problem. Indeed, the Minister acknowledged this by his letter of 14 April in which he refers to his department alone having 21 reports. We now find that his department has 22.

I cannot help but protest that a body of federal parliamentarians found it necessary to come into the Territory to hold an inquiry into a matter with which we are all well familiar. Surely any such inquiry, if it is necessary, should be initiated through the Executive of this place. It would seem that the committee probably spent up until the time of its preparation of this report doing nothing more than bringing itself up to the level of knowledge that honourable members in this place already have. It is indicated in the report that they must now go back to making further studies. When are they

ever going to realise that this is the legislature of the Northern Territory? It is placed here by the people of the Northern Territory. When are they ever going to realise that they do not have a sole mortgage or prerogative on intelligence? When are they going to recognise that this Assembly in its development towards statehood must be trusted with these programs? After all, it is the Assembly which must ultimately be trusted with the legislation unless this report is a forerunner to the Federal Parliament's usurping the function of this Assembly, perhaps a veiled threat that they will be initiating legislation over the head of this Assembly. Had it been 2 years ago, I would probably have thought that. With the present Government, however, I doubt that that is now the intention. Therefore, it will come back to us to make the decision based upon whatever reports may be available.

Having criticised the manner in which this report comes before us, it would be appropriate for me to deal with the report. I would suggest that the most important paragraph in the entire report is the foreword. I will read it and I will ask honourable members to listen: "Alcohol is the greatest present threat to the Aboriginals of the Northern Territory and unless strong immediate action is taken they could destroy themselves". Perhaps a more appropriate wording of that last line could have been "in all probability, they will destroy themselves". What has been created for the Aboriginal people by white society and the injection of the alcohol of white society is a medium by which they can commit suicide. In fact, it may well be said that it is a medium of genocide that we as white people have created.

What would a normal civilised country do when faced with the committing of genocide by people amongst its citizenry? Usually we go to war, usually we find the greatest possible strength in those circumstances. Really, what can we do about this and will this report contain the answer and will the final report contain the answer? Surely, short of total prohibition, there is no answer, nothing else would be sufficient; I do not think it would. For heaven's sake! If anyone else can come up with an answer that is sufficient, please tell me, for I know not what it is. It would be necessary for that prohibition - if that was to be the case and I certainly do not support such a concept - to be for all citizens of the Northern Territory.

Mrs Lawrie: That is an interesting point.

Mr ROBERTSON: The honourable member for Nightcliff knows well my partiality to the odd drop and I would probably find myself, at least as a private citizen, resisting such a proposal too.

It is the philosophy of the Majority Party that the Aboriginal people are a part of our community as a whole and they are not to be distinguished in any manner whatsoever. We now have a classic Catch 22 situation where we have only one answer to the problem: that they cannot drink anymore, and that is so contrary to our basic philosophy that they are fellow citizens that, in order for us to implement it, we would have to implement it for the whole and that is unacceptable. Perhaps the report does in fact allude in a way to that type of situation. If we look at paragraph 89" it is clear that the committee contemplated some form of prohibition, I dare say they contemplated it in respect of the Aboriginal people as distinct from European people but then they too reached the conclusion that I must find myself reaching and I will always reach, that we can have none of this apartheid stuff that is being brought upon us in recent days. I do believe there are still attempts at an apartheid or a separative system being thrust upon us from other quarters; it is certainly not the wish of this Majority Party but it is being thrust on us from other quarters. It is clear that the committee reached the conclusion which I have enunciated, if there is to be such a system, then it must apply to all.

What are the answers? We have a suggestion that licensed clubs on settlements, on Aboriginal land as it will become, are perhaps an answer. I am afraid that falls down before it

even starts. It is an apartheid answer. It is certainly an aid, an aspirin to the cancer and no more, a cosmetic solution, because the moment you bring a situation where Aboriginal people on their own places can only get beer, they will do what they have been doing now when there is no alcohol on those settlements: they will move into the towns; they will move to liquor outlets where they can get fortified wine. While clubs may be a useful function within the settlements, it is certainly not an answer. What perhaps clubs of that nature could do, however, is form part of the educative program where they can see a controlled supply of alcohol, where they can enjoy alcohol socially, where they can see it producing benefits in the acquisition of sporting equipment and other facilities. Having reached that stage, perhaps this educative process could start.

There is mention made in the report of education. I do not want to seem like a knocker - this is far too serious a matter for me to stand here and simply knock - but I simply point out to honourable members the difficulties that we find ourselves in. It is unlikely than an education program will solve the problem, at least in the short term; it may in generations, although I doubt that. We have references to alcohol in Greek mythology; we have a reference to alcohol at the wedding of Cain in the Bible; we have 2,000 years at least of education into the evils of alcohol and yet Australian white communities have a serious problem. France has a very serious problem. In a totalitarian system called the Soviet Union, they too have a very serious alcohol problem. How effectively, from the stage we are at now, is any program of education going to be successful in bringing the Aboriginal people to their senses and prevent them from destroying themselves? For heaven's sake! We have been hearing it for centuries and we have not learnt.

I wonder if perhaps the answer should not come from the Aboriginal people themselves. If, as the report indicates, we are required - and God knows, Mr Speaker, we are required morally - to take the strongest immediate action to prevent them from destroying themselves, it would seem that the only way this can be done is at their own initiation. If somehow a total consensus of opinion could be obtained from the Aboriginal people, requesting us perhaps to take some separate attitude to their problem, at their request, then perhaps there is an answer lying there. In my view, it is quite beyond the capabilities of any visiting group of federal politicians who have no claim as far as I am concerned to understand Aboriginal and Territory problems, The exception is Mr Calder who certainly is a man of long experience, but he is the only one. The rest of them do not even live here. They probably have not even come for a holiday here. Yet they tell us the solution to our problems. They are not going to. Perhaps only the Aboriginal people themselves can provide the answers to these problems. Certainly I do not see that report as providing them.

The Executive Member for Social Affairs has a very difficult task, as we all have. It seems quite apparent that we can no longer let it just ride. The time for action has come. There have been 50 reports since 1843 when the first report became available to the Australian white man about what liquor was doing to the Aboriginal people. There was another one in 1862. The last one is this one in October 1976 and we still have not found the answer. It is time for action, says the member for Gillen standing here. Good heavens! He has not even come up with any really concrete suggestion. I wonder can any of us? Perhaps the Aboriginal people themselves might be able to.

Mr BALLANTYNE: I would like to support the remarks made by the honourable member for Gillen who spoke on a subject which I am about to embark on, something that really hits us in the heart and the mind. It is a subject that we could stand up here and talk about till the end of this year and I still do not think that we would find a complete answer.

As I have said before in this Assembly, we have looked at report after report. I wonder whether it is worth

while even speaking to this one. However, it has been brought to the Assembly and I am going to speak in the best way I possibly can on the recommendations by these worthy gentlemen. I will not go into detail as the honourable member for Gillen did about the people who are commissioned to make out these reports. I take a somewhat different attitude. Perhaps if we were to ask the alcoholics themselves, the heavy drinkers, to do a study on themselves, that might motivate them into something and make them worth while as citizens because that is the thing that worries us more than anything. Aborigines are citizens like ourselves. The average citizen might be able to have a few drinks and not be affected at all. Some people say the Aboriginal people must be educated. How can you educate them about alcohol? Half of those people in my area cannot even speak English or, if they can speak English, they do not fully understand what they are saying. They do not even understand their own language because they have not been educated in their own language. They know how to speak their tongue but they do not know the full background of their own language.

Some of the recommendations are very good. There is nothing there that members here have not spoken about in the last 2 years. The first one that I would like to talk about is paragraph 74. "The committee believes that movement to outstations is desirable and commendable. It accepts that decisions to decentralise are for individual communities to make and should not be discouraged." There is no doubt that the people who have moved in some of these areas have gone back to their way of life. I refer to the ones who have moved away from the missions. They have done a very good job; they have set up their own community stores and have gone back to making their artifacts. By being creative, they are more occupied. They do not have the idleness to wander around and look for something to do. If they are not out on their settlements, they wander into town and they start to drink. I often wonder where they get the money from. They probably get it from government handouts. They probably get it from their wives who are probably working; some of them are very good women. Some of the women in the Gove area work at Dhupuma College, at the Yirrkala School and in the laundry. They are the bread winners but, because of their tribal tradition, they hand the money back to their husbands. That recommendation does not mean a great deal because they move into town when they feel free to.

Paragraph 76: "Meaningful land rights to people who do settle in decentralised communities will greatly assist Aboriginal people to impose their own sanctions on how to deal with the alcohol problem." I cannot see what good it would do for anybody to say to the Aborigine, "There is your land; you own it now." How is that going to stop him from drinking? We certainly have more problems coming up with that particular issue. I cannot really agree with that particular recommendation. However, there may be something in it.

Paragraph 79 has 3 subsections: "Whilst in overall agreement with the Adams Report, the committee believes that implementation of particular recommendations of the Adams Report is of the utmost urgency. These are: (a) that it be made illegal for liquor to be carried by taxi or charter aircraft to or within the vicinity of a mission or settlement without a permit from the licensing authority" - I think that is a good recommendation - "(b) that a licensee be made fully responsible if a drunken person is found on his premises. Consequently, the Licensing Ordinance was amended about 2 years ago making the licensee responsible for ensuring that drunken or under-aged persons are refused service. However, it appears that some licensees are unaware of the amendment or are not adhering to its provisions."

Who do they think they are trying to kid? Do they think that every licensee is a mug? They know what they are talking about. They have experts working through the hotel system and they are quite aware of these things. What has the poor licensee to do with solving the problems of alcoholics? He could go out and get his head bashed in every day of his life if he wanted to, but most of them turn a blind eye. You have only to go around to the hotels in this

town to see the people hanging around the doorways. You would not even be able to get in sometimes because they are just lolling around the place. If the licensee tries to remove those people forcibly, in no time there is an all-in brawl. Because of the decriminalisation of drunkenness, they are reluctant to act. I would guarantee that a lot of policemen are reluctant to act in such a situation. They could walk into a hotel and be taking their life into their own hands sometimes because other people will have sympathy for those poor drunken people and I do not blame them for that.

Mrs Lawrie: Don't you?

Mr BALLANTYNE: I do not blame people for having sympathy for the drunk, but I do blame them for trying to interfere with the law enforcement.

Paragraph 79(c) says: "That as an alternative to forfeiture of a licence, the Liquor Commission have power to suspend a licence for a period of up to 28 days, and that the list of offences be reviewed with a view to limiting the types of offences that could lead to the forfeiture or suspension". There again is another open-ended situation. I will leave that one for you to digest.

Going back to paragraph (b), there was a recent case in America where a person was killed coming away from a hotel. He happened to be a very talented actor and he lost a leg and an arm or something like that. Because he was a man held in high esteem, they wanted to fine that hotel licensee a million dollars because he allowed a person to go away from that hotel drunk and to drive a vehicle. That is the sort of thing that they are talking about in here; they would leave it up to the licensee to do the job.

Paragraph 85 says: "Once a decision has been taken, every person living in that community must be prepared to abide by the decision and its enforcement should be given every encouragement. The committee recommends that enforcement of decisions by Aboriginal communities be supported by all resources of law". That sounds great. It is worded very nicely but it cannot work. We have tried that very system in Nhulunbuy with the Yirrkala Aboriginals. They do honestly try to do a good job but there are 14 different clans there and there are 5 basic language clans that live in the mission or at Yirrkala. They have tried this but you only have to live in the town to see Aboriginals who have been warned off because the instruction has come from the tribal leaders to the hotel keeper not to allow certain people to drink at that hotel. But it is the poor people living in the town who have to suffer then because, every time you walk down the street, you have some of these Aboriginal drunks coming up and asking you for money. Where they obtained their drink from I do not know; I think in some cases it has been given to them by Europeans. There again is the same old sympathetic view. If you do try to force people not to go to a hotel, if you try to do that in an ordinary civilized society anywhere in the world, you would have a civil war on your hands. If you brought in prohibition or shut down all the pubs, that is the only way you could ever cure alcoholism unless people had their own stills and made their own home brew. I think that recommendation has some merit. It has been tried in many centres and I would give them full marks for trying.

We have made some recommendations recently through the Executive Member for Social Affairs and we received an answer back from the Police Commissioner saying that he would assist us. However, it was not everything that we wanted. In one case, the local Aboriginal people wanted to take over the law themselves and discipline Aboriginals who were coming back late from the hotels at night. It is very difficult to have the law there all the time.

Another thing that I would like to talk about is that drunks are sometimes harmless persons but they can be very violent and cause disruption to people's lives. This is one of the biggest problems in the Aboriginal system. For some reason, Aboriginal women seem to take it. In ordinary European society, women do not seem to take it so much. That is probably one unpleasant aspect of the whole thing. The

Aboriginal women seem to take these bashings. The kids become petrified and everyone takes off into the bush when the Aboriginal drunk comes back into the village.

Paragraph 89 states that the committee believes that any decision to ban alcohol should apply to all members of the community, both Aboriginal and non-Aboriginal. In this case, the committee sees no reason to retain the personal liquor permit system. I would not give much consideration to this because I think that the liquor permit system is the only way we can at least have some control. If you abolish that permit system, you have no trace of whoever got a permit anyway. If you know who has permits, you might have some idea of finding out who the offenders might be.

I have spoken at length on this issue. Dr Milner's report, which was tabled in this Assembly, also indicated that the European society has many faults too because of its consumption of liquor in the Territory. The name of the report was "Darwin Drunks" and I did not think that was a very nice title. I would just like to say that, if there are any more inquiries, we should work with some of these Aborigines or other people who are alcoholics and try to motivate them back from the depths of despair and see if we cannot get them to help us instead of everyone trying to help them.

Mr STEELE: I cannot apologise for not getting a copy of the report because there have been 6 copies floating around in the last day and a half but really you cannot expect one to speak exactly to the report. I wish to speak about the problem, if I can term it a problem, of white fellow interference with Aboriginals and the referendum that gave the central government overriding power to speak on behalf of the Aboriginals of the Northern Territory. The Northern Territory did not participate in that referendum and it has not assumed the task of deciding future Aboriginal land entitlements, funds available for projects and matters of this kind. Successive Federal Governments have lumped together Torres Strait Islanders, Adelaide Aboriginals, Redfern Aboriginals, Maningrida Aboriginals, Maree Aboriginals, Yuendumu Aboriginals, Halls Creek Aboriginals, all under the one heading, "a race of Aboriginal people". Federal politicians are very clever people and in my view this is an attempt to break down these people and completely destroy them. Over the years, they have sent to the Northern Territory committee after committee and, except for the hasty removal of drunkenness as an offence in 1974 without any thought as to the consequences, nothing has been done. They have been vacillating for the last 10 years when they could have done something. The problems became apparent about 1967 yet they have done nothing. When Gough Whitlam was at Wattie Creek recently, Vincent Lingiari said: "We have lot of trouble. We are worried about this grog, but you can help us with this grog". Whitlam said: "Yes, you have some troubles with grog", and he buzzed off back in his BAC 111 so he did not do much at all.

The old people on Aboriginal settlements and on missions and on stations are screaming for law and order and control of young people going rampant on the grog. That is the problem. It is not talking about the solution of course. Australian politicians are committed to breaking down the culture of these Aboriginals; they are calling them all the same whether they want to be or not, whether they have already fitted into the system, into the urban communities, whether they are the same as you and I. They are insisting on giving part-coloured people whom they call Aboriginals benefits of a nature that are beyond and more than equal to their needs; they give them special consideration; they are creating a separate race of brown people in the urban community. Is this something to do with federal politicians? It is certainly nothing to do with the Legislative Assembly.

The solution rests with Victorian and New South Wales politicians. It rests with them because they have the bulk of the federal parliamentary content - and they speak on our behalf. Of course, when they have completed their task of mass murder - which is all it is; a 200 year program which they are not pre-

pared to recognise; they are killing off the traditional people - we will be hated even worse at that time than we are now. There are steps that have to be taken at the risk of being called racist or separatist but they will not be taken because of vacillating southern politicians.

Mr KENTISH: I just wish that I had had this report in my hands for a longer time and I suppose the whole Assembly is in the same position. It is a very good report. It gathers all the threads together of the 20 other reports that have been made. It gathers most of them together very concisely and nicely. We know all these things of course. In fact, it was some of us who told them many of these things that are in the report. We know them. To see them put together so well and with conclusions drawn - not always the right conclusions for our minds perhaps - is a very good thing and I do not for a moment consider it to be a wasted exercise. However, I am afraid that the things that I would like to say about this report are going to be disjointed mainly because I have not had the time that I would like to consider the report.

The member for Gillen did mention that perhaps the key to the report is in the first paragraph: "Alcohol is the greatest present threat to the Aboriginals of the Northern Territory and unless strong immediate action is taken they could destroy themselves". That is going on now. We live in the middle of it at Berrimah which is just one place where there is enormous disruption physically, mentally, in every way, of the Aboriginal people happening all the time. It is going on day and night there. There are other places where these things are remarked upon and we find that this is brought up further on in this report.

Controls are mentioned in the report. How do we control the use of alcohol? You will find on page 8: "Aboriginals may have a deeply ingrained feeling of not being wanted in their own country and feeling a race apart in that they may be socially, mentally and physically confined to reserves or relegated to the outskirts of towns". There is an old furphy that keeps coming up about Aboriginals not being allowed to leave the reserves. I have only been in the Territory for 40 years but I have never known a time when an Aboriginal could not freely come and go from a reserve. I have never known them to be confined to reserves. It is an idea that is planted amongst southern people and bears fruit down there. It keeps growing like yeast in a bottle yet it is just nonsense.

Other reasons are stated: "Some Aboriginals may see alcohol as a way of being accepted by both whites and their own people and as a means of overcoming fear arising from racial tension. Excessive drinking may be due to aimlessness on the part of Aboriginals and a desire to forget depressing circumstances and low social status". Those are the social reasons given for drinking and I think it is a collection of rubbish. In fact, I would use a much briefer five letter word but I may not use it here.

We go on to cultural reasons: "Traditional Aboriginals had no method of storing or preserving food so they tended to consume all their food when it was obtained". The idea is that, when they get a flagon, they do not stop drinking until it is empty because it might not keep until tomorrow. That is a bit of rubbish really. They drink because they like drinking. They drink because it does something to them in the way of momentary happiness and exhilaration and, above all, they drink to get drunk. Given that fact, we should not wonder then that in the towns in Australia, particularly in the north of Australia, there was a great majority of Aboriginal people arrested for drunkenness. It looked at the time to be discrimination but it was just simply the fact that they drank to get drunk and, when they were drunk, they were arrested. It is a different outlook to what most of the European community have.

"In some Aboriginal communities, unemployment, inadequacies in housing, education, medical and recreational facilities may lead to excessive drinking". I am glad they used the word "may". It is a heap of rubbish. You

could build new houses till doomsday, you could build more schools and give more education, you could have more football fields and recreation, but anyone who thinks that this will have any effect on the drinking problem would spend a lot of money perhaps before he woke up to the fact that it has no bearing on the situation whatsoever. Nevertheless all those things are good, particularly the houses if you could make them stay there long enough. In some places, the houses are getting battered to pieces nearly as fast as they are being built. It depends a bit on the temper of the people and the amount of alcohol available. The committee fortunately saw a lot of this; their report is pretty factual on many of these things.

The committee were informed of steps being taken in some communities to control the use of alcohol which is a very good thing. They list on page 12 the places that have taken steps: Elcho Island, Goulburn Island, Croker Island and Angurugu. They left out Numbulwar yet I understand that they have a ban on liquor there also. Some of these places ran into trouble when they banned liquor completely. They found that they ran out of government workers and unions blackballed them for not allowing liquor in for their workers; the unionists upped with their tools and cleared off and left them without any workers. I think that was straightened out afterwards fortunately.

Paragraph 44 refers to the Regional Councils for Social Development. We have some remarks there about what these regional councils are doing. I do not see anything about Darwin there but in Alice Springs and Katherine apparently they are doing considerable work amongst the townspeople, European, and Aboriginal. Apparently, this work is quite effective and is a very worthwhile program.

We find in the report, paragraph 44: "The council has made an application for funds that would enable the full time employment of a counsellor". Apparently, the regional council considered that this would greatly improve their work amongst the people of the town, particularly the Aboriginal people. The committee have supported this but there is no money. There is plenty of money for liquor but no money for controlling liquor or assisting people who have come under the spell of liquor. If anything is to be done about this report, it may be necessary at some stage to find some money somewhere. We have money to help murderers and terrorists in Mozambique. A million dollars can go in there but there is nothing available to help our own alcoholics, our own Territorians.

"In Darwin the Alcohol and Drug Dependence Foundation plans to set up a sobering-up centre but as yet it has not been possible for funds to be made available". Again, there is a shortage of money to do anything about the problem. In Darwin, the Alcohol and Drug Dependence Foundation is apparently attempting to do what the Regional Councils for Social Development would like to do in Katherine and Alice Springs.

It is recommended by the committee that the Department of the Northern Territory and the Legislative Assembly should work together to implement legislation that would help in this situation. This reminds me that it took me 18 months to get into the legislation a very simple little amendment which would help Aboriginal people and others. Although the member for Gillen quite rightly says that he would like to see this sort of thing left to the Northern Territory legislators, when you consider the time it took me to get an innocuous amendment through this House, you can hardly blame southern legislators for being interested in something being done a bit more rapidly.

It mentions the fact that one store near Roper River has lost a licence. It mentions the personal permit system. This is a very difficult proposition. At the present time, the law operates like this. There is a law that says it is illegal to take liquor onto an Aboriginal reserve and another law says that you can take it in if you get the personal permit - as much as you like. I have seen $3,000 spent at one settlement in 2 days on the grounds of

personal permits - about $2,000 on liquor and $1,000 on 2 charter planes to bring in liquor on a personal permit. That is going on all the time. These personal permits are a very difficult proposition and what to do with them is something of a conundrum also.

Last weekend, I had a message that at a place along the coast that has a radio telephone - that is how the message came through - the devil was let loose, with fighting and noise and every sort of pandemonium, with drunks on the loose. These people did not bring any liquor but it came from a place that had access to liquor. It was brought across by road and on motor boats into a place that did not want liquor, a place that bans liquor. It was brought in by personal permit, illegally brought in, and shipped to another place that did not want it at all. This is happening on reserves I understand. Liquor from Maningrida which is legal with the store licence and the club licence is reaching Ramangining, Alyangula and Milingimbi in the dry season when the roads are open and shattering those communities with its impact. What is happening in one community is not isolated; it often can affect another and these are things that have to be considered but they are not thought of often. People think that one community has only itself to worry about and that, if the community decides it wants liquor, it is not worrying anybody else. However, this is not the case in many circumstances.

On page 30, we have something about what land rights are going to do for us. In paragraph 76 we are told that meaningful land rights to the people who do settle in decentralised communities will greatly assist Aboriginal people to impose their own sanctions on how to deal with the alcohol problem. There is going to be a big blow to the alcohol problem when people get land rights. That is wonderful. I have a long memory for these things and I have been about for quite a while. I was told that when Aboriginals could vote the new day had dawned for them, that they would be a different people, they would be quite a responsible and alert people who could look you in the eye and would work like nobody's business. They would be a different proposition altogether as soon as they had responsibility in the community and could vote - that idea was propagated. It did not work quite that way because we find that Aboriginal people are so impressed with voting that there are less than half those eligible on the roll.

A few years later, we were told that, if that had not worked, there was a new cure. They would be given full drinking rights and this would make quite a different people out of them. I remember the wonderful editorial that Jim Bowditch had in Time and the News, The old days were gone and furtive drinking behind bushes and around corners was gone; they would be a new people with a new dignity and a new everything. If anyone wants to see this new dignity, let him come out to Berrimah, particularly at weekends. You can look at it from my front verandah. There are people with rubber knees attempting to fight each other and some of them attempting to cuddle each other and all sorts of things. This new dignity arrived with the permission to drink. I live with this 7 days a week and about 24 hours a day.

Forget about all those things; that is in the past. A new panacea has arrived. Meaningful land rights have arrived to greatly assist Aboriginal people to impose their own sanctions on how to deal with the alcohol problem. Again, I would like to use that rude word but I will not use it here.

Mrs Lawrie: Is that the 5 letter one?

Mr KENTISH: Yes, Paragraph 78: "It is therefore recommended that there be a greater cooperation and consultation between the Department of the Northern Territory and the Executive of the Northern Territory Legislative Assembly to improve the legislative process in respect of the Licensing Ordinance". My word, it would need improving. The Adams Report says it has been made illegal to carry liquor into a reserve or near a reserve in a taxi or chartered aircraft. I am just wondering what that chartered aircraft is about. Is it legal to take it in with Connair but not by charter? We have lost Connair

now so that might not be relevant. Connair did have notices that it was illegal to carry liquor on their planes.

The Adams Report again: "That a licensee be made fully responsible for drunken persons found on his premises". I do not think that has much effect because most of them find their way along the railway line in front of our place. You do not find them on the licensed premises. They get drunk there but they do not stay there. They wander off and get on the road, but they do not stay on licensed premises. I do not think it makes much difference really; it has nothing to do with the fighting in front of my house at Berrimah.

Paragraphs 80 and 81: "The committee strongly believes that each Aboriginal community should make its own decision as to whether alcohol should or should not be permitted onto a settlement. It is recognised that under existing conditions there are difficulties in determining whether decisions that are made reflect the true wishes of that community". It is an enormous problem to know what is reflecting the wishes of a community. There are enormous pressures amongst Aboriginal people - pressures of relationship which very few people outside an Aboriginal community are aware of. These pressures can completely divert and upset what might be the normal findings of the town council on such matters. These have to be taken into account. Then we have the position where sometimes the town council may have a preponderance of the alcoholics in the community on it. I do not know how they got there or why, but you may find that position and they dictate what the rest of the community has to put up with.

Paragraph 84, about formalising decisions, says: "The committee recognizes that any method adopted must be that which is acceptable to a particular community and not one that the community is forced to accept". I agree fully with that, but how to know when you have a genuine community decision is very difficult. I heard of one place a few years ago that got into great trouble with liquor. I would hope that they are getting into a better situation now; I think they are. That was Umbakumba. It was decided there by community ballot whether they would allow liquor on the settlement or not. It was a secret ballot, a very secret ballot. First, all the women were told to stay home or else. The women dropped out, or most of them - anyone who wanted to keep her ears in the right place. Then the drums were put up in the hall - and I think I could get a written statement of it without much trouble - and on one drum was "Yes" and on the other was "No". This is the secret ballot. When about 20 people would gather in the hall, they would write out their slips of paper and very secretly they would put their piece of paper in the "Yes" or the "No" drum. That is how the secret ballot was implemented at Umbakumba. That is the beginning of the history of the terrific debacle which tore that community apart. They are on better days now and are perhaps getting on their feet again.

The committee said there are two things that the people might do: they can ban alcohol or they can allow alcohol and set up proper ways of controlling it. Control is a very difficult business. I will not go through the various places which have attempted certain controls that have broken down from time to time. Some are still working all right. To find out why some broke down and why some are still working would be worth investigating.

I went before the committee and I tendered written evidence. I concluded by saying to them that they had to make some difficult decisions and that, if they were to get anywhere, they would have to decide between discrimination or extermination as far as the Aboriginal people were concerned. That may be putting it a bit bluntly but, if you examine everything that has to be looked at, you will find that that is where it ends. It is a matter of discrimination or extermination, have it whichever way you like or whichever way the Aboriginal people like. Aboriginal alcoholics are like white alcoholics. You warn a man that he is heading for an early grave and the Aboriginal, like the white man, says: "I could not think of a happier way to die." This is the

story with drug addicts, whether it is opium, heroin, LSD or alcohol. A person who is well addicted cannot think of a nicer way of going out than with a skinful of the thing that he is addicted to.

There are 2 more small things to deal with. On page 46, we have paragraph 123: "The committee recommends that an interdepartmental committee, chaired by the Department of Aboriginal Affairs, be established in the Northern Territory and that it co-ordinate all the action necessary to implement programs aimed at reducing the alcohol problems of Aboriginals in the Northern Territory, including the recommendations in this report." My mind goes back to when alcohol was first legalised. I spoke to a young fellow one day. I said, "I see you are drinking; you did not drink before." "Oh," he said, "we have to drink now, it is the law. The law has been changed and we have to drink now." I asked him where he had got that from. He said, "The patrol officer over at Bagot takes us all up to the hotel every evening and he is teaching us how to drink because we have got to drink now." This was the Department of Aboriginal Affairs at that time. He said, "They take a group of us up because we have got to drink." I told him that he did not have to but he replied that the law had been changed and they had to drink. The people who were teaching them to drink were departmental officers. Perhaps it was not all of them.

In the department, there would be many people who are very worried about alcohol consumption amongst Aboriginals, genuinely worried and wishing to do something, and there are possibly many who are not worried at all about it. I am a little concerned that they would be chairing a committee trying to reduce alcohol consumption because I have never noticed that the Department of Aboriginal Affairs have done anything to try to reduce alcohol consumption amongst Aboriginals. I might be wrong there; I might be unjust, but I have never noticed that they have done anything to try to reduce alcohol consumption either by legislation or by any other way. In fact, I noticed, when it was first introduced in particular, that they were encouraging alcohol consumption amongst Aboriginal people.

We have this dissenting report at the end by Mr Calder, Mr Johnson and Mr Wallis who do not agree to the cancelling of personal permits. I have a lot of sympathy for their point of view because it is a very difficult question. However, there are a few funny things in it. "It must be remembered that permits are issued by the Department of Aboriginal Affairs only with the concurrence of the community concerned, so that communities have the choice of approving or rejecting applications for permits." They do not really. I mentioned the ballot at Umbakumba and quite often, because of relationship pressures, the community have very little say in whether they will reject or approve the legalisation of alcohol in their communities. They have made a wrong assumption there.

Paragraph 128: "We affirm our belief that problems arising from abuse of the permit system may be reduced by more effective control rather than abolition of the system." More effective control by whom? Who would take care of this more effective control? That is the point where it all breaks down. Everything breaks down at that point. "We therefore recommend that the personal liquor permit system be retained and that the operation of the system be effectively policed to avoid abuse." By whom? Again, that is where it all breaks down. It is all right to say that the community will police itself. That is where most of the fighting starts in the community. All hell broke loose at Goulburn Island last week when liquor was brought over by road from the border store via Oenpelli. Urgent messages were sent to me. I did not get a direct request to ring the police or alert them about the trouble, but they had a telephone and someone in that community could have rung the police. If they had so requested, I might have done so. They had a telephone but there was not one person in the community who would take the responsibility of calling the police. Relationship pressures are much more solid than most people realise.

I conclude with those remarks. I am very glad that this report has been compiled and, if it is followed up, it may have some useful effect.

Mr PERRON: I will not deal with the report at great length as most of the previous speakers have. In some cases, they have far more intimate knowledge of the subject than I have, for example, the honourable member for Arnhem. I would like to cover a couple of the principles involved and little else.

The report itself paints a sad and tragic picture which is not particularly surprising to my mind. Even in the European sector of the community, which has had something like a thousand years or perhaps more of civilization, well educated and supposedly intelligent, we can hardly contain the numbers of our own race who are cracking under the pressures of modern society. How can we possibly expect the Aboriginal to transcend ten thousand years over-night? Somehow in the mess that has been created under the guise of equal rights, we have to find a way to restore the human dignity and the self-respect which is being very rapidly destroyed.

This report is the result of policies which have been implemented with the emphasis on the principle rather than the practical. Obviously enough has been said and written in the myriad of other reports on this subject. It is time to stop looking at reports yet now we have a report that is basically based on other reports anyway, so I suppose the next step is a report on the report on the report. But, this particular report does highlight the urgency in the entire situation and that is what should be taken particular note of at this time; it has gone on for long enough. The Department of Aboriginal Affairs, I thought, had the job of guiding the Aboriginal race and the Aboriginal community towards either accepting a part in white society as it is, if they wished, or allowing them to continue in some other form of life if they wished that. It seems that the department is unable to come to grips with the task that it has in assisting the Aboriginal people. I do not have the answers personally, and I have mentioned before that I am not an expert on the subject, but it seems to me that the policies adopted and the money spent, particularly by the Labor Federal Government, turned out to be completely ineffectual and completely wasteful.

The report goes on to recommend some fairly urgent legislative action by this Assembly, including some consultation with the department. I can assure the writers of the report and the Federal Parliament and the Department of Aboriginal Affairs that I am sure that we would be only too pleased to have some more legislation introduced into this House, not only on the subject of the Aboriginal drinking problem but on a hundred other subjects too, which we cannot get drafted anywhere near fast enough. Related to this particular subject, I have a letter in my possession from the Director of Aboriginal Affairs which arrived in the last couple of days. It is in reply to one I wrote asking what the department is doing to control the number of illegal Aboriginal camps being established around Darwin. In my own electorate of Stuart Park, I have a bit of a problem in one area. I was called to the scene of hostilities only last Monday - a small suburban park where a young boy was slashed with a broken bottle by a very intoxicated Aboriginal. The park concerned has been the scene of drinking bouts for about 2 years now and nearby residents have been molested and abused. At night, women with children live in fear when their husbands are not there. The Director of Aboriginal Affairs indicates in his letter that some facilities are being provided for Aboriginals and some assistance is being given in areas which are subject to land claims. He went on to say: "However, I would expect that for many years to come some Aboriginal visitors will prefer to camp by themselves or in separate groups in places which attract them in the Darwin urban area. This is a social issue which is beyond the control of this department or the police or the city council".

I find it rather incredible that the Director of Aboriginal Affairs should infer that, despite any conflict which is developing in the suburbs or despite the law about camping or drinking in public places, this is a social issue which is beyond the control of the Department of Aboriginal Affairs. I thought the Department of Aboriginal Affairs existed to help these people in

any way it could. In this instance, it appears the Aboriginals concerned will just have to look after themselves the best way they can, if they want to camp by themselves anywhere in the town. I will have to suggest to the Director of Aboriginal Affairs that, unless he does arrange to have these Aboriginals brought under the control or at least under the influence of the department, there is a possibility that the residents of Stuart Park, the ones I refer to at least, are very liable to take their own action to control the situation in the interests of their own protection. If the Department of Aboriginal Affairs cannot tackle these problems, and they are social issues that must be tackled, then I believe it is about time we stopped wasting taxpayers' money and let someone else do the job. I commend the report.

Mrs LAWRIE: We have in front of us for debate an interim report which has been presented to the House of Representatives and I have been interested to hear the initial remarks of different members of the Majority Party. We have had remarks varying, and I do not think I take these out of context, from "Who are they to tell us?" - with which I find some sympathy - to the remarks of the honourable member for Arnhem who commended the report on its conclusions, found them refreshing, and then attacked them one by one. The debate then ranged to members' own electoral problems such as those indicated by the member for Stuart Park. Unless I misheard or misunderstood him, he said that the Director of Aboriginal Affairs had indicated that, for the foreseeable future, Aboriginal people coming into Darwin would camp where they preferred to. He then went on to say that he thought the department was here to assist these people. Having said that, he wanted the department to remove them. I find a conflict there. If the department is to assist them and they prefer to stay where they are, how is the department assisting them by removing them?

This report, being an interim report, will be subject to further amendment, one would hope, before it becomes a final report presented to the House. Because of this, I am wondering if, in his concluding remarks, the Executive Member for Social Affairs can indicate whether he is to send a copy of this debate to the worthy members of the committee because I think that would be a worthwhile exercise. The report has been criticised because it is compiled by people who do not live in the Territory and who, some members feel, do not have the expertise to sit on such a committee and present such a report. Therefore, it would be a worthwhile step to forward this debate to them; they may reconsider some aspects of their report.

I feel that within the report there are assumptions which have been presented as fact. If I am wrong, I would like to see my fears dispelled when the eventual final report is presented to the Federal House. I suppose it will be debated here. I will mention some of the areas of concern. In paragraphs 28 and 29 the committee concerns itself with some of the reasons why excessive drinking among Aboriginal people may be taking place. They say that in some Aboriginal communities unemployment and inadequacies in housing, education, medical and recreation facilities may lead to excessive drinking. The member for Arnhem disputes this but, during the depression, when we had unemployment, inadequacies in housing, education, medical and recreation facilities, there was a rise in alcoholism throughout the general community and a rise in drinking, at a time when one would think that, with the limited amount of money, the bread winner would provide for the family. It has been proven that they do not. When there is a breakdown in the social system, people unfortunately tend to drink more and the general community suffers more because of it. It is not a peculiarly Aboriginal problem; it is a well known sociological result of deprivation.

In paragraph 29 they state: "Significant increases in income, due mainly to award wages and improved social security payments such as unemployment benefits and child endowment, have given Aboriginals large amounts of money. Much of this may be spent on alcohol as the Aboriginal is unaccustomed to having so much ready money and is unable

to understand concepts of budgeting and saving". I would like to discuss that paragraph in some detail. Are they saying implicitly that an increase in income is a cause of alcoholism and is bad? On the one hand, they say that this is due mainly to award wages. Are they then saying that award wages should not be paid for a fair day's work? They go on to say that another reason for having more money in the community is improved social security payments such as unemployment benefits and child endowment. Child endowment and widows' pensions are social security benefits payable right throughout the community. I hope that the committee is not saying that these benefits should not be paid to Aboriginal people. I would think that the member for Gillen would take issue with them, if in fact they were saying that, because he made it quite clear that he does not feel that there should be 2 separate systems.

They mention unemployment benefits. I have spent some time trying to find out just how many unemployment benefits are being paid in the northern Aboriginal settlements and missions. I have not been able to get my hands on the exact statistics and this is a pity because I believe that there are very few indeed. However, it is common in a report of this nature to find reference to unemployment benefits being paid to Aboriginal people. I state here and now that I do not believe there are a large number of unemployment benefits being paid in the northern area. One of the drawbacks of the presentation of the report one day and the discussion the next is the fact that we do not have a great deal of time to check these things. I commend the Executive Member for Social Affairs for bringing this report into the House, but I would like to know where the committee got the information to make the statement, "due mainly to award wages and improved social security payments such as unemployment benefits". I would like to see the statistics on which they based that statement and it is a question that I shall put upon notice in the proper manner so that the Executive Member for Social Affairs may obtain the information for me.

In the same paragraph, they state that the Aboriginal is unaccustomed to having so much ready money and is unable to understand the concepts of budgeting and saving. On what do they base this statement? It may very well be said that Aboriginals do not budget and save because they do not see the point in budgeting and saving, that they do not have the incentive to budget and save, but that is a completely different hypothesis to one which says that they do not understand the concepts. I share the fears that this group of people, who have come in good faith to compile this report, may not necessarily have the expertise and the knowledge to form such an opinion. Maybe they have formed it through evidence given to them. If so, I would like them to state that. It may be an idea they have, but I want to know the rationale for making that statement. I would have liked to have heard the honourable member for Arnhem on this. I wonder if he would agree that many Aboriginal people will not budget and save because they do not see the use. That is a lot different to what the committee have said here, that they are unable to understand the concept. I regard that particular paragraph with the greatest suspicion.

I move on to page 30. Several members have referred to this paragraph dealing with meaningful land rights: "Meaningful land rights for the people who do settle in decentralised communities will greatly assist Aboriginal people to impose their own sanctions on how to deal with the alcohol problem". It seems they have made that assumption from the fact that communities which have decentralised generally are faring better than those which have not. If so, that is a reasonable conclusion to draw, but I would like to be able to ask the chairman of the committee what he means by "meaningful land rights". I would like to see that specified in the eventual report because meaningful land rights for the people of Borroloola may not mean quite the same thing as it does to the Australian Mining Industry Council. There are so many variations, person to person, as to what is meant by meaningful land rights. Did they seek the opinion of the Aboriginals to

decide what they felt were meaningful land rights? If they did, could they please specify this in the final report and not leave it as an amorphous statement - meaningful to whom? I believe some other member raised the same question.

On page 31, they quote a series of recommendations, following their overall approval of the Adams Report: "(a) That it be made illegal for liquor to be carried by taxi or chartered aircraft to or in the vicinity of a mission or settlement without a permit from the licensing authority". I would regard that as completely unenforceable. I also point out that the residents of the northern suburbs and Ludmilla are not going to have too good a time trying to get home past Bagot. They will all need to have a permit. I cannot see the sense in making suggestions like that without appreciating the implications and, as honourable members have often stated in this place, unenforceable law is a law which is going to be disregarded and is therefore a bad law. I think the committee should reconsider that particular recommendation (a).

When I read recommendation (b) "That a licensee be made fully responsible for a drunken person who is found on the premises, etc, etc," I put a note here: "About time". It does not appear that I am going to get a great deal of support from any other members, but I do think it is about time licensees were made to realise, perhaps with due warning, that the law is going to be enforced and not only in Aboriginal communities. There are hotels within the Darwin area where there are 13-year-old kids drunk every night on the lawns, and nothing appears to be done about it. I have mentioned this in this House, and honourable members have said it is unfair to the licensee to put the burden on his shoulders. It already is in the Licensing Ordinance yet it is completely ignored and we would only need good warning that it is going to be enforced. If a couple of licensees lost their licences, we would find a great change of attitude.

People who sell liquor in retail liquor outlets are doing so for profit; they are not doing it for the love of it or for the good of mankind. There is nothing wrong with that but they cannot be treated as a group of wonderful people doing a community service. They are there to make a quid but they must make it under the proper guidelines as specified under the liquor ordinance. This leads me to the point of complete agreement with the Executive Member for Social Affairs and the committee itself - the sooner the Liquor Commission is set up properly and a full review is made of the Licensing Ordinance, the better for all of us. The committee made the point that there should be greater cooperation between the Executive and the Department of the Northern Territory. If any committee can spur the powers-that-be into giving adequate staff to enable this review to be done, that is good. I also agree with an aside that it could carry over into other areas as well, not just simply licensing.

I most certainly agree with recommendation (b). I also note with some interest recommendation (c) which perhaps would appease both sides of the argument - mine and the others which have been put this afternoon - that is, as an alternative to forfeiture, the Liquor Commission have the power to suspend a licence. That may indeed be a very good course. The Licensing Court hesitates to impose the full penalty of a complete forfeiture. However, suspension may be a better way of going about it.

There is a minority report which I found quite interesting because the signatories include the member for the Northern Territory - a Country Party member, a previous Minister for Aboriginal Affairs in the Labor Government, Mr Les Johnson, and one other person who is also an ALP member. Even if for no other reason than that, the dissenting report does deserve particular notice. Having read it several times and taken it in context with the general report, I would like to indicate support for the dissenting report. The honourable members have expressed themselves very clearly and quite adequately.

The dissenting report deals with the recommendation in the main report which advocates the abolition of the personal liquor permit system. We have been acknowledging, and I think the member for Gillen did this better than any other speaker, that the answers to these diverse problems will have to come from the Aboriginal people. The problem with these reports which have been written since 1938 is that they have been written by white people. We have seen the problem with white eyes and it is very easy to find white solutions. There will never be a solution if a group of people simply seek to impose on another group of people. The answers will have to come from the Aboriginals themselves eventually. We have all agreed that they should have the greatest assistance in determining what should happen within their own community. Then, we say: "We will give you the right of choice to determine within your own community whether you will have drink or not, but we will give you only such choice as we think you should have". That is ridiculous. If they are to have this variety of choices, which seems to me to be the only positive way action will ensue and problems will start to be faced and overcome, we must give them the widest range of options and that is what the dissenting report attempts to do. It is saying that they shall have the greatest range of options possible in determining the liquor consumption and the manner of liquor consumption within their own community. I make this point most strongly to the committee and to this House, I support the dissenting report; the more options they have the better.

One could go on ad nauseam. I think it was of benefit to have the interim report before a final report. Hopefully, the members of the committee will get a copy of this debate. They may feel inclined to wade through it, have a look at their interim report and decide whether a lot of the recommendations and conclusions they have reached are valid. I particularly refer to such things as the claims about unemployment benefits where they appear to me to be saying that there is too much money in the community either through working and getting award wages or through social benefits - which are applicable to all other members of the community anyway. If they are making this assumption, then they must re-examine their thinking because that is a "damned if you do and damned if you do not" attitude.

Mr POLLOCK: This is an interim report because this committee was commissioned to prepare a report on the whole of Australia and it has prepared an interim report in relation to the Northern Territory only at this stage. Whether they are going to expound further on these matters in later reports is doubtful. I certainly will send them a copy of this debate and they may care to comment in their final report in relation to some of the matters.

The key to the whole thing is some action in the immediate future to get on with assisting this Assembly in preparing the legislation to enact the recommendations of the many reports that have gone before - and the Adams Report in particular - the establishment of the Liquor Commission and the Alcohol and Drug Dependency Authority, or whatever you want to call it, and to have them operating and working in the community in the immediate future without further delay, humbug or debate. On that note, I would ask all those responsible for their support.

Motion agreed to.

TERRITORY PARKS AND WILDLIFE BILL

(Serial 166)

Bill presented and read a first time.

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

When the Territory Parks and Wildlife Ordinance 1976 was passed, it was anticipated that some further amendment would probably be required. Such an amendment is now a matter of urgency to provide a satisfactory basis for the effective transfer of the parks and wildlife administration to the responsibility of the Executive by the end of 1976.

The amendments outlined in this bill do not introduce any major departures from the basic principles already established in the ordinance. Provision is made for administrative arrangements designed to assist in the proper transfer of functions and powers from the Reserves Board and the Department of the Northern Territory to the new Parks and Wildlife Commission and the Assembly. The amendments also cover a few minor omissions in the ordinance as passed, clarify several sections which were the subject of previous debate and, in particular, provide more comprehensive provisions for the protection of wildlife. In addition, a few minor improvements have been made which will become apparent in the detailed debate.

Clauses 1 to 4 of this bill allow for the operation of the legislation to take place in 2 stages which will allow for the smooth transfer of power to the commission. These amendments allow the commission itself to be established before that body has to accept the full powers and responsibility involved in total administrative and budgetary control. It needs to be remembered that 1 January 1977, which is the target date announced by the Government for transfer of bodies such as this, is mid-way through a financial year and the commission would not be able to operate on its own budget until July 1977. However, this is distinct from other bodies because we have 2 separate bodies with 2 separate budgets which have been incorporated in the current Commonwealth Budget. However, if the commission can be established within the next 3 months, it could have regular and intensive planning meetings for 6 months and then, at the commencement of a new financial year, accept total responsibility as a unit for administration when the remaining sections of the ordinance become operational. In that transitional period, the Reserves Board and the departmental staff would continue day-to-day operations under existing financial and administrative arrangements, although becoming increasingly involved and in touch with the thoughts and plans of the commission. I feel sure that members will appreciate the wisdom of this option. It still does not prevent all sections of the ordinance coming into operation simultaneously if this seems desirable.

Clause 8 introduces a new part to the ordinance dealing with wildlife sanctuaries. Many members will be aware that the existing wildlife sanctuaries contain some of the best wildlife habitat in the Territory. While it is anticipated that most of these areas will be proclaimed eventually as parks or reserves or wilderness areas in accordance with part II of the principal ordinance, this in many cases will take time to achieve. When the Territory Parks and Wildlife Conservation Ordinance, as amended, becomes operational, the existing Wildlife Conservation and Control Ordinance - the old legislation - will be automatically repealed. Without these amendments, this would leave existing sanctuaries without any effective means of control. This undesirable situation is avoided by this amending bill which provides for the existing control over wildlife sanctuaries to be retained in the nature of bridging legislation until the future status of the existing sanctuaries is determined. For example, it will allow the retention of existing protection for the Alligator Rivers or Kakadu sanctuary until it is given national park status under the Federal National Parks and Wildlife Act 1975. This is one of the areas which in discussions with the present Federal Government - various representatives from the Northern Territory, myself, representatives from the Department of the Northern Territory and the Reserves Board in discussion with the 2 Ministers concerned - it was agreed that this would be an example of a truly national or international park which could be declared under the federal act. I believe that it is a prospect that an area like Ayers Rock might receive similar consideration for declaration under the federal act.

Clause 8 also provides for a complete replacement of part IV of the principal ordinance dealing with animals, their protection and control. In previous debates on this legislation, I indicated that there would be further amendments to this part of the ordinance. Provisions in the principal

ordinance follow closely the provisions of the existing Wildlife Conservation and Control Ordinance which has served the Territory well for many years, but we have taken the opportunity to study more recent legislation from various states. We have taken further advice from wildlife officers and have come up with simplified and more comprehensive provisions. For example, we have simplified the approach by reducing the number of classes of animals, including all those categories of animals needing protection in one class - "protected animal." Use of the category "partly protected animal" has been deleted because it can imply only partially adequate protection. We have introduced a new category: "unprotected animals". This implies neither positive protection nor positive pest status. Unprotected animals could be killed as necessary; for example, venomous snakes near dwellings. However, protection for such animals will be afforded to them on land reserved for nature conservation and elsewhere. Animals such as the agile wallaby could be given unprotected status in the Top End, allowing culling in many areas as necessary but not making eradication mandatory.

Most members will be aware that there are large illegal trapping and smuggling operations taking place in Australia and involving our native wildlife. To assist in controlling these activities, it is essential that Territory legislation provide suitable controls covering the possession, transfer and trade in wildlife and that such controls are formed in such a way as to complement the legislation of the other states - the whole thing has to work nationally. This will then assist in effective interstate cooperation. It is not always easy to detect illegal taking or disposal of animals and therefore flexible controls over the possession, keeping and trading of wildlife has been found essential in all states. This amending bill provides similar controls for the Territory without impeding the legitimate interests of hunters, amateur naturalists, aviculturalists or scientific research. The remaining provisions of part IV, as amended, relating to pests and prohibited entrants, remain unaltered.

Clauses 9 and 10 of this bill substitute the name "conservation officer" for "warden" and "ranger". No alteration to the powers or the functions of these officers has been made. The use of terms such as "wildlife inspector" or "warden" have been deleted from most recent conservation legislation as these words have strong enforcement overtones whereas the role of officers of the Northern Territory Conservation Service will be balanced between enforcement, education and management. Likewise, the term "ranger" is a position classification with the Public Service Board and would remain so with the commission. It is not desirable to confuse a job classification with a legislative function and so the term "conservation officer" has been adopted. Members will appreciate that this is only a cosmetic type of amendment but one which has educational value. We do not see our parks and wildlife rangers as policemen, but as environmental managers who help the public to appreciate nature and only when absolutely necessary prosecute the blatant offender.

Finally, clause 14 provides for minor amendment to section 114 of the principal ordinance which deals with crop protection. The amendment revises the definition of "crop" and provides for the control of protected animal destruction by permit. However, the provision is very flexible and should provide no problem to landholders who have regular pest problems with protected species. It simply requires that landholders take out an annual permit and submit returns detailing the number of animals destroyed in protecting a crop. This will allow the commission to be kept regularly informed of the nature and magnitude of these problems and therefore better equipped to plan and undertake any necessary wildlife management program which may be necessary.

In conclusion, I would also draw members' attention to the fact that a revision of penalties has been made. The penalties included in the principal ordinance were taken from existing legislation; these penalties have not been revised for many years and are now

unrealistically low. The penalties included in this amending bill are in similar magnitude to those in the relevant legislation of other states and, bearing in mind economic indices, are of similar magnitude to those penalties in the existing Territory wildlife legislation when first introduced.

Having said all that, I would like to thank the officers of the Wildlife Branch of the Department of the Northern Territory for helping in producing these amendments and the notes from which I have just spoken. The amendments have been the result of discussion between a number of bodies including the Reserves Board and the officers of 2 departments, and they represent a substantial improvement to the original draft which was passed by this Assembly and is now waiting assent. I have only had these amendments in hand a very short time. I have had a look at them and I am aware that there may be 1 or 2 errors which require a little further examination although I do not think they are serious ones. For example, I notice under the new definition concept of crop protection that, whilst we are protecting fruit crops, vegetable crops and grain crops, there could be some ambiguity in regard to pasture seed, crops from pasture legume seeds and things of this sort. If this is so, I think that the clause should be extended to include that type of cropping and I will be having a look at that matter.

The idea of change of ranger and warden to conservation officer essentially arose from discussions with departmental officers concerned. I have not got used to the term yet. It still has a slightly bureaucratic connotation to me but I will sleep on it for the next 3 or 4 weeks until we look at this legislation again, and have some talks to various people to see whether that really is a move in the right direction. It is only a small and cosmetic change anyway.

There is one other area which is possibly slightly more serious. In transferring some of the old ordinance into the new ordinance, particularly the parts dealing with illegal trading and trafficking in wildlife and protected wildlife, we may have omitted to encompass the effect of the illegality of trading as far as it might be carried out by Aboriginal people who are treated in parts of this legislation somewhat differently. No one would want to see Aboriginal people used as a front for illegal traders and operators in protected wildlife by virtue of some defect in our ordinance. I will have to have another look at that part and perhaps a couple of words may be needed there. The object now is to pick it up either at the special meeting which I believe we may need to have in respect of other legislation or at a subsequent meeting before the end of this year so that we can have a piece of legislation which everybody agrees to and which will be practical and operational and in time to try to meet the deadline of the transfer of functions. This is one of the most important functions which is to come across to us in the first transfer stages.

Debate adjourned.

STATEMENT - WATER SUPPLY

Continued from 12 October 1976.

Dr LETTS: I would like to thank - and I am sure all members appreciate his efforts - the Executive Member for Municipal and Consumer Affairs for producing a paper for public information and public discussion on the subject of domestic water supply in the Northern Territory, and dealing in particular with suggestions which have been made recently as to methods of encouraging better gardens through allowing more water at a lower cost, He has not only done that but has also initiated another debate on the subject of electricity, The paper on the water supply puts the position pretty logically and fairly although I am slightly puzzled by the paragraph on the bottom of page 2 which reads: "Operational costs to pump water increase dramatically as consumption rises". I am a little bit puzzled by that and at first sight it does not seem a logical or natural assumption to make, that if you have certain capital works required to do the pumping and certain labour costs and you increase your output you

have greater costs in some circumstances on the capital side or the labour side. The only increased cost is in the fuel or electricity. That is on the face of it. In a brief statement like that, it is not quite clear as to whether you must have higher capital investment as the consumption rises and as the output increases. I think that statement needs a little amplification in order to be properly understood.

While he has not worked out any arithmetical models as to what the different options would cost, it seems, on very rough figuring, that on present charges a rise from the basic cost of $50 for an entitlement of 110,000 gallons could be matched by an increase to approximately $70 for an entitlement of 200,000 gallons throughout the Territory, bearing in mind that a considerable percentage of people would use less than the full entitlement. They then would be carrying the cost incurred by the higher users, a matter on which we may well get another petition of objection from those who are paying for the higher users. It is not a very easy matter to work out and it can only be worked out in the light of what the majority public interest is. It would be interesting to know what the public reaction to a suggestion such as that would be. If the public reaction appeared to be favourable, then perhaps it is the sort of thing which could be gone into for a trial period to see what the results were in terms of overall usage and strains put on the supplies in the various centres.

I know that we would all like to see better gardens and we would all like to have cheaper water, but somebody has to pay. One of the other alternatives to having more water coming out of the tap for the same amount of money and water lost in evaporation or seepage into the ground to great depths where a good deal of it is lost to the use of the plants anyway - Australians tend to be spoilt in these sorts of things - is the kind of sophisticated techniques in hot and arid climates of drip watering and drip irrigation which are now widely used in some countries of the world; in fact almost entirely used in places like Israel. In fact, one member of this Assembly has a small drip irrigation system going, and has used it successfully in relation to gardening. This really is important because, for your 110,000 gallons, you can have a much better and more effective garden if the water is used properly. There is such a tremendous waste in the present method of using water.

People who just call out loudly and emotionally, "More water for less money", are not really being very realistic about this. Let us look at how to use more effectively the water that is available at the same cost. Perhaps we have some responsibility in this regard. We certainly will have some responsibility when we take over the water supply along with other services. The City Corporation, the Agriculture Department as a part of the Department of the Northern Territory and this Assembly, when we have some staff in the water supply area, could get their heads together and produce information for every householder in Alice Springs, Katherine, Darwin, giving them advice on how to use water more effectively, along with the costs of doing it, instead of going into a lot of more overall costs in pumping. Money used in education may very well be a much better answer and something that we have got to start looking to because we cannot in this kind of climate, particularly in the arid zones, just go on demanding more water ad infinitum; the well will one day run dry.

The Executive Member for Municipal and Consumer Affairs' paper dealt mainly with the quantity of water, but a matter that also has to be looked at is the quality of water. You, sir, know a good deal about that from the Katherine experience. As a vivid illustration of the poor quality of water in Darwin, I have in the Chamber today a filter which has been taken from a dialysis machine, sometimes called a kidney machine. That filter is normally white, the colour of the inside part of that ring, and it is a filter through which town water passes. That filter has been used twice and an attempt has been made to wash it after the second use - unsuccessfully. It is now black. I am told on good authority that this type of filter will normally stand 30 uses in southern areas in normal water

supplies. That one is completely useless after 2 uses. I know that Katherine for various reasons - mineral reasons - has very big problems too. There are some people who are interested in quality and people like this are vitally interested. In fact, their lives may depend on quality.

There has been some public comment in the media in recent times from those who are more interested in the quality side. We have been told that to put in an adequate filtration system for this town, we are talking in the order of $4m to $7m for filtration machinery. That has to go into the cost of the water supply and what we are going to pay. I have not been able to get anybody to do the arithmetic on what that filtration plant would mean in terms of cost to individual users in the Northern Territory but undoubtedly it would be a quite substantial additional cost. Whatever Katherine wants in the way of filtration or improvements would go into the cost pool. Alice Springs may be quite okay for water quality at the moment, but the people down there would have to share the burden of the cost for what we want for filtration here. If everybody had his wish, the whole cost side of the ledger would very quickly get out of sight.

These are things which have to be considered. The honourable member needs to get some competent staff assistance to work out some models on what it would cost to accept various types of options so that the public could be properly informed when they make representations on the matter. That is one thing that needs to be done. The other thing that needs to be done as a matter of urgency is to explore this question of more efficient use of water and to make that information known as widely throughout the Northern Territory as possible.

Mr DONDAS: I agree with the comments made by the Majority Leader: water, water, everywhere and not a decent drop to drink. However, I presented a petition to this Assembly last week signed by 2,686 citizens of Darwin seeking to abolish excess water charges. This petition is an indication of these citizens' willingness to create a better environment in which to live and a desire to beautify the city of Darwin. The statement made by the Executive Member relating to water has not taken into account the purpose and spirit of that petition nor has he given the petitioners a valid argument as to why the excess water charges cannot be abolished or reduced.

I thought I would have had an answer to question on notice number 1375, relating to excess water charges, by now. As the information I require has not been forthcoming, I find it difficult to offer a valid argument in reply to the Executive Member's statement I find his statement to be somewhat hypothetical. I shall make my comments brief and to the point. If we leave our taps on, we waste water. If we have a leaky tap, water is wasted. So many arguments can be presented for the reduction in the cost of water that it would be a difficult task to decide what areas should not have some form of concession. If a person wastes water because he has a leaky tap or does not turn his water off, why should the whole community suffer? Surely if concessions were given, they would be given with some safeguards.

Let us assume that we raise the base consumption rate to 150,000 gallons and we do not increase the base charge which is approximately $50. This would mean an additional 40,000 gallons of water would be supplied to each householder free. The total cost to the Department of the NT for this water at the rate of 46c per thousand gallons would be about $184,000 for the year, assuming we had 10,000 residential blocks. Assuming that there were 10,000 residential blocks, that would mean a daily cost to the Department of the Northern Territory of approximately $500 per day. Divide the number of residential blocks into the daily cost to the Department of the Northern Territory and you should find it would be about 5c per day per block. As the department owns most of the land, I would say it is cheap upkeep for them. There would be no labour charge.

I would like to make the following recommendations to the Executive Member: increase the normal consumption

allowance to 150,000 gallons, without increasing the basic charge; give a 50% reduction of water charges to all pensioners; double the consumption allowance of the corporations of Darwin and Alice Springs; double the consumption allowance for sporting organisations and associations; and have these recommendations in operation before the beginning of the next dry season. If these recommendations were adopted, the whole community would benefit. People in Darwin in most cases have to re-establish their gardens; the corporations have obligations to keep our cities looking beautiful; sporting organisations and associations play an integral part in our community and should receive some concession. The excess water issue has created an enormous interest within our community. In fact, people have become very conscious of their gardens and surroundings. Over 8,000 people attended a "Project Garden City" recently at the Darwin Community College and it is my sincerest hope and wish that the members of this Assembly take a firm stand on this issue, irrespective of the costs, and offer our community incentives to establish their gardens and thus beautify our city.

Mr POLLOCK: The honourable member for Casuarina has mentioned the number who signed the petition but you would get thousands of names on any petition calling for the abolition of a tax. Water charges are a tax. Water has to be paid for and, whilst a great number of people have signed the petition, they are asking for the abolition of a tax.

I sympathise in many respects with the problem. However, it has already been mentioned today that people are spoilt. I would agree that people are spoilt and that they do waste water. Any day of the week you can drive around the streets of Darwin or Alice Springs and you can see water running off the lawns or yards and being absolutely wasted. The local governments and others should set an example but we frequently do see a waste of water by those who should really know better. You so often see it teeming rain in the middle of the wet season whilst the sprinklers in the school yards will be going. The mayor was screaming about excess water the other week. In Bennett Park, there is a white hose that is connected to another piece of green hose and, 2 weekends out of the last 3 that I have been here in Darwin, that hose has run continually from Thursday afternoon until Sunday afternoon when I walked past and turned it off. The water was running everywhere. This is a fine example.

Mr Everingham: Have you seen the leaky tap at the police barracks?

Mr POLLOCK: There would be a number of leaky taps at the police barracks in Darwin because it has taken 18 months or more since the cyclone to do anything about repairing those buildings.

I do sympathise with people who want to establish their yards and gardens.

Mr Everingham: Re-establish.

Mr POLLOCK: In Alice Springs, my yard was established when I went there but it happened to have been originally part of the taxiway for an airport. The thing is that in that whole Gillen area of Alice Springs which ...

A Member: I see you are having trouble.

Mr POLLOCK: ... has been developed over the last 8 to 10 years, people have been Housing Commission or government employees and have been provided with housing there, usually with a yard as bare as this floor. They have, at great personal expense through excess water and other charges, developed those gardens to something which the Government or the commission or themselves, particularly themselves, can be very proud of. But they have done this at terrific personal expense, not the least of which has been the excess water charge. I am personally quite in favour of some concession being given to people who are initially establishing their yards in the first or second year, particularly in the dry conditions that are experienced here in the dry season and in Alice Springs area most of the time. I do not think that it would be unreasonable to extend some concession to them for the first or second year until they are able to get

their yards and lawns established. It is all for the benefit of the community and the town in general. Some people say that this would be unfair because a lot of people before them have not had this concession. Well, 50 years ago my grandparents did not have colour television or electric trains to ride in either. I think that, if you look back in that perspective, you are looking at the problem the wrong way.

People have to be educated in the use of water in the conditions which prevail in the Territory. At the same time, people here in the Territory are entitled to a quality of water second to none anywhere else in Australia or, for that matter, in the world. Water is a very basic commodity which all of us are entitled to have and I think that every step should be taken to provide a good supply of good quality water. At the same time, it is the responsibility of all people to ensure that that water is not wasted.

Mr TUXWORTH: I would like to compliment the Executive Member for the work and effort he has put into this paper. It is most comprehensive and it is not at all parochial which is something that I might have expected from a Darwin member of the Executive.

Historically, the Northern Territory communities have always been short of water and it is only in the last 10 to 12 years that each community has had an abundance of water at its disposal. They have learned not only to enjoy it but to squander it and waste it and this paper that the Executive Member for Municipal and Consumer Affairs has tabled will give us a lot to think about because it raises 2 principles which are most important. One is the principle of averaging the cost of the supply of water through the Northern Territory communities and this is important because the quality and quantity varies so greatly from one end of the Territory to the other. It is a very interesting fact about the Northern Territory water supply that in every community we pump water up to 80 miles. I think the minimum distance that we pump water, apart from Katherine, is 30 miles and it seems ironic that, where we have such good water catchment areas and high rainfall, it is necessary to reticulate water this distance. The other principle that the Executive Member has covered is the cost and, unlike the member for Casuarina, I come from an area that finds it harder to establish gardens than his constituents could find it to re-establish them and the cost has to be paid for by all of us irrespective of whether it is averaged out by the community or paid for by the individual. I would say on behalf of the people in my electorate, who for many years had to cart water at the cost of £3 a thousand gallons, that we have good water and we have a plentiful supply of it; we appreciate it and we are more than prepared to pay the cost.

One other thing that I believe Territorians should look towards is the utilisation of sewerage water for other projects than storing it in sewerage ponds. It seems to be a fruitless exercise when we can find endless amounts of money, particularly in the Alice Springs area, to build sewerage ponds every year yet we cannot find any money to treat the water and put it to use for ovals, market gardens, development or anything else.

Mr BALLANTYNE: I rise to support the other speakers and particularly to support the honourable Executive Member for Municipal and Consumer Affairs on the way he has presented this paper. I think if the charges had not gone up, people probably would not have complained in a lot of cases. The consumption as laid down now is a fairly logical type of consumption because, in some cases, there are other people particularly in the business field who have rated properties. They might only use water in that particular business to boil the billy once a day or make a couple of cups of tea for the staff and flush the toilet occasionally. If they have a flat above the shop, they use water for their cooking etc. Large industries and schools use water; property owners large and small use a lot of water. There are the householders, the flat owners, the clubs; there are ovals to be watered by the council; there are bowling greens to be watered; there are golf club areas to be watered.

One of the biggest problems that the householder is worried about is that his allotment is not as big as others. Some houses are smaller than others and this gives them more area in the front and the rear of the house. Some people have a lawn. Some people have plenty of shrubbery and they need plenty of water for trees. There should be some basic consumer charge and, if they do use water to excess, they should be charged for that. I do not think that the amount of consumption that you are allowed is too lousy; 110,000 gallons is adequate. If you look at the southern states, they are running on about the same consumption rate. We in the Territory probably have a longer period of dry weather but, in the wet season, we hardly need a hose.

I believe it would be hard to find a rating system that will satisfy everybody - the businessman, the market gardener, the local government people. The one way that you could overcome this is to have some sort of an incentive built into the rating system. You could put a figure on it and, if people keep within 10,000 gallons of that consumption, they could be given a reduction in rates at the end of the year. That would make them more conscious of the wastage of water in their homes, particularly with leaking taps and pipes. You can go to any area around Darwin or any place in the Territory and you will find hoses being left on all day. In my electorate, we have adequate water but we have a limited supply from the reservoir because of the draw of water from the process plant in the vicinity. These people do not have to pay water rates and there is a perfect example of abuse of a service that has been given to them. They have left water sprays going all night and day; they leave them going for 24 hours a day every day of the week. In fact, they are doing the wrong thing by their gardens and their lawns, plants, shrubs and so on.

The Executive Member for Municipal and Consumer Affairs on page 4 said: "It appears that the water we pour on our gardens can be used more effectively if a planned approach is adopted using modern watering systems and plant nutrition". I think that sums up a lot of the water abuse that we get in a society where you are cultivating nice gardens and new lawns. And now we are getting complaints around Darwin. I even had one myself the other night - and I am not a resident here - from one of the constituents in the town who said: "When are you going to try to get these excess water rates reduced?" He is trying to grow a lawn. I do not know how many other people are trying to grow lawns. I have only been in the Assembly 2 years and I do not know how many times before this occasion people who have been growing lawns and establishing new properties have come to the Assembly, or the Council in earlier days, to complain about water rates. I think they are using the excuse these days that they are not getting enough value for what they are using.

The education side of it is very important as another speaker said; I won't go into details of that.

I think that the quality of the water can be improved around here. I even mentioned some months ago in the debate on environment about the quality of the water in Darwin. You only have to drink the water in this Assembly, Mr Speaker. You pour some water in that glass, hold it up to the light and you are amazed. I don't know what is in the water but it looks like algae or something floating around in there and, every time I taste it, I wonder what it is doing to my insides. Perhaps if we had a filter on the tap outside - one of these micro-filters; they are not too dear - perhaps a micro-filter might even help the Assembly people to enjoy their water when they are drinking.

I give full support to the Executive Member for Municipal and Consumer Affairs. I don't think that the citizens are too badly done by, but I think there could be some thought put into giving the people an incentive rather than charging them for excess above the normal usage of 110,000 gallons.

Mr PERRON: I thank honourable members for their comments on the report which, hopefully, was a report giving information more than determining the policy. It was certainly intended to supply

information because the final phrase was: "I stress the need for a sensible and informed approach to any proposal for restructuring the water supply". All I ask is that a sensible and informed approach be taken. There are hundreds of ways that you could restructure the current tariff by taking into account all sorts of arguments, and possibly there are many equitable solutions that could be found as an alternative to the current one. I just propose that a sensible approach be taken.

Some members have remarked that we seem to take water for granted and this is one point that we should bear in mind. Unfortunately, we do not have a dam that is built at some tremendous elevation from the area that is using the water. If we had, considerable costs could be saved because of gravity feeding of water. The elevation of Darwin River Dam is probably only slightly above the Darwin area and, as such, there is almost no assistance by gravity flow. We seem to forget over a period of time that we use water every day. We take it for granted, and perhaps we should, that we just turn on a tap and water will come out of it. At the moment, we question the quality of that water but it is still there; it is a service that is there in the middle of the night or the middle of the day. For this, it is costing 96c per week for the basic rate of about 2,000 gallons. Thereafter, it costs an extra 68c per 1,000 for excess; and 68c a 1,000 gallons is hardly the price of a packet of cigarettes. I think that we fail to appreciate that, behind that tap we turn on in the middle of the night, there are many millions of dollars of capital investment. There are people working day and night to keep that system running.

On the subject of establishing gardens, I would like to hear from someone who has specialist knowledge of this area. I had some difficulty in trying to track down specialist knowledge on the subject of gardens and watering and I would like to know whether the establishing of a garden really takes more water than an established garden. I have planted a few things, including a quarter acre or so of lawn, and it seems that the garden during the establishment period probably does not take any more water than after it is established. I could be wrong there and I would certainly like to hear from anyone who has specific information.

Dr LETTS: There are one or two things that I would like to again remind honourable members about. I commend the Executive Member for Municipal and Consumer Affairs for bringing the statement to the Assembly and I am surprised to find in today's issue of the Northern Territory News an editorial which I think could be said to be attacking him. It infers that he has taken a stand against any possible increase in the allowance of water for the same amount of money. It goes on to attack the Executive to some extent for not taking decisions which are sympathetic to the people of the Northern Territory and reflects that this is a poor outlook for the future. That of course is not what has happened at all. The honourable member, in response to a petition and a good deal of public interest, brought a statement to this House which generally aimed to give the public more information on what would be entailed in a proposition such as that sought by the petition. He gave not only those people who are most concerned, those who had signed the petition and who may be creating new gardens and who do have problems, but everyone of the 50,000 people who pay for water throughout the Northern Territory the opportunity of knowing what some of the factors involved in this are.

The members of the Administrator's Council are called upon from time to time to set new figures for water charges in the Northern Territory, and they do this on the basis of a balance sheet which is prepared and provided to them, a balance sheet into which it is sometimes very difficult to get all the factors involved. One thing is clear: if we do not balance or keep somewhere within reasonable realms of balance in the field of supply of services, the money has to come from some other part of the Territory economy and we have to go without something else which may be necessary. This is a fact of life and nobody can dispute it. If the public

wishes to have a decision made knowing that, I guess it is the duty of the elected majority to put that wish into force. But anything that has been said in the petition or the newspapers so far does not conclusively point to the view that is the overwhelming wish of everybody.

It would be the policy of the Majority Party to encourage gardening and better gardens everywhere in the Northern Territory. It would be the policy of the Majority Party to provide as much water as possible at the cheapest possible cost. But pushing the parish pump handle as is tended to be done by some people, and perhaps one or two members here, is not necessarily the best answer. Somewhere along the line, we have to pay for this and the parish pump in any case has not got an unlimited supply of water at the bottom of it.

What this debate today has done is to explore the statement made by the honourable member. It has talked about other aspects which have a bearing on this, such as quality of water and the cost of improving quality, and it has talked about other reasonable, commonsense options which may be open to everybody in the Northern Territory who uses water to make better use of that water and so achieve the basic object of a better garden, hopefully, at no extra cost but by a different type of approach. I can assure people that we are not going to make a snap decision on this tonight or tomorrow. We will examine as rapidly as possible the options which are open to us and the costs that they would represent to everybody in the community. If we get more information on which we could usefully test the public view, we will make that available. Hopefully, we may be able to do something constructive.

Motion agreed to.

PUBLICATIONS COMMITTEE - THIRD REPORT

Continued from 12 October 1976.

Mr POLLOCK: The report of the Publications Committee basically deals with the situation concerning Hansard and the daily Hansard. I draw to the public's attention the problem that we do have with the repeated requests for copies of the daily Hansard. Unfortunately, the resources of the Assembly are unable to produce beyond the present 40 copies a day and requests by a great number of people for the daily Hansard have to be turned down and will continue to have to be turned down.

The other matter which the committee comments on and recommends is in relation to the subscription rate for Hansard. It has been $2 since 1948 and that hardly covers the postage for one session of the Assembly let alone the full year's subscription, without the costs of printing involved. It is therefore recommended that the subscription rate be increased to $7,50 per year posted or $4 per year collected at the Assembly office.

The other matter which the committee recommends is in relation to identification of members - a pass for members which they may care to carry when they are carrying out their duties in the electorate or perhaps travelling interstate. The committee has considered this matter and is able to provide these passes which would carry, if the member desires, a photograph and recommends that the passes be provided. We feel that the passes could be of assistance to members in their personal identification in some circumstances which do arise from time to time. They have at the present time no means of identification other than their personal word of mouth which can, in some circumstances, be quite difficult to have accepted by persons at the other end.

Motion agreed to.

TRUSTEE BILL

(Serial 102)

Continued from 12 October 1976.

Miss ANDREW: I thank honourable members for their comments on this bill and their support in general terms. The member for Port Darwin, who unfortunately is not with us today, made a number of very helpful suggestions for improvements to the bill and I have

decided, after giving them considerable thought, to adopt a number of his suggestions.

I foreshadow that I will move amendments to tidy up parts of the bill. In particular, I will propose a new subsection (1D) of section 4 to replace that contained in the bill. The intention of the new subsection will be to place an onus on the financial expert giving advice to a trustee to propose as wide a degree of diversity of investment as is prudent in the circumstances. Although this is merely a change in emphasis, it should direct the adviser's attention more positively to the need for diversification to protect the trusts.

I have given some consideration to the comment of the honourable member for Port Darwin that some guidelines should be laid down for a financial adviser to say at what future intervals advice should be sought. I feel that the difficulty of framing an adequate set of guidelines to cover all relevant circumstances precludes any satisfactory amendment to this provision. The alternative is to delete the requirement altogether and I do not favour this course.

I agree with the honourable member for Port Darwin that there is an error in the proposed new section 4(4) in relation to the words "to which subsection (2) applies." I will move an amendment to correct this. The amendments have been circulated.

I also agree that the reference in this bill to the Administrator having to approve building societies should be altered to the Administrator in Council. I will also seek amendment in committee to correct this. I have considered the criticism made to proposed new paragraph (i) of section 4(1) but will not be seeking its amendment.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 to 3 agreed to.

Clause 4:

Miss ANDREW: I move amendment 124.1.

This omits the proposed new paragraph and replaces the "Administrator's approval" with "the approval of the Administrator in Council."

Amendment agreed to.

Miss ANDREW: I move amendment 124.2.

Amendment agreed to.

Miss ANDREW: I move amendment 124.3.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5, agreed to.

Clause 6:

Miss ANDREW: I move amendment 124.4 as circulated. Again, this replaces the word "Administrator" with "Administrator in Council."

Amendment agreed to.

Miss ANDREW: I move amendment 124.5 which does the same thing.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 and 8 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

ADJOURNMENT DEBATE

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

I wish to draw your attention to an article which appeared on the front page of yesterday's NT News. I am not going to engage in NT News-bashing but perhaps one might be forgiven for thinking at times that they like to engage in the sport of Executive-bashing. However, in this case, they were merely

quoting comments made by the Mataranka Progress Association, in respect of the very serious problem that exists at Mataranka with the lack of a telephone and telegram service to that centre. I can only say that the progress association, as reported in the article, is apparently suffering from some misconceptions about the role of Executive Members and possibly has been very poorly advised in the matter.

In respect to my own portfolio, it suggests that I am in derogation of duty because I have done nothing for Elsey and Mataranka Stations whose telephones have been cut off. Mr Speaker, let me make it quite clear that I do not believe that, as an executive member with responsibilities in primary industry, I have the responsibility for every station and farm and individual agricultural or pastoral lease in this Northern Territory which may have electricity, water or postal services cut off. Depending on what the nature of that problem is, the first and prime responsibility in these matters lies with the local member in that electorate to endeavour to do his best to take care of it and direct his efforts to seek the assistance of the executive member who has particular responsibility in that field. I think it is a complete absurdity to suggest that I have, in respect of primary industry, that kind of localised task to perform throughout the whole of the Northern Territory for every station, farm and so on. Much the same, I am sure, could be said for the other executive members who have been named in that article.

If the progress association, a very worthy body, thinks that, then they have been very badly misled and advised. The kind of comment that they have made to the newspaper publicly, before even the telegrams were received up here by the various members, is not the way that they are likely to get my wholehearted and genuine support for what I am sure is a very worthy cause.

Mr POLLOCK: Yesterday, there were some questions asked about the single police officers being required by the Commissioner of Police to move their residence at Alice Springs. Last December, they moved into the new barracks. I would just like to relate to the Assembly some provisions of the Police Arbitral Tribunal Determination No. 12 which was in force at that time. Clauses 93 and 94 say:

> *93. When a member is transferred either permanently or temporarily from one station to another or sent to relieve at another station or is requested or required by the commissioner to change his residence from one house to another, in either the same or another neighbourhood, he shall be paid an allowance determined in accordance with the provisions of the following clause.*
>
> *94. Subject to paragraphs (b) and (d) of this subclause, be paid an allowance by the commissioner as compensation to cover unreimbursed costs associated with the transfer and removal. The amount of the allowance and eligibility for payment are to be established in the following basis: unmarried members on taking up residence in a furnished premises - $30.*

Clause (c) of that subclause of clause 94 says: "The member is not required to prove actual loss to qualify for payment under this subclause."

There were 8 members of the police force required by the commissioner to move their residence, admittedly in the same neighbourhood, but in this particular case, a member of the force was on leave and she returned from leave and drove into her former residence's yard. She noticed the curtains were not the same. A chap walked out of the building and said, "What are you doing here?" She said, "I live here", and he said, "Well you used to." While she had been on leave, all her belongings had been upped and moved to the new barracks. She was a bit concerned but she sorted everything out and then proceeded to put in a claim for the $30 disturbance allowance and this claim was then refused by the commissioner. He wonders why there are resignations; the community wonders why. I wrote to the commissioner and on 19 May this year he replied:

It has been the policy of the force that the allowance as compensation to cover unreimbursed costs associated with transfer and removal is not paid when members enter or leave barracks in the same town.

Even though the provisions of the determination say otherwise.

It is only paid when the transfer and the removal are of a substantial nature.

I do not know how he would define "substantial nature". I did not agree with what he said and I communicated with him further. I had personal representation with him and then he agreed that perhaps he really should pay the allowance, that the Auditor-General might not get too upset. It is spelt out in black and white in the determination which the Government signed that these allowances would be paid. However, time went by and it was not paid. I wrote to him again and in July he replied:

I advise that the policy of the Police Department is to pay an allowance as compensation to cover unreimbursed costs associated with the transfer or removal. The unreimbursed costs must be stated by the applicant claiming the allowance to show that they are unreimbursed costs.

Subparagraph (c) of the relevant clause in the determination states that a member is not required to prove actual loss. It says straightout that you are not required to substantiate the cost. But the commissioner says he wants proof of the cost before he will pay the claim.

In the case of policewoman such and such, a report has been forwarded and I am willing to reconsider the case for an allowance as compensation to cover unreimbursed costs providing that the claim is accompanied by a statutory declaration stating what costs were associated with the move.

There is no mention of statutory declarations anywhere in Determination No. 12, let alone in relation to clauses 93 and 94. That was in July and yesterday in answer to a question we hear that the claim is currently being processed. It is still being processed 10 months after the initial action. That is disgraceful.

As I said, the Commissioner of Police and the community wonder why there is a lack of morale and resignations in the police force. The other week there was a little matter about torches. Some members of the CIB in Darwin wanted torches and they were told they could not have torches; they would have to use matches or something like that or provide themselves with a torch. Now we have another case like this. All these little matters result in a lowering of morale and in consequence the resignation rate increases. It is time that, in these relatively minor matters, the commissioner and others responsible woke up and got on with the job.

Mr KENTISH: I had some replies this morning from the Executive Member for Social Affairs concerning Health Department inspectors in the Northern Territory and I notice that the full establishment is about 12 persons for the Darwin area and 12 for the rest of the Territory. However, the number that are actually currently employed is about half that, a total of 13, I asked those questions because of complaints about the health inspection situation in parts of Darwin. It says that recruitment and retention has been difficult, particularly in Darwin, over the past 2 years. Recently, there has been good response to advertisements and it is hoped to make a further 4 appointments shortly. There have been 8 resignations in the Northern Territory, including 6 from Darwin. There have been 4 transfers from the Health Inspection Section but it does not say where they are from.

The information is a little disturbing because people are disturbed about the health inspection situation in Darwin. I did ask if there were official reasons for the situation. We would probably find that housing is listed as one of the reasons given for the resignations and transfers. I have heard another reason given as well: dissatisfaction with the management of that section of the Health Department

has caused some people to go. I would say that this is a section of the Health Department that needs examining to find out why it cannot be brought up to strength. We are told that there are likely to be 4 new appointments but, if the past performance is anything to go by, they will not stay long. The reasons why these people are going so rapidly are beginning to leak out and it is not particularly connected with housing. I would think that a time may come when some deeper inquiries should be made into this situation.

Someone has been holding a red rag in front of me this afternoon across there on the opposite side of the House. The paper called the Tribune has been exhibited over there: the red rag in front of the bull, you might say. It has the headline "South Africa Explodes" and this reminds me of something that I would like to remark on. I mentioned yesterday about an American admiral who said Australia had nothing to worry about Russia taking possession of the Indian Ocean because we have our own oil. Apparently this admiral thinks that Australians only eat oil and do not export anything and those apparently are his conclusions. Mrs Thatcher, the lady from England, had a quite different point of view. She said, "We ignore the situation at our peril". This situation is very strongly linked up with the situation in southern Africa. I do not think I am telling you any secrets, but I would draw it again to your attention .

In early October 1972, 4 years ago, I was in the southern parts of Africa for a CPA conference. I went from South Africa to Malawi and then to Kenya. The newspapers there came out with very big headlines. The Chinese delegate at the United Nations had blown his top and thumped the table and said that within 4 years China would drive the white government out of South Africa, into the sea presumably, and liberate the native peoples of South Africa. I had to remark in later debate when these sorts of things were being discussed that I was a bit surprised that China was worrying about liberating the people of South Africa when they could liberate the people of Tibet much more easily. This came up in a debate on security in the Indian Ocean at that conference.

This Chinese delegate spoke too loudly and too quickly. The Russians were listening and they appeared to be 2 or 3 steps ahead of the Chinese in the liberation of southern Africa. This apparently is what is happening. We know what has happened in the past 4 years in Mozambique and in Angola. Gradually the push has gone southwards. Preparation has been obvious for years, the preparing of the ground for this sort of thing. It is not incidental or accidental, it is a well-prepared push southwards. It became evident quite a few years ago that the hordes of the black, and allegedly independent, states would be used for this push southwards; not too much Chinese or Russian blood would be spilt and perhaps there would be a bit of Cuban blood mixed with it as well for good measure. We have seen this happen. Russia has put her foot in the door ahead of China, despite China's proclamation at the United Nations 4 years ago. The program is running a little bit later perhaps; 4 years have passed and it is not yet accomplished. There is a pretext that all this is a racial issue. It did not look like a racial issue in Angola and it did not look like the establishment of a majority government in Angola. In fact, a minority government backed by foreign troops has been the result there.

Recently, in the media, we have seen the portraits of 5 African presidents who have adjoining states north of Rhodesia and South Africa, Mozambique etc. We have seen these presidents' pictures in the paper and all of them are presidents not of majority governments but of presidential dictatorships. I doubt if there is one majority government country in Africa. They had their pictures in the paper in support of majority government in Rhodesia. Rhodesia is a state which has had a mixed race government for many years resulting in a stable, prosperous and law abiding community unique in Africa. Some of you may not agree with that but I was amazed when I saw east African papers over there and I brought back quite a lot of these papers, more than my suitcase would hold. It is amazing

to read the east African papers; therein is information that we simply do not get in Australia about the political situation there in Africa.

We find that, contrary to what we may think, African law is very prompt. We have just been dealing with on-the-spot fines. In Africa, according to the newspapers - and the members of the Legislative Council that I showed these papers to were amazed when they saw it - they have on-the-spot justice. In fact, every day you read in the papers where the security squad in a jeep had come on a person stealing something and they sang out "Stand!". The person runs and the machine guns start peppering and the person ceases running. This is constantly in the papers. I brought back all those papers to the amazement of the Legislative Councillors at that time, 4 years ago. It is on-the-spot justice and the paper concludes that the case was closed very quickly and very easily. This is commonplace. It is Wyatt Earp country. We are trying to fit them into our pattern of twentieth century civilization, but it is a Wyatt Earp country, despite the fact that they have some very beautiful international hotels and so on. It is Wyatt Earp country: shoot first and ask afterwards. This is the justice there, justice that is going on all through that part of Africa.

I say to you again that Rhodesia is unique in Africa in its peace and security and good government despite the fact that their government has been difficult for many years. It is doubtful if any of those presidential dictatorships could claim to be majority governments, certainly not Angola and Mozambique. But Rhodesia and South Africa have for very long been an embarrassment to most of the neighbouring presidential dictatorships. Millions of their subjects have migrated or fled to Rhodesia and South Africa for perfect personal conditions and safety and that is the fact of the matter. There are millions of them that belong to northern republics as they are now. We have a position where, due to simple blood lust which is very apparent in Africa in the daily execution of their justice, where these hypocritical dictators want to put their fingers into the Rhodesian pie to "liberate" their countrymen who have voluntarily fled from their tender care into the security of the southern countries. One wonders how many people have escaped from the tender care of Idi Amin in Uganda to the comparative peace and security of Rhodesia. But do not worry, he is going after them.

Many of the aspects of apartheid are unnecessarily provocative. That was my opinion over there, I could not understand it. When I was in Kenya, I worshipped in the Church of England one Sunday morning with the congregation about 90% black Africans. Service was taken in the morning by an African minister in English and in the evening it was taken by an English pastor in Swahili. I have seldom attended a happier and more peaceful worship than in that Church of England cathedral. When you think that people cannot worship together or play together or do certain things together in South Africa, many aspects of this apartheid appear to be unnecessary. However, England is finding out the hard way some of the problems of throwing together very closely, peoples of widely different cultures. You have all read about that and this is a thing that South Africa in one aspect of its apartheid policy is avoiding: the throwing together of widely different cultures in their living conditions.

What concerns me most about this whole setup is Australia's part in it. At the moment, Australia is engaged in cutting her throat in southern Africa and I do not know if anyone has told Mr Peacock about this yet but that is exactly what she is doing at the moment. We are told that this drive south into a Rhodesian South Africa, which is inevitable because South Africa is undoubtedly next after Rhodesia, is on a racial basis. If it was on a racial basis, I could hardly disagree with it but, for every ounce of racism that is in it, there are 12 ounces of political measurement. In fact, the whole thing is strongly political.

Mr VALE: I have a couple of points that I would like to raise. The first concerns an announcement in Alice

Springs that private letter boxes are about to be renumbered. This would apparently appear to be caused by the old problem of the left hand not knowing what the right hand is going to do. A circular has recently been circulated to letter box holders in Alice Springs advising that, with the relocation of the new post office, certain changes are necessary and that, as a result of those changes, they will be receiving new letter box numbers. There has been no advance warning apart from this. Early next month, the Northern Territory Telephone Directory comes out and the pink pages list quite a number of business firms in the Northern Territory towns and their postal addresses. Thus, next month, quite a number of those for Alice Springs will be out of date before they are even issued.

Why in the hell must these numbers be changed? If they are going to relocate, why cannot they just continue to add on to the existing numbers? To date, the numbers reach at least up into the 1700s or possibly quite a lot higher. If in fact they are running out of numbers, surely they could go back and start from one and put a letter against the number. What worries me is that the letter circulated to the letter box holders ends: "The inconvenience caused by this change is sincerely regretted". It is not the inconvenience so much as the cost factor for business and private people having to reprint letterheads, envelopes, business cards and other business circulars. There were no discussions, there were no meetings between various organisations in central Australia such as the Chamber of Industries and other organisations. I suggest that what the post office should do is reconsider this decision to renumber the letter boxes and let the organisations in central Australia put forward alternative proposals.

The other point that I would like to raise - and it is one which occurs in my electorate and I am sure in other bush electorates - is the maintenance problem for residences in remote areas. I have 2 big areas of concern, Warrabri and Yuendumu. There are the day-to-day problems of repairing airconditioning, airconditioner starters, jammed doors and so on. I have already put in to the Department of Construction a suggestion that they should list problems concerning water pipes and blocked sewerage drains and so on and, when they get enough of these listed in one area, then a maintenance crew should go out, do the repairs and then move out of the area. In my letter to the Director of Construction, I suggested a number of things. One was that one person, regardless of which department he is employed by, should be responsible in each area for the listing of maintenance problems. The other is that a list of the qualifications of personnel employed in the particular area be noted. You might have a fellow employed as a clerk who was previously a qualified electrician. When these problems occur out there someone on the settlement should have permission to authorise immediate and speedy repairs. The overall problem is that there is a tremendous demand to have qualified personnel move into these remote areas and they move out there but there is no back up or support staff for either the residential requirements or the business requirements. This extends not only to residential areas but also to the business side of the operation.

One area of extreme concern is that of police cars or police vehicles on settlements and the maintenance problems therein. I know at least at Yuendumu, and possibly also at Warrabri and other areas, there are qualified mechanics who could be authorised to service and repair these vehicles if and when required. What I am suggesting is that the Directors of the Departments of Construction, Aboriginal Affairs, Education and the Police Commissioner all sit down and discuss this problem at a round-table conference and come up with some solution which will, hopefully, solve remote area maintenance problems in the Northern Territory.

Mr BALLANTYNE: I would like to thank the members of the Comonwealth Parliamentary Association who kindly allowed me to go to the CPA conference in Mauritius. I am sorry that there are not too many of them here today to hear what I have to say but I would like to give a little rundown on Mauritius.

Mauritius is an island in the Indian Ocean about 500 miles east of Madagascar with a population of about 880,000 and an area of some 783 square miles. It is volcanic and consists of a plain rising from the north east to the Piton de la Petite Rivière Noire which is 2,711 feet in the southeast. It is broken by volcanic peaks and gorges and is almost completely surrounded by coral reefs. The climate is conditioned by southeast trade winds. It is tropical in the lowlands and has 2 seasons - a hot season from December to April and a cool season from June to September. The average rainfall is about 200 inches and the mean temperature varies from 60 degrees at sea level to 74 degrees Fahrenheit - that is about 15 to 23 degrees Centigrade - respectively. Cyclonic conditions can occur from September to April and as a matter of fact in 1975, after the cyclone here in Darwin, they had a cyclone which did a lot of damage to that area and just about destroyed 40% of the sugar cane crop.

The population is made up of 28% mixed European and African descent; 67% Indian and 5% Chinese. The official languages are French and English and most of the people are bilingual. They have a reasonable education system there which is not compulsory. However, 90% attend primary school and 35% attend secondary school and they have a program going on now to extend secondary and technical education. They have a university there with approximately 1,300 people attending. Also they have about 1,300 students overseas doing various subjects which they cannot do in Mauritius. The university only caters for the faculties of agriculture, commerce and some languages. They have also a very fine institute - the Mahatma Ghandi Institute - which caters for the cultural background of the Indian people in the arts, music and dancing.

Mauritius is a member of the Commonwealth of Nations and the Mauritius chief of state is Queen Elizabeth II represented on the island by a Governor-General. There is a council of ministers called the Cabinet; there are 20 in all made up of the Prime Minister and 19 other ministers. The unicameral Legislative Assembly is composed of 70 deputies, 62 elected and 8 appointed by the Prime Minister. The elections are held every 5 years but, since 1972, they have not had elections under a mutual agreement with the major parties. The laws are based on the French system with some British innovations. The Supreme Court is the main court on Mauritius and consists of the Chief Justice and 2 junior justices. The local government consists of 9 administrative divisions with municipal and town councils in urban areas and village councils in rural areas.

The main economy on that island is sugar; the crop covers 94% of the island and they export about 90% of that. That industry employs about 60,000 people and they have other industries such as tea, tobacco and potatoes. They have also experimented recently with 500 cattle from New Zealand and they are looking into feeding the cattle on processed sugar cane. They have electronic components, fertiliser plants, steel rolling mills, diamond cutting and polishing plants, and they have toy and shoe manufacturing plants as well as the original fishing industry. Of coure, they have a very big tourist industry there. The tourists averaged about 70,000 people in 1975.

That gives you a rundown, Mr Acting Speaker, on the island itself. The main reason I went there was to attend a conference. Representatives from some 30-odd Commonwealth countries attended and I must say that it was wonderful to be able to meet all these various delegates and unofficial people who came along. I was an official observer but there were a lot of other observers there in an unofficial capacity who came as members of the CPA.

The main sessions were on the Commonwealth and world security and they had subjects like the current world situation and threats to peace. Another one concerned the Indian Ocean as a zone of peace. The honourable member for Arnhem spoke about that particular issue today. There was a session on the situation in South Africa with particular reference to Rhodesia and South Africa. Again, the honourable member

for Arnhem spoke about that issue which causes much uneasiness in the world. There was another one on the smaller countries of the Commonwealth, their defence and their future. They had panel sessions such as the one on the Commonwealth and the law of the sea - a very interesting one - and development assistance. They had other sessions such as one on economic problems in a new international order. Some of those were community arrangements, the brain drain in developing countries, cooperation in industrial growth and problems of external debt payment. To follow on from that, there were other panel sessions on social problems and on the protection of the environment. There was another one on population growth and the problems of urban poverty and unemployment. That was a very interesting one indeed. At all these panel sessions, there were representatives of some of the nations of the world which have the highest populations - India, for instance, has 650 million. On the last day, there was another plenary session on the parliament and the modern world. This was very interesting; it dealt with parliamentary control of the government and executive, the use of select committees and challenges to parliament of modern economic and social conditions.

It was wonderful to hear the various speakers and the way they presented their debate. No resolutions are taken down or documented; it is purely an open forum and to me it was a great experience and one that I will remember for some time. I would like once again through you, Mr Deputy Speaker, to thank the members of the CPA who gave me the opportunity to represent this branch.

Mr STEELE: Speaking last in the adjournment debate reminds me of the old story about being the bridesmaid and never the bride or perhaps you could say that, if you had a lot of slow horses in the race, you have paid for the last horse to win. On a more serious note, I asked a question this morning of the Executive Member for Education and Law concerning alleged assaults by groups of Aboriginals against a smaller group of stockmen over in Western Australia.

I bring this up again because, in the past, there have been convictions in situations where minority groups of pastoralists or settlement people, because of a lack of security in their station arrangements, have been subjected to violent attacks. It is not new and it is a growing fear that these attacks will get more frequent and ultimately there will be murder. I do not underestimate the worries and the fears of these people on stations and on settlements because in a situation where you have a culture that is not very capable of handling alcohol, and where the pastoralists or the settlement people or the nurses, or whatever they are, are outnumbered, often at times 10 to 1 or more, the scene is certainly set for something of a very serious nature.

It has been said - although I cannot substantiate the stories that have been told to me - that tourists have been flagged down for spare parts on isolated highways and pulled out of their cars and flogged badly in some cases. In recent times, a TV crew ventured into Arnhem Land and the same thing happened to them. They were pulled out of their vehicle and flogged. I have been told that people are being warned about travelling the Tanami road from Alice Springs up through Hooker Creek or into Western Australia. It does seem that something has to be done about this. As I mentioned in an earlier debate, the older people like Vincent Lingiari want something done about it; they would like to see some law and order in those areas. The situation of having single policemen who leave the settlements to attend to the routine duties of their surveys or patrols is just not on. It is just not good enough; there has to be greater communication between isolated policemen and the main centres of police control. It is getting to the stage where, because of the white man, these people are taking the law more and more into their own hands. There has to be more control.

I turn now to the Home Finance Trustee loan. As I understand it, you apply for a loan and the Building Board approves your plans and you are lent a certain sum of money based on the plans. There has been a new twist in-

jected into this in recent times. If perhaps your kitchen is a little bit more expensive than the normal kitchen, there is a chance you could get knocked back. Whether this is departmental policy, departmental attitude or the Minister's policy, I don't know.

I have a complaint from a retailer of kitchens in the Darwin area who has been an old friend of mine for many years. He certainly is not trying to pull the wool over my eyes. He is an old kitchen hand; he designed a kitchen for a Mr Gabriel Maverick of 96 Freshwater Road, Jingili. Mr Maverick agreed to buy at a quoted price of $4,610 on 10 August 1976 provided his Home Finance Trustee loan was approved. A firm quote was written for this price. Some 2 weeks later, Mr Maverick phoned the kitchen man to say that the Home Finance Trustee was not prepared to finance that amount of money for a kitchen. Their works supervisor has told Mr Maverick that a total of $4,500 was being allocated by the Home Finance Trustee per house to provide for a kitchen and wardrobe. The kitchen man rang the Home Finance Trustee on 16 September and had discussions with the lady there. He put his case and asked, "What's going on? It's a lump sum deal and you can't tell these people how big their kitchen can be". She suggested that he contact someone else, which he did, and that someone else indicated to him that the Home Finance Trustee would set a limit of $2,500 on the total price that could be used to finance a kitchen.

The kitchen man then went to meet the Home Finance Trustee and asked if the trustee would confirm this to him in writing as a definite policy backed up by the Administrator or by the Minister. The kitchen man said that he needed to know the limits of their policy in this regard to guide him in his business operations and so that he would not be messing clients around by saying it was built into their loan. On October 1, he was advised that no limit would be set and the Home Finance Trustee could offer no guidelines. He was told that they could not assist him in the marketing of his kitchens or in his dealings with future customers. On the same day, he had further discussions with the Home Finance Trustee who said that he could not give a limit on money to purchase kitchens which he would finance, but he requested a price for average size kitchens. This was impossible for the kitchen man to do because he has sold kitchens from $2,000 to $5,000 and the price is obviously affected by size of room, model kitchens and other factors - units, wall oven, cabinets, all that sort of thing. The Home Finance Trustee expressed the opinion that he saw the loan as being made available to rehouse people in the same style and conditions as they had prior to the cyclone with a building obviously complying with the code. He also expressed an opinion that, by financing costly kitchens, his office stood to come under severe criticism if the 6% home loan money ran out again. That does not sound very honest.

He did, however, agree to look at some quotes that the kitchen man had submitted to some 6 customers which came readily to his mind and phone him back on Tuesday 8 October. The names of these people were Maverick, Haritos, Roberts, Fricker and Chaloupka. There were another 12 quotes that would need eventual financing. The kitchen man rang the Home Finance Trustee again to advise that he had not phoned him back as he had promised and he has heard nothing to this day.

Honourable members may remember that the Bland Report into the public service was tabled in this House about 6 weeks ago. It does seem at this stage that there are people in Darwin who are making decisions without authority and now do not wish to be accountable for those decisions. I am taking this particular case to the Minister for the Northern Territory and personally I am not prepared to put up with people who make these sorts of decisions and then refuse to be accountable.

Motion agreed to; the Assembly adjourned.

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