

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

Tuesday 25 May 1976
Wednesday 26 May 1976
Thursday 27 May 1976

Part I—Debates

Part II—Questions

Part III—Minutes

Part IV—Bills Introduced

NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

First Assembly

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PART I

THE DEBATES

Tuesday 25 May 1976

Mr Speaker MacFarlane took the Chair at 10 am.

NORTH AUSTRALIA RAILWAY

Mr ROBERTSON: On behalf of the honourable member for Elsey, I present a petition from approximately 700 citizens of Katherine praying that the Assembly take all measures possible to persuade the Federal Government not to close the North Australia Railway. The petition is courteously worded and bears the Clerk's certificate that it conforms with standing orders.

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.

The humble petition of the undersigned citizens from the town of Katherine and surrounding areas respectfully shows that the Federal Government has announced its intention to close the Darwin-Larrimah railway line. Your petitioners are of the opinion that such an action will have disastrous effects on the Northern Territory and would cause unemployment and economic hardship throughout the community.

Your petitioners therefore humbly pray that the Legislative Assembly take all measures possible to persuade the Federal Government not to proceed with the closure, and your petitioners as in duty bound will ever pray.

EXECUTIVE MEMBER FOR FINANCE AND COMMUNITY DEVELOPMENT

Dr LETTS: Mr Speaker, I seek leave to make a short statement regarding the absence from Question Time of the Executive Member for Finance and Community Development.

Leave granted.

The Executive Member for Finance and Community Development will be absent from the Chamber until lunchtime today. He is attending a meeting of State and Commonwealth Housing Ministers which is particularly concerned with Housing Commission matters. This is of great importance to us in view of the likely transfer of the Housing Commission to our executive authority in the near future.

In the absence of the Executive Member for Finance and Community Development, questions which would normally be handled by him may be addressed to the Executive Member for Municipal and Consumer Affairs who will, if he cannot answer a question off the cuff, take note of it and start the machinery rolling to provide the information at a later stage.

NORTHERN TERRITORY (ADMINISTRATION) BILL

Dr LETTS: I table copies of a bill for an act to amend the Northern Territory (Administration) Act which was recently introduced into the Federal Parliament and a copy of the second-reading speech which the Minister for the Northern Territory, Mr Adermann, made in relation to that legislation. I ask leave to move without notice that the papers be noted and ask leave to continue my remarks at a later hour.

Motion agreed to.

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

Motion agreed to.

Debate adjourned.

ADMINISTRATOR OF THE NORTHERN TERRITORY

Dr LETTS (by leave): I have received in the last few minutes a copy of a press statement released this morning by the Minister for the Northern Territory, Mr Evan Adermann. I will read the significant extracts from that press release and then will table the release for everybody's information:

The Minister for the Northern Territory, the honourable Evan Adermann MP, has announced that, following Cabinet approval, he has recommended to the Governor-General the appointment of Mr. John England as Administrator of the Northern Territory for a period of 3 years from 1 June 1976. Mr England is a former member of the House of Representatives for the electorate of Calare in NSW. Mr Adermann said that in approving Mr England's appointment Cabinet had considered the need, at this important point in the development of the Northern Territory, to have as Administrator a man with experience in federal government and with a close awareness of the present Government's policies.

He then refers to Mr England's distinguished service record with the armed forces in the second world war, and indicates that Mr England was elected to the Federal Parliament in 1960 and was re-elected at subsequent elections until his retirement from the House of Representatives in 1975. Then follows a list of the parliamentary committees on which Mr England served and his service to the Federal Parliament as a delegate to a number of important bodies including the United Nations.

I table a copy of the press report.

SELECT COMMITTEE ON LANDLORD AND TENANT
(CONTROL OF RENTS) ORDINANCE

Mr ROBERTSON: I present the interim report of the select committee appointed to inquire into the Landlord and Tenant (Control of Rents) Ordinance. I ask leave to move without notice that the committee be granted further time to continue its inquiry and that it be required to report on the first sitting day of the Assembly after the first day of August 1976.

Leave granted.

Mr ROBERTSON: I move that the select committee appointed to inquire into the Landlord and Tenant (Control of Rents) Ordinance be granted further time to continue its inquiries and that it be required to report on the first sitting

day of the Assembly after the first day of August 1976.

As is clear from the interim report, there is a large volume of both written and verbal evidence before the committee. There are several organisations remaining which have indicated to your committee that they desire to provide both written and verbal evidence. Let it be thought that we were denying people this opportunity, the committee is requesting this further time. Certainly it is my personal view that adequate time has been given to these people. One of them particularly gave an indication, along with an insulting letter to the committee, that it was the intention of the Alice Springs branch of the Australian Labor Party to make submissions. Your committee is very desirous to receive this submission and it is therefore requesting the Assembly to extend time to it. In any event, the evidence is of such volume that the committee finds it will take quite some considerable time to consider all of it in depth and come up with the required answers. I am quite sure that honourable members would much prefer us to take a little longer and come up with worthwhile recommendations than to be excessively hasty and perhaps misguide future legislation.

Motion agreed to.

SELECT COMMITTEE ON REFURNISHING OF
THE CHAMBER AND SECURITY OF
THE PRECINCTS

Mr SPEAKER: I present the report of the select committee appointed to inquire into the refurnishing of the Chamber and the methods by which the general security of the Assembly buildings might be enforced.

Mr ROBERTSON: I move that the report be noted.

Debate adjourned.

COMPANIES BILL

(Serial 84)

Continued from 18 February 1976.

Motion agreed to; bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill passed the remaining stages without debate.

TRAFFIC BILL

(Serial 94)

Continued from 19 February 1976.

Mr BALLANTYNE: I rise to support this bill. One of the most important changes in the legislation is the clarification of the difference between pedestrian crossings and childrens' crossings. Pedestrian crossings can be used 24 hours a day in most instances and childrens' crossings should not be tagged to these crossings because they are only used for short durations, perhaps in peak hours and in areas where the density of traffic is such that it could cause accidents. Our thoughts should be directed towards looking after the welfare of children, including teenagers. The legislation is to be amended so that the crossings are to be marked quite clearly. Road users will have a clear view of the lines so that there will not be any confusion. In the past, there has been confusion because of the way the crossings were marked. We must have the lines marked according to a standard. Standards are laid down with regard to the width of the line, the type of materials and also the colours. It is up to the local authorities to make sure that road lines are marked properly so that people can see them quite clearly from a distance. In a lot of instances, the traffic lines are not marked clearly enough. This is very important because there are other things that motorists have to observe as well.

There are also amendments with regard to clearways. This is designed to bring it in line with the laws in southern states. These clearways are necessary, particularly when the traffic is heavy. In the last 6 to 9 months, the traffic here has increased immensely and the clearway clears the

way for traffic so that it can disperse quickly and in an orderly manner. The pedestrians have to be very careful that they do not step off the footpath onto these clearways. You have no right to be on the road because a clearway means that it has to be cleared of stationary vehicles and pedestrians as well. In a case where you have no footpath and the traffic is not so heavy, I suppose a pedestrian has some right to be on the road but, in a case of a clearway, I would say definitely not. It is only there for certain periods and everyone can observe that quite satisfactorily.

There are a few small changes to the ordinance. Some amendments are designed to streamline it to the metric system. One concerns a speed measuring device which has to make sure the measuring tape is certified and its markings are 25 metres plus or minus 75 millimetres. They are getting down to very technical details when they are talking about distance. I only hope that when the distances are marked that they are in accordance with that particular amendment in section 56A of the principal ordinance. It seems very technical when you get down to plus or minus 75 millimetres in certain distances. However, I know that there are laws under the Licensed Surveyors Ordinance which give people authorisation to make sure these things are carried out properly.

There is not a great deal that I can say on this particular bill because I think that the Member for Transport and Secondary Industry covered everything in his second-reading speech. It is merely streamlining the present ordinance and bringing it into line with the southern states. Clauses 5 and 6 amend the ordinance to overcome court problems experienced with the breathalysers. The ordinance at present says that the arresting police officer must be there at all times and he must follow the matter through. There is a new provision to change the terminology so that any qualified policeman can follow up the matter, not necessarily the officer who arrested the person. I think that is a very sensible approach to the problem and I hope that this will overcome any problems previously

experienced in court. I congratulate the honourable member for the work that he had done and I have no hesitation in supporting the bill.

Mr WITHNALL: I rise to offer some criticism of the terms of this bill, more particularly the terms of the amendment proposed in clause 6 which amends section 8C of the ordinance relating to certificates which may be given by police officers and which will be accepted by a court without any proof at all. As a lawyer and a prosecutor for many years, I have had occasion both to use and to be concerned in defence with these sorts of certificates for a long time. When I was quite a young man, I once worked for probably the greatest Attorney-General Australia has ever had, and I refer to Herbert Vere Evatt. Although it was wartime and although the needs of the community were very great during those years, and the enforcement of the law as to prices and petrol rationing and matters of that sort was most important, that Attorney-General resolutely refused to permit any Deputy Crown Solicitor to have any averment made on any information which did not come within the lines which he laid down. The same attitude was used with respect to certificates. The lines he laid down were, briefly, these: one does not aver anything which can be proved without much trouble, unless the fact is a normal fact - such as the publication of a Gazette - or unless the fact is one which would create considerable inconvenience or the expenditure of considerable money to prove. The third one was that one never avers a fact which is tied to the very commission of the offence itself. In other words, certificates and averments were to be used very sparingly because they are a direct invasion of the right of every citizen to a fair trial, a fair trial meaning that a citizen is entitled to face his accusers, and have his accusers face him, and to give evidence concerning every event and every fact which is necessary to prove the offence charged against him. I do agree that there are occasions when certificates are necessary, but I suggest to the members of this Assembly that provisions of this sort must be scrutinised with the utmost care before

they are passed into law.

Coming to the proposals made in clause 6, there are 4 certificates referred to. The first one relates to a person who is charged with refusing to submit to a breath analysis. It says that a certificate purporting to be signed by a member of the police force and stating that at the place and on the date and at the time specified on the certificate he had duly required the person named in the certificate to submit to a breath analysis, or was present when the person was so required, is evidence of the matters stated in the certificate. Honourable members will note there is no provision there that the certificate may encompass the fact that the person refused. I accept that, but I wonder exactly why it is necessary to have this quite superfluous certificate produced. The person who was there must give evidence of the failure surely. If he is in the witness box, why should he not give evidence of the fact of the requirement as well? What is the use of a certificate if the witness who is concerned with it is in the witness box and can give the evidence himself? I would like the honourable member proposing this bill to answer that question.

I would also like him to answer the question as to the difference which he sees between the certificates referred to in the latter part of paragraph (a) and in paragraph (c). The latter part of paragraph (a) says that a certificate purporting to be signed by a member of the police force and stating that at the time and date specified in the certificate he was present when the person was required to submit to a breath analysis is evidence of the matter stated. Under paragraph (c) the words are exactly the same: "a certificate purporting to be signed by a member of the Police Force stating that he was present at the place and on the date and at the time when a person named in the certificate was required to submit to a breath analysis". There is also a requirement that at the time and place referred to there was a device and the device was capable of producing results. Why with respect to the same offence do we have 2 provisions relating to certificates? May

I suggest to the honourable member that this is a Chinese copy of some other legislation and it has not received the attention which it ought to receive from members of this Assembly.

I also would point out to the honourable member that, so far as the provisions contained in paragraph (c) are concerned, the certificate contains the statement that the device was capable of producing a result. Any old result? A wrong result? Just a result. Any machine is capable of producing a result. What in the name of goodness is that certificate going to do, what is it going to effect? It will certainly produce a result, it might even fail to work, and that is a result. I suggest to the honourable member that he takes a very good look at this, not only from the point of view of the freedom of the citizen but from the point of view of the efficacy of the legislation he is proposing.

I have also to refer to another certificate which relates to a certificate of the Surveyor-General as to the speed measuring devices referred to in section 56A of the principal ordinance. We are going to have another certificate now, purporting to be signed by the Surveyor-General or by a person authorised by him to give the certificate and stating that the measuring tape described or identified in the certificate is accurate to within the tolerance referred to in subsection (2)(a). All right, I accept that this is an appropriate matter to be covered by a certificate, but again I wonder whether the words proposed will be effective. May I digress and say that I have the greatest respect for the opinion of the Surveyor-General and of any certificate given by him. I remember on one occasion, in a public service prosecution, I asked him to give me the distance between the post office in Darwin and the post office in Adelaide. He produced a result which was in some thousands of millions of inches. When I received the result, I rang Mr O'Brien up and I said: "Can you vouch for the accuracy of this?". He said: "No, I am afraid I cannot!" I asked him within what limits he could vouch for it, and he said it could be 2 or 3 inches out. Indeed, I think the

defence on that occasion checked it and came up with practically the same answer.

I refer honourable members to the provisions contained in subparagraph (i) of paragraph (c), "that the measuring tape described or identified in the certificates is accurate to within the tolerance referred to in subsection (2)(a)". Obviously, if a measuring tape is of any great length, the distance will be dependent upon temperature at any given time. If it is a steel tape, the temperature can be responsible for quite a difference over a significant testing length. Secondly, the certificate is that the measuring tape is accurate. Now at what time is this measuring tape to be certified - the day before prosecution or when it was used six months ago? Is it to be certified before the offence was committed so that it can be taken down and used with the certificate already in force? Is it to be certified on the day of the offence or within a few days of the offence? And how in any event do we identify the tape? It seems to me that the question of identification would be the Surveyor-General's greatest difficulty. Unless he personally examines every tape, or unless his authorised officer personally examines every tape used, I suggest that anybody could set aside the evidence of the certificate because, remember, this certificate is not conclusive; it merely says it is evidence of the accuracy of the measuring tape and the matter stated on the certificate. I urge the honourable member in charge of the bill to have another look at this, not only with a view to ensuring that the citizen is not opposed by an unfair certificate but also with a view to ensuring that, if the certificate is given, it cannot be seen to be a certificate depending upon a number of things which are not accurate, which do not necessarily relate to the actual distance measured on a particular day.

Mr EVERINGHAM: I rise to support the bill in the main. I am very pleased to see the introduction of provisions for children's crossings. It is my observation since coming to the Territory that pedestrian crossings are

somewhat abused by drivers in the Northern Territory. I often walk to work and in order to cross Cavenagh Street in Darwin I use a pedestrian crossing located against the side of St Mary's school. I certainly would not want my children to go across that crossing unescorted because very few vehicles stop at it. They will dodge around you; if you are the best part of the way across, they will go behind you or in front of you; very few vehicles stop. I have never noticed a policeman on duty at this crossing. This has been my observation with pedestrian crossing throughout the Territory, that drivers are just too impatient to pull up at them. You can see the same in front of Woolworths in Cavenagh Street quite regularly - women pushing prams and trolleys and so on and the cars dodging in front of them and behind them. I hope when this legislation is passed and assented to - if indeed that be the case - that the police will take steps to enforce the law in this regard so that children - and any pedestrian for that matter - can exercise their rights of crossing the road. After all, I believe they have a prior right; vehicles should take secondary consideration at points like this and certainly Northern Territory drivers are very inconsiderate in this regard.

Passing on to clause 6 of the bill, I find myself substantially in agreement with the honourable member for Port Darwin. It does seem that unfortunately, for the sake of expedition, the prosecution often hopes to establish its case by merely handing up to the presiding magistrate or judge a handful of papers which are certificates purporting to be evidence covering all the points which would normally in the past have been provided by viva voce evidence from the various witnesses concerned. I certainly support the honourable member for Port Darwin when he says that the police officer who was present at the time when the accused refused to submit himself to a breath analysis would have to give the viva voce evidence. I cannot see why, if he is in the box for that reason, he should not give other evidence proposed to be tendered by a certificate.

In relation to proposed paragraph

20(c) in clause 6 - and this is just conjecture on my part because I have not yet actually been in one case of a prosecution for exceeding .08 - I would say that it might be a provision which would enable the actual operator of the machine to make this certificate rather than just an ordinary police officer as provided in paragraph (a). It seems to me that the significant addition there from (a) to (c) is the subparagraph (iii): "the device was capable of producing a result". I must agree that the type of result should be specified and whether it had been used at the time stated, and the only person who can certify to that is an operator approved by the commissioner.

This bill marks a trend on the part of the Government to attempt to short-cut procedures. I can certainly understand that it is much more expeditious, and in most cases just as efficacious, to produce a certificate rather than call a specialised person such as an analyst to the stand and have that analyst in court all day waiting when he could be doing much more valuable work. However, I feel that the essential elements of the offence should be established by viva voce evidence and I would therefore support the honourable member in that regard.

Further on, we have the setting up of children's crossings and the specific provision that a driver approaching a children's crossing shall drive his vehicle at such a speed as to be able to stop before reaching the crossing, and so on. I notice there that it appears that we will at least be able to have these school patrols that they have down south equipped with signs - they walk out onto the road where the crossing is and put out a stop sign, and the vehicles pull up. At least, that is the way I read section 35N(2)(b) and I hope I am correct, perhaps I am not. I know that there have been some difficulties with Education Department officials in other states refusing to permit teachers to supervise the operation of these children's patrols. I hope that does not happen in the Northern Territory. Apparently, the Education Department is concerned that it may be liable for damages in some respect if a child is injured on a

crossing and if it permits a teacher to supervise the operation of these patrols at the crossings. This is a terribly negative attitude and certainly not one worthy of a governmental authority which is in the position of *parens patriae* and is supposed to look after all its citizens, and especially the younger ones. I hope that we soon see these patrols at all Northern Territory schools because it teaches children some responsibility in relation to road safety, gives them confidence and also safeguards them. Aside from the provisos that I mentioned, I support the bill.

Mrs LAWRIE: I have given considerable consideration to this legislation and it would be very easy for me to say that basically I support it, but I wonder if anyone has ever taken the effort and the initiative to institute an inquiry into the efficacy of pedestrian crossings? It is my opinion that they are nothing but a deathtrap, that if we abolished all pedestrian crossings, it would save many lives, the reason being, of course, that if a pedestrian has to cross a road where there is no such crossing, no such provision for traffic to stop on his behalf, he exercises the utmost caution. Pedestrian crossings, on the other hand, lull one into a sense of false security. It would be an interesting exercise to get the statistics on pedestrian fatalities between the Darwin Post Office and perhaps the Nightcliff shopping centre, and find out how many of those pedestrian fatalities have actually occurred on pedestrian crossings.

I have come to abhor and detest pedestrian crossings for a very good reason. The honourable member for Jingili spoke of the crossing by the Cathedral. I was dropping my son at the Convent one morning for a violin lesson. I was with my husband and we stopped a long way back from the crossing to enable traffic to get a good view. We waited until the boy had supposedly crossed. He ran perhaps 50 yards, it was a fair way back; he got to the crossing and started to cross; the car in the left hand lane stopped; the car in the centre lane stopped; the car on the inside lane next to the

island in the middle went through at about 60 miles per hour, had no hope of stopping and only saw the boy as he appeared around the bonnet of the middle car. The car mounted the island and only by skilful driving and a lot of luck saved himself from rolling the car and being killed. That was my first experience of watching a pedestrian crossing in action. You can imagine how I felt.

I refer to another pedestrian crossing which is in my opinion an utter and complete death trap. That is the one on the Stuart Highway at Salonika, by Delaney's produce store. Twice in the last month, and I am prepared to swear to this, I stopped for a pedestrian who had one foot on the crossing, waiting for a break in the traffic; I had stopped and twice a car which I had watched approaching very fast in my rear vision mirror had obviously not been going to stop. Once I yelled to the pedestrian to wait and he did, realising that the other traffic was not stopping. The second time I stuck my head out of the window and my arm, because I had a seat belt on I could not move any further, yelling at the approaching car to slow down and stop, and he stopped inches from that pedestrian. And this is when my car had already stopped. Any rational person would surely realise that I had stopped for some reason and must assume there was someone on the crossing. But, Mr Speaker, they do not.

I will vote for those sections of this legislation which strengthen protection for pedestrians and especially children because, in the interim, it is the obvious thing to do. However, I would put it to the Executive Member for Transport and Secondary Industry that he should discuss with road safety councils, the police, St John's Ambulance, and any other recognised and interested body, the desirability of not having pedestrian crossings unless they are accompanied by lights which pedestrians can operate. It is my experience in 16 years of motoring in Darwin that no one takes the slightest interest in the flashing amber lights and no one has any hesitation in shooting through a flashing amber light as though it did not exist.

I must assume this legislation will proceed and I would earnestly request that the greatest publicity be given to the tightening up of the procedure relating to these crossings. Children's crossings may be in danger of being ignored because they are only used at certain times of the day. It is my concern that at other times a child who is out doing a message for its mother will try to cross with a feeling of false confidence and false security. I would wish that children's crossings incorporate the press button signal which we see in cities down south and that children be taught that, until they wait for the light to go green and the oncoming traffic light to be red, that crossing should not be used. I say that really from the heart. I have been sickened by the near misses I have seen on so-called pedestrian crossings.

Another part of this legislation relates to the legitimising of clearways. I welcome this. There are clearway signs up around Darwin which are ignored and this leads me to the conclusion that either the clearway should be enforced or we should not have it at all. With the flow of lights along Daly Street in peak hour, the traffic assumes that there will be no stopped cars blocking them. Many times, I have seen near smashes, particularly outside the Connair office, where traffic has swerved into the centre lane to miss a parked car. I would also hope that due publicity will be given to the enforcement of clearway positions so that any motorist who stops on a clearway does so in the knowledge that he is very likely to be charged with committing an offence. We must either police them or give away the concept of clearways. The present position is fair to no one.

With regard to clause 6, may I simply say that the honourable member for Port Darwin has spoken of this provision with me privately, and well enough to raise doubts in my mind. I would assume the Executive Member for Transport and Secondary Industry is going to have a close look at this and I will simply wait for his arguments in committee. Having made those remarks about the legislation, I indicate support for it at this stage.

Mr ROBERTSON: At the risk of sounding like a stuck record and merely reiterating what everyone else has said, I would like to lend my support to a number of comments made today. I share entirely the concern of the honourable members for Port Darwin and Jingili about the use of the certificate. It certainly does seem a rather ridiculous setup when a certificate is used ostensibly to do away with evidence which is going to be led in any event. I would hope that the tendency of the Government to use certificates of this type is not meant to lead eventually to a stage where a trial can be conducted in court in the absence of the person who is in fact averring the evidence. I hope we never reach the stage where a policeman is on leave or sick and trials can proceed in his absence merely on the basis of the certificate. It does seem that this tendency to claim that a certificate provides evidence can eventually lead to a situation where a trial could in fact be conducted in the absence of the person who is laying the evidence of the charge. I would ask all honourable members to be very guarded in passing this type of legislation. Clearly, with increases in population and increases in the cost of conducting what may appear to many to be minor criminal matters, government must also be aware of the imposition on the courts of time and burden. I do believe, however, that the taxpayer would be more than willing to pay a little extra for these services rather than to see someone wrongly convicted.

There is another matter and I hope that I do not breach standing orders by drifting away very slightly and briefly from the actual matter of the bill. A thing that has concerned me subsequent to the 0.08 type legislation is the treatment of an accused person on what to me is in most circumstances a fairly minor matter. I admit that someone who has a reading of 0.16, 0.2 or 0.25 should certainly be regarded as a person who presented very serious risk to life and limb. From my own experience - and honourable members may take this any way they will - I find it hard to believe a person who is charged with 0.1 is really posing an awfully serious risk to people on the road. He tends normally to be a little more careful

than if he had not been drinking, simply because he does not want to draw attention to himself. If this person is arrested, he is taken to the police station; there he has his belt and shoe laces removed; he is finger printed and thrown into a cell with a dirty blanket. Mr Speaker, if you have ever been in the cells in Alice Springs, you will agree it is not a very pleasant thing at all. I have spent many hours in the cells interviewing clients on behalf of my principals when I was in a place other than this. It does seem perhaps to be somewhat disproportionate to the nature of the offence to be so humiliated and subjected to this type of treatment, particularly in relation to people who are arrested well before 12 midnight. In light of the Law Reform Commission's report on the powers of arrest and detention pending appearance before a justice or a magistrate, it should be made quite clear that the police should only exercise the power of arrest in the most difficult set of circumstances where they really have no further choice. We will not dwell on that point because it is not really directly related to the bill.

I would like to emphasise as strongly as I possibly can the words of the honourable member for Nightcliff in relation to pedestrian crossings. I cannot for the life of me think of any single marking upon a road which is more dangerous than the present pedestrian crossing. By passing this law, by enshrining it in law, by reinforcing it in law, does not mean that the danger is going to be removed. This piece of paper, when it becomes law, certainly does not educate people. It certainly does not stop a person from speeding across a pedestrian crossing and killing a child. I would point out to honourable members that the children indeed are going to be those who will be educated as to this particular piece of legislation. The schools will tell them, "Look, you now have a law which will protect you when you go across that crossing". But there is no one really to tell the average driver that the law is in force, and to tell the average driver indeed that the child has been told that the law is in force. So it does to me impose a great sense

of false security and great sense of bravado amongst children, that they can now use these crossings with impunity. Mr Speaker, they cannot, far from it.

Like the honourable member for Nightcliff, particularly during my years with the Alice Springs branch of the Northern Territory Road Safety Council, I have been greatly concerned with the use of pedestrian crossings and I would urge in the strongest possible manner that the maximum amount of publicity be given to the driving public of the existence of this bill and their responsibilities under it.

Mr POLLOCK: I am going to speak on a couple of matters arising from debate here this morning. One thing that does concern me in relation to the pedestrian crossing is the requirement to have the double twin alternating flashing amber light. In Alice Springs, where I reside, there are quite a number of pedestrian crossings; none of these crossings have this facility attached to them and therefore we are about to embark on another great long argument as to just who is going to pay for them, whether it is the Department of Northern Territory's responsibility, the municipality's responsibility and so forth. So in effect in Alice Springs we are going to dispense for the time being, for some time I would say, with pedestrian crossings.

A lot has been said about the near misses of people on the pedestrian crossings. I would like to make a few remarks in defence of drivers, because pedestrians seem to walk around as if they have some halo around their head and pay little regard to the driver. For instance, there is a pedestrian crossing outside the post office at Alice Springs - admittedly a number of drivers park on it from time to time - but there are a number of people who walk from the post office with their mail and they then stand at the pedestrian crossing reading it while the motorists are going "hell west and crooked" trying to stop for them. The pedestrians have no wish to cross the crossing, they just stand there reading their mail. They seem to loiter around crossings as if they are just a

gathering place and the motorist is put to some inconvenience through not knowing whether this person is genuinely wanting to cross the road or whether he is just there for the good or otherwise of his health.

Another practice which should be noted is that there is a habit of putting pedestrian crossings right adjacent to bus stops so everybody waiting to get on a bus is standing near a pedestrian crossing and you do not know whether they want to catch the bus or cross the road. That happens in quite a number of places; we do not have a bus service in Alice Springs.

Another matter relates to school crossings to which there is always an amount of publicity being given but to which very few mothers in particular seem to pay little regard. This is the habit of parking and dropping off children near school crossings. They seem to take great delight in stopping on either side of the crossing and wanting the child to cross in the front or behind the car. There needs to be a great more care taken by parents, particularly mothers, in parking near children's crossings.

Another matter that I would like to just mention concerns traffic lights. Fortunately, in Alice Springs we are free of them and I would hate to see the day when they might appear there. The particular aspect of traffic lights which I think somebody should give some consideration to is the cycle in which the lights change. In other states, the light does not change from red to green; the amber light does come on for a second or so to give the motorist some indication that he is about to get the green light. It does increase the flow of traffic in that the persons who are facing the red light have some advance warning and an opportunity to at least get the car into gear. In Darwin, the light changes from red to green without any warning. People are caught unaware and there is a slowing down in the traffic flow.

I must also remark on the condition of the cells at Alice Springs. From my long-standing experience of that

establishment, they are not quite the horrific experience that the member for Gillen indicates. Most of those who end up there are usually getting their just deserts.

Mr DONDAS: I rise very briefly to support the bill. Many of the existing crossings have white lines and signs but, if the children's crossings were to have a longer white line placed in front of the actual crossing, it would give the motor vehicle driver a lot more warning that he is coming on the crossing if he has not seen the signs.

Section 5 of the principal ordinance is to be amended by omitting "the member of the police force" and substituting "a member of the police force". If a policeman has arrested a driver, that particular policeman must take him back to headquarters and go through the rigmarole of laying the charge against him while there are probably other police officers there who are quite qualified to do the same job. That would allow the patrol car more time out on patrol, where it should be in the first place, instead of apprehending somebody and then moving into the police station and wasting 2 or 3 hours with interrogations and taking names. I agree with that amendment.

As for the testing of the machine or a person refusing to take a breath test, I find that the amendment is reasonable. If a person refuses to take a breath test, then the certificate would be issued stating that the machine is in order and would have given a result. The honourable member for Port Darwin said that it could be any kind of a result, even a bad result. I do not believe that is the intention of this amendment. The intention of this amendment is that when a person refuses the test then the machine is there which would have proved whether he had committed the offence or not. So I do feel that this particular amendment is in order. I do not intend to proceed any further with the bill other than to say I support the amendment.

Mr RYAN: I would like to thank all

the honourable members who supported the bill. It covers a fairly wide range of traffic problems and I will attempt to cover those areas where certain members expressed concern. I will begin with the honourable member for Port Darwin.

I agree that he has a point with regard to clause 6. I must say that it was my understanding that the main reason for having a certificate as laid down in this clause was to state that the machine, the breathalyser, was in fact ready to be used. The honourable member has pointed out that the device is always capable of producing a result. I think he may have something here and there may be need of an amendment to say that the device is capable of producing an accurate result. I have taken his points there. I will let the committee stage get to clause 6 and then will report progress and possibly come up with some amendments in that particular clause.

I do not agree with the honourable member for Port Darwin's assessment of clause 15 which relates to a certificate signed by the Surveyor-General. The tapes have to be defined. Here we are talking about the tapes which fit the amphoter - these are the black tapes which you see cross the road - and there is also the tape used for measuring the distance between the 2 tapes on the amphoter. The distance between the tapes on the amphoter is 25 metres plus or minus a tolerance of 75 millimetres, which is roughly 3" either way. This gives a tolerance of 6" between the tapes. So the tapes can be set over 25 metres to an extent of 75 millimetres or under. This will produce, at the speed the car is going, a result which is still within the bounds of accuracy, in as much as if they were a little bit further apart, the amount slower that you registered crossing the tape would be insignificant, and if the tapes were slightly less than 25 metres this would also be insignificant. The Surveyor-General, in signing the certificate, enables the certification of the tape for measuring to be done in the Northern Territory to save the problem of having to send the tapes away. I feel, in view of the tolerance that exists, that a steel

tape over the distance of 25 metres with a tolerance of another 150 millimetres would have to be rather elastic not to be accurate. So I do not feel that we are jeopardising the person who is subject to the amphoter test at all; there is quite enough tolerance built into the measurement. The tape as measured in the Northern Territory would possibly not be to the same temperature standard as Melbourne, but this I am sure will not affect the accuracy of the measuring of the distance between tapes. I do not intend to accept any amendment to that clause.

The honourable member for Nightcliff brought up some problems of pedestrian crossings and I tend to agree with her that pedestrian crossings, or some pedestrian crossings in Darwin, are dangerous. The point that the honourable member made concerning stop lights could be applied to pedestrian crossings which are not used very often. In the city itself, people are continuously crossing pedestrian crossings and I am sure that motorists are more aware that the pedestrian crossing is there and is being used. But you still get drivers who try and take right of way at pedestrian crossings, irrespective of where the pedestrian crossings are. However, the honourable member has a good point with regard to isolated pedestrian crossings which are not used continuously and I will bring the matter up at the next Road Safety Council meeting for consideration, with possibly a recommendation for the Traffic Committee to look at the possibility of installing stop lights at pedestrian crossings that are considered to be dangerous. I do not think we should have stop lights at all pedestrian crossings because they can cause a hold up in the flow of traffic, particularly in the city area.

As to children's crossings, there is some cause for concern, I suppose, with children becoming a little bit over confident. However, I think it is like a lot of things that children have to be educated to; they must learn that the crossing at the front of the school is only operating while they are at school. If we use children to monitor

the crossings, which is the case down south and seems to work quite satisfactorily, I think that with this type of instruction and education the children at school will in fact learn that those school crossings are only operative during school hours. I expect that the Road Safety Council will certainly include this in their lectures which they give to children.

I will just comment on the Executive Member for Social Affairs' comments on traffic lights. It is very difficult to have a sequence of traffic lights operating on roads which are very close together. The Mitchell Street, Smith Street, Cavenagh Street intersections are very close to each other, and it would be almost impossible to have a situation where the light could be in satisfactory sequence. They are sequenced now and on the odd occasion we get a run right through. That is something that we cannot improve on.

The other point that the honourable member brought up - and I am in direct conflict with him in this particular instance - is that in going from red to green there should be an indication by the amber light. In my opinion this is an extremely dangerous proposition, because you then get the situation of a driver coming down Smith Street and, as quite often happens as he approaches the crossing, an amber light comes on and he thinks he has time to get across before it changes to red, knowing that the light on the other lane will not change to green until after the red has changed. Now, if you have an amber light coming up on the green light, you get a situation where one fellow sees an amber on the green, the other sees an amber on the red and they meet somewhere in the middle. I do not feel that that is a satisfactory answer to that problem and I certainly would not approve of it.

That covers most of the comments made by the other members. There are a lot of measures in this bill that are well overdue, particularly with regard to pedestrian crossings in the city. Until this ordinance is assented to, you do not really break the law if you walk across against the "Do not walk" signs. I think it is high time that

pedestrians were brought under the law in this respect. I commend the bill.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 to 5 agreed to.

Clause 6:

Progress reported.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL

(Serial 87)

Continued from 25 February 1976.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 to 3 agreed to.

Clause 4:

Miss ANDREW: I move amendment 92.1.

This amends the definition of "occupier" in the principal ordinance by including in the definition a person with actual knowledge of the facts required to be furnished to the Registrar. The person is to be under the supervision and direction of the person in charge of this particular institution. In the past, difficulties have been encountered where the person who is in charge of the institution has no personal knowledge of a birth or death and yet he is required under the ordinance to furnish certain information.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

New clause 5A:

Miss ANDREW: I move amendment 92.2.

This will give the Registrar specific power to require information as to births or deaths to be verified by

statutory declaration, thus removing doubts as to whether he can at present require such verification.

New clause 5A agreed to.

Clause 6 agreed to.

New clause 6A:

Miss ANDREW: I move amendment 92.3.

This will increase the time limit from 28 days to 2 months within which a person must lodge particulars of a birth, thus reducing the difficulties that can arise in the Territory on occasions and avoiding the need for a statutory declaration where the Registrar does not require it. Some difficulties have been encountered in the past with only a 28-day period and with the postal services being what they are at the moment for people in isolated areas.

New clause 6A agreed to.

Clause 7 agreed to.

Clause 8:

Miss ANDREW: I invite defeat of this clause and I foreshadow that I will be inserting a new clause.

Clause 8 negatived.

New clause 8:

Miss ANDREW: I move amendment 92.5.

This is a complementary amendment to that under 92.3 whereby the time limit for lodging particulars of a birth will be increased from 28 days to 2 months.

New clause 8 agreed to.

Clauses 9 and 10 agreed to.

Clause 10A:

Miss ANDREW: I move amendment 92.6.

This proposes to make it clear that when a death occurs en route to the Northern Territory, the Registrar is under an obligation to register it. One particular problem has been encountered in the past when someone

has died in an aeroplane en route to Darwin and there was no obligation on anyone to record the death.

New clause 10A agreed to.

Clauses 11 to 15 agreed to.

New clause 15A:

Miss ANDREW: I move amendment 92.7.

This is merely a correction to a formal error in the principal ordinance.

New clause 15A agreed to.

Clause 16 agreed to.

Clause 17:

Progress reported.

VENEREAL DISEASES BILL

(Serial 89)

Continued from 19 February 1976.

Mrs LAWRIE: I did circulate copies of this bill to the Private Medical Practitioners Association and had some discussion with people from the Department of Health. I would like to report that the Private Medical Practitioners Association is not greatly worried by it. However I am worried that this bill will defeat the very purpose for which it is presented - the close check on the incidence of venereal disease. It seems to be putting a further commandment on private medical practitioners that, if they do not name the person to whom the test was given, they are guilty of an offence. Venereal disease has been a notifiable disease for some time. One would think that if we were to increase penalties, it would have been really related to syphilis and not to all venereal diseases. My concern is that people who should have a test in the interests of their own health, and perhaps public health, will not now have one. Anyone who has worked on the fringe of medical practice in any context whatsoever will know very well that upstanding members of the community may wish to be treated for VD but they do not want everyone to know about it. The privacy of VD clinics should

have been increased as the only way to combat the disease other than public education on how not to get it in the first place, which never seems to work very well.

I am concerned that the Department of Health, in trying to combat venereal disease in the Territory, and I know it is on the increase, has done the very thing which will help it increase, by stopping people getting a proper test and seeking treatment because of fear of identification.

Mr BALLANTYNE: I support the bill. There were a few words that the honourable member for Nightcliff spoke that I have written down here and that was with regard to the medical practitioners. They have a lot of jobs to do outside their normal practice and this is going to add another burden on them, but I do not think in this case that it is really all that bad. I do not know the statistics with regard to the private practitioners but I would hope that they would not have that many cases to treat.

Mrs Lawrie: Big mobs.

Mr BALLANTYNE: When we look at the statistics of Queensland and other places where you have 20% of known cases and 80% of unknown cases this is a very bad state of affairs. In the Northern Territory we are not so badly off because we have a different health scheme where there is in fact a pretty good check on a number of cases; this is only another way of trying to find out, overall, just how many cases there are in the Territory, and I think that is of concern to most of us. I do not think it is a very big hardship for anybody who has a pathological laboratory in a private capacity to report these things. It only means that the person who owns the place and the employees have the right to report this to the Chief Medical Officer and I think it is a duty they should perform. I do not think it is a matter of naming anyone outside of that. It can be done in confidence and all these things can be done in an ethical way with the Department of Health. I would hope that in a case like that they would not let people know just what is going on.

The honourable member for Nightcliff has mentioned paragraph (f) which does mention name, address, age and sex, but I should imagine that all these things are done in confidence. You do not go around broadcasting or put a notice in the paper to say these people have problems. The biggest problem is that we are faced with a ---

Mr Everingham: Put their phone number in.

Mr BALLANTYNE: I do not think it would get around to that, Mr Speaker, but venereal disease has been a scourge of society for a long, long time.

Mr Withnall: What is there to stop it?

Mrs Lawrie: Nothing.

Mr BALLANTYNE: The best way to prevent it is to start a public campaign and get people to come forward as they do with the people suffering from tuberculosis and such, where you can have people coming along voluntarily if they suspect that there might be something wrong.

There are no twoways about it, you must have this follow up, you must have this information given to the right authorities. If you look at the statistics over the last 3 years, you will find that there has been an increase of VD in the Territory. For 1972 we had 74 syphilis cases and 404 gonorrhoea cases. In 1973 we had 85 syphilis cases, and 524 gonorrhoea cases. In 1974, we had 272 which is a marked increase on 1973 in syphilis cases and 563 gonorrhoea cases.

Up to 30 September 1975, there were 292 syphilis cases and 354 of gonorrhoea. There was a big increase in 1974 but I should imagine that last year's figures would have been about the same as 1974 which is not too bad. There is no doubt that we must do something about this; we are very fortunate in the Territory in that we do know most of the statistics. I do not know what they are in the rest of the states but it is a very big problem. There are treatment centres where you can go voluntarily in other states and I

should imagine anyone who goes along to the hospital here or to a private practitioner would be treated with the same confidence as in other places. If we cannot get any people to come forward, we will have to look to other measures, such as not naming people but just giving them a number. Recently policemen have had their numbers taken away from them and perhaps it might be a good idea to bring back a number for all people rather than a name.

Mr WITHNALL: If there had been any truth in the mind of the person who introduced this bill, I think he would have made a separate ordinance out of it and he would have called it the "Venereal Diseases Statistics Ordinance". This proposal deals with nothing more than statistics and I regard it as an invasion of privacy which is not to be accepted. Invasions of privacy are necessary on occasions but the information which is to be required of a medical practitioner in breach of the usual ethics of secrecy between a doctor and his patient seems merely to be required for the purpose of statistics. Surely to goodness, we are not going to pass in this Legislative Assembly a bill which is a serious invasion of privacy and which also may have the effect of scaring people off from reporting the cases?

This is not a bill dealing with the suppression of venereal disease; it is a bill dealing with the collection of statistics. Let us be honest about it; it is an invasion of privacy for the purpose only of statistics and we have enough of that already. If the honourable member in charge of the bill can show me that the proposal that he has made will result in a lessening of the incidence of VD and a more effective treatment of VD, I will go along with him. If he merely says this bill is for the purpose of collecting information about people and destroying the confidential relationship between a doctor and his patient, then I will not vote for his bill.

Dr LETTS: I had not intended to enter this debate until I heard the honourable member for Port Darwin speak. I do not know that the situation is quite as he has represent-

ed it. In respect of certain diseases, we have the concept in the community and in legislation of notifiable diseases. There are diseases where the patient is not likely to be the only sufferer but where there is a public health risk of transmission to other people. For example, the names and identities of people suffering from tuberculosis are recorded and sent from a clinic or from a practitioner to the Chief Medical Officer in the state or territory in which that person resides. That is already required in law and I see similarities in this case. I see also that we are talking about diseases in which it is not only the sufferer himself or herself who is going to be responsible for the outcome but, in some cases, it is other people, and the most helpless of other people in some cases in the unborn child or the newly-born child.

Mr Withnall: What will this bill do to correct that?

Dr LETTS: I am not certain what the bill will do to correct it but I am prepared to see it given a trial. It is fundamental to the control of diseases of an infectious nature to be able to identify carriers and sufferers from those diseases. At the moment, I would say that there are a great number of cases where there could be a clinical diagnosis followed by confirmation at a clinic when the person is told that he is a positive case but there is no obligation on him or anybody for follow up for treatment. I believe that this is worth a trial. I think it does more than effect just a collection of statistics as the honourable member says. The alternative is that we go on with the same system. It gives the Chief Medical Officer an opportunity to do some follow up work and try and make certain that the person who is known to be infected does get the proper treatment for his own and other people's benefit, or her own and other people's benefit. The alternative which the honourable member seems to suggest is that we just go along tolerating this smouldering and slowly growing problem in the community for ever, without making any attempt - because he has no positive ideas to put forward at all ---

Mr Withnall: This is not a positive idea either, and you cannot tell me that is is.

Dr LETTS: The honourable member can come back in perhaps a couple of year's time after this legislation has been passed and has been in effect for that time and the statistics are then available over a reasonable trial period, and see which way the curve has gone and whether it is possible to say that, because of these measures, certain information is available as to the more effective treatment of the disease. Until that happens, no matter how much ranting or production of noise we get from the honourable member, he cannot convince that it may not have some effect.

So, Mr Speaker, I remain unconvinced by his argument; he is taking a completely negative attitude and I propose to vote for the bill.

Mr EVERINGHAM: I, and I am sure the Majority Leader also, would be against any unnecessary invasion of privacy, as we have heard the honourable member for Port Darwin proclaim himself so strongly against this afternoon and, prior to that, the honourable member for Nightcliff. Being a mere junior member of this legislature, it ill-behoves me to attempt to correct such a senior member of the legislature as the honourable member for Port Darwin, but I did perchance read section 4 of the Venereal Diseases Ordinance which prescribes that, on receipt of a report in pursuance of section 3, the person can then be required to attend for examination and further required to attend for examination from time to time, and there is a penalty if the person does not attend. Furthermore, I expect that he is required to attend for examination for the purpose of treatment. Perhaps the honourable member for Port Darwin should have had a look at the subsequent section before he went on about "a mere collection of statistics" in this very grave area of social disease which is growing much more grave annually. The problem has really snowballed since the late 1960s and any steps that can be taken are well worth while.

It is quite plain that this is merely an attempt to secure a tighter network of reporting cases so that they can be treated and, Mr Speaker, I condemn the statements of the honourable member opposite as the merest rank humbug, made without having looked at what he was talking about. I support the bill.

Members: Hear, hear!

Mr KENTISH: I support the bill. It is one of these sorts of affairs where we are unable really to do anything that is completely effective. But because of this we should not say that we should do nothing at all, such as in the matter of drink driving and other things where we can take partially effective action. This is one such case and I feel that anything at all that will help the situation, which is proliferating and getting worse, should be undertaken.

Two things have proliferated this trouble in the Northern Territory; one is the ease with which the disease is now treated and cured as against the treatment 30 to 40 years ago; and the second is the removal of the ban on inter-racial fraternisation. These 2 things have tended to proliferate the disease in the Territory.

We have come a long way since I first came to Darwin in 1938 when a certain well-known doctor was the head of the medical service and the protector of Aboriginal affairs. I was interested to note certain things in the streets of Darwin and I was told that all the females wearing a certain coloured dress by decree of the medical officer at that time were infected with a certain social disease. I was also amazed to find that the male population were not wearing bells around their necks to indicate that they might also be suffering from a social disease. We have come quite a distance in these matters in respect to the privacy of the people concerned.

Mr POLLOCK: There has been a lot of nonsense and humbug spoken here this afternoon in opposition to these relatively simple amendments to the Venereal Diseases Ordinance. The

whole concept of the amendment seems to have, been lost in that the ordinance already requires medical practitioners to notify cases that come to their attention. Records have shown that, in some areas of Australia, a very large number of these cases are not being reported to medical authorities to allow treatment. In an endeavour to overcome this problem, this amendment is to be made to the principal ordinance to provide that the person in private practice carrying out pathology tests will be required to notify the Chief Medical Officer of positive cases. It is a simple procedure and it only requires him to provide basic information to allow the medical authorities to follow this matter up and make decisions for the elimination of venereal disease.

Motion agreed to; bill read a second time.

Mrs LAWRIE: I move that the committee stage be taken later. I am hoping to have drafted and circulated at least by tomorrow an amendment which would delete paragraph (f) of clause 3A(2). That paragraph is the one which says the name, address, age and sex of the person from whom the specimen was taken must be forwarded to the health authorities. Surely, the name and address of the medical practitioner who furnishes the specimen for examination adequately covers what this bill sets out to encompass.

Motion negatived.

In Committee:

Clause 1:

Mr POLLOCK: I move that the bill be taken as a whole.

Motion negatived.

Clauses 1 and 2 agreed to.

Clause 3:

Mrs LAWRIE: Mr Chairman, I ask you to accept as a formal amendment, without circulation, the deletion of proposed paragraph 3A(2)(f), "the name, address, age and sex of the person from

whom the specimen was taken". Will you indicate whether you will accept that?

Mr Chairman: Yes.

Mrs LAWRIE: I move that paragraph (f) be omitted from proposed section 3A(2).

I am moving the deletion of the words, "the name, address, age and sex of the person from whom the specimen was taken". My reasons for proposing this amendment are that the person conducting the pathological test, or his employee, under this proposed legislation is required to notify the Chief Medical Officer of the results and of certain other things including the name and address of the medical practitioner who furnished the specimen for examination, the nature of the specimen, the date of the test, the results, and any other test for venereal disease conducted in respect of the same specimen. That seems to me to adequately cover the object of the bill. If however (f) is included, it is a clear breach of the confidentiality existing between the patient and the doctor.

Honourable members seem to have misunderstood my stand on this particular matter. I am not against the concept of the bill; I would, like most members, hope to assist in the eradication of the scourge of venereal disease, and it is a scourge in the Northern Territory. But where a patient no longer has confidence in his doctor, when he knows that, no matter what the doctor says or does, another person is brought into it, my fear is that people will cease seeking medical attention with the same confidence they enjoyed before. I realise that the onus is on the doctor to notify the health authorities. If we strengthen that onus with the present legislation, saying that the pathology laboratories also have to notify the fact that a positive test was taken from a patient of Dr Bloggs, surely that is sufficient extra requirement on Dr Bloggs to supply the relevant information? But if he is completely bypassed, if not only is his name given but, without reference back to him, the name of the

patient also, I think it is proposing an entirely unacceptable precedent.

I took quite a deal of notice of the Majority Leader's remarks and I want to reassure him that we are not in conflict in trying to do away with venereal disease or treating it or compulsory treatment, because I agree with that and I have just as much knowledge as he has of the social ill brought into this community by the spread of this disease. But if the doctor is required to provide certain information as he is under the present legislation, and if we bring in a further amendment that the pathology laboratory is required to give the name of the doctor, that is sufficient.

I think that paragraph (f) will cause more ills than it will cure, otherwise I would not have raised this matter. I am extremely concerned that it will cut across the patient's idea of the confidentiality existing between himself and his doctor. This cannot be legitimately enforced; obviously people will go along to the doctor and say that their name is Joe or Joanna Bloggs, and what does the doctor do if he knows they are someone else? The whole object of this exercise is to get people to have treatment, not to put the fear of God into them so they never go near a medical practitioner.

Having made those remarks, I hope the Majority Leader will give thought to them and realise there is an added pressure on the doctor now. I agree with the passing of paragraphs (a), (b), (c) and (d) because the doctor's name will go to the Chief Medical Officer and it will be one of his patients who supplied the positive specimen. That should be sufficient for a Chief Medical Officer to follow up with the various doctors the treatment required for their patients. One would hope that he would say to the doctor: "X number of tests from your patient have proved positive. Could you furnish a statement as to whether he is receiving treatment?" I do not know how they do these things, but certainly I would think that to put paragraph (f) into legislation would be against the ethics of the medical profession. Furthermore, it is not necessary and

will raise fear and doubt in the patient's mind so he may not in fact seek treatment, which is what we all don't want to happen.

Mr EVERINGHAM: I am becoming rather nauseated by the grandstanding of the honourable members opposite. Venereal disease is an infectious disease, just as typhoid is an infectious disease, only venereal disease is much more insidious and is passed on, furthermore, in the most sacred of human acts. To think that people should be worried about having their names and addresses protected when people who have typhoid have to have theirs reported - I cannot understand the distinction.

I am also against this amendment because the honourable member has had this bill before her since the beginning of April but this afternoon has decided that it is an invasion of privacy. So we are having a little grandstanding session which will go down well outside. If the honourable member's amendment is agreed to, it will defeat the whole purpose of the bill. Section 4 says that the Director shall cause the person to attend for treatment. If the person is not reported, how can he be required to attend for treatment? I am wholly against this proposal, I am sickened by the grandstanding and I ask that we get on with it.

Amendment agreed to.

Clause 3, as amended, negatived.

Clause 4 agreed to.

Title agreed to.

In Assembly:

Bill reported.

Dr LETTS: I move that the bill be recommitted for reconsideration in committee.

Motion agreed to.

In Committee:

Clauses 1 and 2 agreed to.

Dr LETTS: I move that the committee report progress.

We seem to have got ourselves into a bit of a tangle over this now. I probably should have taken a point of order against the honourable member for Nightcliff at an earlier stage but, not having done that, I think we need some time to find out exactly where we stand.

Motion agreed to; progress reported.

NORTHERN TERRITORY
(ADMINISTRATION) BILL

Continued from page 197.

Dr LETTS: I will not take members of the Assembly too far back into the history of the moves towards responsible self-government in the Northern Territory. Some members of this Chamber are well aware of them but to others it is a more recent experience. I would like to go back to 1972. In 1971-72, a number of negotiations took place between representatives of the then Legislative Council and representatives of the coalition government and their senior officers in an effort to bring about a substantial move towards responsible self-government in the Northern Territory. By the middle of 1972, those negotiations had not produced any result, and in June 1972 a motion was moved in the Council calling on the Government to accelerate the moves and to make some offer involving the transfer of executive powers to the Northern Territory legislature. There was a motion moved to this effect and subsequently an amendment was successfully moved by the then leader of the Labor group in the Legislative Council, Mr R. C. Ward, in these terms: "That this Council, notwithstanding its expressed dissatisfaction with the extent of constitutional changes discussed in the recent conference between delegates of this Council and federal ministers, asks the Commonwealth Government to make a firm offer of the changes of the form of government for the Northern Territory it is now proposed to make and any other progressive proposals to which it is prepared to commit itself for future constitutional development; and that

this Council acknowledges that the transfer of executive powers to the Northern Territory would carry with it some responsibility for appropriate revenue raising".

Shortly after our call on the Government, an offer - if I could call it that - was made by the coalition government of the day. The debates which followed in this Chamber indicated that the elected representatives remained dissatisfied with the nature of the offer and reserved their position in the hope that, following a federal election, whichever party or parties were elected to power would review the situation and perhaps give us something more acceptable than the September-October 1972 offer.

There was a change of government at the end of 1972 and the next thing that happened of any significance to us was the 1974 amendment to the Northern Territory (Administration) Act. These were important amendments which did create a fully-elected Assembly for the Northern Territory. At the same time as these amendments were put into effect, and a fully elected Assembly came into being within 2 or 3 weeks, the people of Australia and the Territory had the benefit of the Joint Parliamentary Committee's report on constitutional development for the Northern Territory. It is true to say that all of us regarded that report as a reasonable one which laid down pretty fair guidelines toward the achievement of our common goal. But having acquired a fully-elected Assembly and having produced a blueprint as to where the next moves might be, everything stopped. We went into the doldrums for a period of 15 months. We in the Assembly had to find means to operate and to do this we looked at a paper of which I believe the Clerk was the original author and which was put before the old Legislative Council in the days of President Grotter. Some of the principles in that paper became embodied in the new standing orders of the Assembly and, amongst those, was the creation of Executive Members of the Assembly. The Clerk, in his wisdom and farsightedness, had anticipated the kind of concept that the Joint Parliamentary Committee espoused - that

there would be created in relation to the Assembly an executive group and it would be the responsibility of this group to enter into further negotiations with the Federal Government of the day to endeavour to implement the recommendations of the Joint Committee's report.

We went through this extremely awkward and frustrating period of about 15 months when nothing happened in relation to either administrative decision or further legislative changes which would enable the executive side of this Assembly's operations to be recognised in anything other than by the standing orders and by the cooperation of those government departments and instrumentalities who were prepared to accept the system which we had set up here to try and make the thing work. However, during the past 6 months or so, there have been a number of very significant happenings as far as the future constitutional position and development of the Northern Territory is concerned. With a change of government, we saw a return to the Northern Territory of certain instrumentalities and functional units which had been divorced from us and taken away. The first of these was the Police Force and I think there is now a clear indication, as I informed the Assembly this morning, that the parks and wildlife functions will be coming back to the Territory, to its proper place, and I am certain that members will be pleased with these changes in policy. We have seen arising from the recommendations of the Joint Committee's report, the setting up of the consultative committee between the Minister for the Northern Territory and the Assembly Executive to devise a program, a time-table, for transfer of power and all the other things that are necessary to be done to go with it. Indeed, the re-creation of the Department of the Northern Territory was of significance to us in the constitutional scene. We have seen some staff, not positions, but some staff provided to help Executive Members do their tasks, and at least that is a start in the right direction.

In the general background of these specific moves and decisions, we have seen Executive Members being able to

participate right across the board in Commonwealth and state ministers councils which are a most important instrument in helping to formulate the policies in many fields for the whole of the Commonwealth and the states individually. I think I can say in all fairness and in all truth that during the past 6 months there has been a closer state of consultation between elected members of the Northern Territory legislative and the government of the day than has ever been seen in the history of the Territory before. There is still room for improvement in consultation and we still get caught by surprise by announcements of decisions which I feel we should have had some consultation on and knowledge of, but generally speaking, the attempt by Federal Ministers in the Government to consult, to come here, to have us in Canberra, where necessary, to consult personally and by the means of communication available to them, is much more satisfactory than anything we have seen in history before. And now we see introduced into the Federal Parliament, further specific amendments to the Northern Territory (Administration) Act. I think that these amendments have to be seen together with all the other things that I have alluded to as part of the move towards responsible self-government, indeed as part of the move towards statehood, because of all the things that have happened including the amendments to the Northern Territory (Administration) Act, I believe that still the most important thing is that a Government and a Prime Minister have been prepared to say and repeat on a number of occasions that the specific target for the Northern Territory now is to become the seventh state of Australia. Territorians have waited a long time to hear this; we now have a firm objective and all of these things are moves towards that.

Looking at the actual tabled documents and the bill to amend the act itself, we find that amongst the things that it does is to provide recognition of Executive Members in federal law and provide that all Executive Members, on the passage and commencement of this legislation, will become members of an Executive Council which is a replacement for the old Administrator's

Council, instead of, as under our present act and operation, of having some Executive Members members of the Administrator's Council and some not. It will enable legal determination of portfolio areas, and specifically charges the Executive Members declared under this bill to administer certain Northern Territory laws - they will include laws relating to a number of statutory bodies - and to direct operations of branches of the Northern Territory Public Service.

I expect that there will be some queries raised about certain sections of this bill by other speakers. The honourable member for Port Darwin has indicated to me some misgivings and criticisms which he has and which we will be hearing about shortly.

Amongst the other provisions are alterations to the oath, with a new form of oath to be taken by the Executive Members. This is related to the type of responsibility which they will have in the future, much closer to the cabinet style of government than anything we have seen in the past, where an Executive Member can release information for public knowledge if he does it in the course of his executive duties. I believe that we will be seeing more information released than in the past by virtue of the fact that, on many of the things an Executive Member might have liked to talk about before, he was restrained from doing so by virtue of the Administrator's Council oath of secrecy. He will now have a greater opportunity to inform the public by doing so in the course of his duties as an Executive Member.

In his second reading speech to the bill, the Minister for the Northern Territory said that the Government's immediate aim was to transfer executive responsibility for the Northern Territory Public Service and a large number of Northern Territory statutory authorities, broadly along the lines suggested in the report of the Parliamentary Joint Committee. In seeing the effect of that, one also has to look at the ordinance which we passed last year, the Transfer of Executive Powers Ordinance, which has been assented to and is awaiting

commencement. That ordinance indicated that it applied to all the functions in paragraph 70(a) of the Joint Committee's report which are well known to most people. They include statutory bodies such as the Northern Territory Housing Commission, the Northern Territory Tourist Board, the Museums and Art Galleries Board, the Northern Territory Reserves Board, the Fire Brigade and the Prison Service, together with a number of perhaps small but nonetheless important statutory bodies and authorities, including the Consumers Protection Council, the Primary Producers Board and a large number of others.

As you know, sir, during the period of doldrums that I spoke about earlier, this Assembly made a number of efforts to pass its own laws which would enable some movement into this acceptance and transfer of executive powers, but we were constantly frustrated in attempting to take whatever initiatives we could by advice coming back that such legislation was beyond the power of the Northern Territory (Administration) Act. But the Transfer of Executive Responsibilities Ordinance, seen in conjunction with this amendment to the Northern Territory (Administration) Act, will enable our intentions to be realised, will enable the first recommendations of the Joint Committee to be put into practice, and will go beyond that because the powers of declaring areas of responsibility for Executive Members will not simply be limited to those 70(a) functions but can include other matters as well as they are appropriate in terms of time.

In the final page of his second-reading speech, the Minister said:

The authority and responsibility which this bill bestows on the Territory's Legislative Assembly reflects the Government's confidence in the democratic process and its commitment to the federal system of government. It is tangible evidence of the Government's determination to give effect to its election undertakings on the constitutional development of the Northern Territory. The transfer of authority which will flow from this measure will impose serious responsibilities on members of the

Northern Territory Assembly. For the first time in its history, it will be a responsible legislature in the constitutional sense. The Government looks to and is confident of the ability of the Assembly to meet that responsibility. It is an indication that the Government intends to work in a spirit of amicable cooperation with the people of the Territory and their elected representatives in the task of giving birth to Australia's seventh state.

Again, at the end of the Minister's speech, we get the reiteration of that objective and that promise.

This bill, of course, is not the end of the road; it is only the beginning; it is only the first chapter, and I am conscious of the fact that further amendments to the Northern Territory (Administration) Act will be necessary before we can get to the end of the road - and I can assure honourable members that I will be like Oliver and ask for more. In fact, I have already asked for more than this bill represents. This bill does not go as far as I and the other Executive Members would like to have seen it go, but it does represent an achievable and significant step in the right direction and one which I believe can be passed through the autumn sittings of the Federal Parliament. To have gone substantially further, to have attempted at this stage to so modify the Northern Territory (Administration) Act that all the necessary processes could flow over a 5-year period, or whatever it is, to the attainment of full autonomy, would have raised difficulties which I accept as practical difficulties. There are so many functional departments in the Northern Territory; there are so many ministers; there are so many departmental heads - and, in the case of ministers, new ministers who are not fully aware of the implications of what had gone before in the Joint Committee's report, and the matter is not in their minds to the extent that it is in our minds - that to have to convince everybody concerned that a broader field of amendments to the act was necessary or acceptable would have taken a great deal of time and they would I am sure have been still talk-

ing and arguing about it this time next year. This way we can get a start, and we will pursue the question of further amendments to the next stage of constitutional development constantly and continuously through our consultative committee and other means which are at our disposal.

I am conscious of the fact that there are some people in the community, and I think I could include the honourable member for Port Darwin, who would say that the amendments do not go far enough, but I would suggest to the honourable member for Port Darwin, in all fairness, that such people do not represent a majority viewpoint. There are some who would say there must be a sudden transition to statehood if it is to occur effectively at all, but there are not many who believe that. The majority of the electorate, the majority of people, believe in progress towards responsible self-government for the Northern Territory, but they believe in doing it as a transitional development, a stage development, as an evolutionary process, and I believe that this bill to amend the Northern Territory (Administration) Act is an important step and very much in keeping with the kind of stage development which most Territorians have indicated their support to.

Mr WITHNALL: Mr Speaker, I note the documents which have been tabled by the honourable member with dismay and disappointment and indeed with some bewilderment. Before I go on to describe the grounds upon which I have these feelings, I would like to answer the last remarks of the honourable member, when he suggested that I believe that statehood should come with the one stroke. I think the honourable member has been acquainted with me for long enough, and with my statements in this Assembly and the Legislative Council for long enough, to know that I have never proposed that at all. I have always proposed that there should be a transitional period; but I have never proposed that the transitional period should be achieved by amendments such as are contained in this bill. I have proposed that the system of government should be set up once and for all and that the transitional period should be

a period during which powers were transferred, one by one, to the new executive body and not, as the honourable member seems to suggest, all at once. I accept the need for transition and I therefore refute what the honourable member has said about my wanting things to happen immediately and all at once.

Throughout the honourable member's speech, he used the words "consult" and "consultative" so often that I am bound to say that it seems to me that the bill which has now been introduced into the Federal Parliament is exactly in line with his speech. It is a bill which provides for consultation and, frankly, for little more. If it does anything, I think it represents a step backwards rather than a step forward. I will come to a detailed discussion of the bill and put the views that I have about its effect. In the first place, one must remember that the bill does nothing about section 3A(4) of the Northern Territory (Administration) Act which says that the Administrator is responsible for the government of the Northern Territory subject to the instructions of the Minister. That is a standard phrase which appeared in all governors' commissions when they went out to govern colonies. It was understood, at the time when the phrase was invented, to mean that the governor, on going to the colony, would govern that colony in accordance with his Letter of Instruction which he received at the commencement of his office, and which contained in effect a statement of government policy for the government of that colony. In the Northern Territory, that section has been interpreted to mean that the Minister can at any time interfere with the administration of the Northern Territory and tell the Administrator what to do, and by and large this has meant, because of the way in which certain Ministers have carried out their tasks, that the Department of the Northern Territory, or whatever department was in charge, had the right to tell the Administrator, through the Minister, exactly what he should do; this has happened on many occasions.

One of the first actions I would have thought of anybody talking about the

creation of a state, or the creation of some autonomy, would have been to amend section 3A(4) and take out those words: "subject to the instructions of the Minister". But that has not been done, and what do we find in the provisions which are contained in the bill? The Executive Members are to be appointed from time to time by the Administrator after consultation with the Minister. The Administrator may direct any Executive Member not to do something in accordance with his duty and within the area which has been assigned to him under section 4ZE. The Administrator shall not give any such direction unless the Executive Council so advises him or, in the event that he acts contrary to the advice of the Council, the Administrator must cause a statement of his reasons to be placed before this Legislative Assembly.

In the whole of this bill, there is not one attempt to give any autonomy to the Northern Territory. It is true that the old provision which said that the Administrator was not bound to take the advice of the Administrator's Council has gone, but that does not invoke the usual rule with respect to executive councils created under a constitution, that the executive head by convention will accept that advice. We still have section 3A(4) which says that the Administrator is subject to the instructions of the Minister and, while that is there, no such convention can arise. Consequently, the new Executive Council is, if anything, bound more tightly than the old Administrator's Council because "meetings of the Executive Council shall be convened by the Administrator and not otherwise". You can't have a meeting of the Executive Council unless the Administrator convenes it. By section 4ZB, the Administrator may introduce to the Council any matter for discussion in the Council. The Administrator only introduces matter for discussion.

In section 4ZF, there is a curious provision which relates to the functions of an Executive Member: "The functions of the Executive Member are, in relation to matters determined under subsection (2) and subject to the directions of the Administrator, to

assist in the administration of the Territory and in particular to make recommendations to the Council". I do not know quite what the difference is. The Administrator introduces matters for discussion, the executive member makes recommendations to the Council but it is still subject to the directions of the Administrator. Finally, the Minister may say to an Executive Member: "This, my boy, is the way that you will do your job; this is how you will conduct your office; this is how you will administer your department; see me before you do anything". That machinery is there and I suggest that it is not there accidentally but quite deliberately.

Honourable members might have listened this morning when the Minister's press statement about the appointment of an Administrator was read out. The Minister said that the new Administrator was a person who has had experience in federal government. This is from a man who is talking about the creation of a new state and about handing authority over to a body of people in the Northern Territory - he has to have an Administrator who has experience in federal government. He said that he also had to have an Administrator who was cognisant with "our" policies - the policies in Canberra. In his speech, the same Minister said that his immediate aim was a transfer of executive responsibility for the Northern Territory Public Service and yet he wants an Administrator who has knowledge of federal policies and experience in federal government. I suggest to honourable members that the Minister's slip might have been showing a little there.

Coming back to the organisation which these amendments set up, I am completely bewildered. Some of the fault here may lie in this very Assembly because, under section 4ZE, there is to be created a number of offices of Executive Member of the Legislative Assembly. I do not know of any parliament in the world which has executive members. Indeed, when I went to law school I was taught that one of the fundamental things about British constitutional law was the separation of powers between the legis-

lature, the executive and the judiciary. That was a fundamental tenet of constitutional law and now this is broken. Admittedly in the British Constitution usually observed under the Westminster pattern, the executive is responsible to and is made up of members of a particular legislative body, but there is no such office as an Executive Member and there never has been until there was an attempt to create it in the standing orders of this Legislative Assembly.

This may lead to some real difficulties, more particularly in view of the fact that the Executive Member of the Legislative Assembly and the Executive Member in the Executive Council may indeed find himself with conflicting duties. Because of this, we may have the extraordinary spectacle that each of these Executive Members by virtue of one appointment is required to take two oaths - not one but two. The first one is that he will swear that he will not divulge any information of which he has become aware by reason of his membership of the Executive Council. I do not know of any other executive body that takes this sort of oath. When members of an executive body are sworn in, for instance in the states or in Canberra, they are sworn in with an oath of loyalty, and fidelity, not with an oath of secrecy. This is a creation that applies only in the Northern Territory. I know of no other place - I have not examined the ACT - where this is done. But not being content with that sort of oath, this person, having these 2 statutory offices, has to take another oath that he will not divulge any other information of which he has become aware by reason that he holds the office of Executive Member of the Legislative Assembly. Surely to goodness, this is muddying thinking; or is it intended that this will make it possible for Executive Members to obtain information from the public service and never be able to disclose it? The expression is "in the course of my duties", and that I accept, but who is to determine what duties are, and are duties to be interpreted at the member's own wish as widely as he wants to interpret them?

Why is there any necessity for an oath? In ordinary executive bodies, there is a secrecy observed in the Cabinet because it is the duty of members of a cabinet to stick together, but there is no oath of secrecy taken. Why should there be one here? Aren't we going towards statehood, aren't we going to reach something in the future? Why should we be tied down, as no other executive body is, to the terms of an oath? Of course, it is not really an oath at all but a promise. It is a promise which relates to future acts not existing facts. If you go into a court and swear that the evidence that you will give will be the truth, it will be evidence about something that has happened. This is not an oath about something that has happened; it is evidence about something that you will not do in the future. It is an oath about future conduct, not about any present or existing fact. I do not know how anybody could ever be prosecuted for it. It may be significant that the Northern Territory (Administration) Act does not create any offence for any violation of that oath. Probably that is not significant, but at least it is significant that any Executive Member in the future will have to take 2 oaths.

I confess that in my contemplation of what might have happened under the first amendment of the Northern Territory (Administration) Act, I never envisaged a document of this sort. The Majority Leader has said that it represents an advance. I cannot see any advance at all except that we will have in the Northern Territory (Administration) Act a reference to Executive Members which previously was only in standing orders. That does not get you anywhere. We are talking about what you can do. We are talking about autonomy and that means something which you can decide for yourself but we have none of that. We will have a vague authority with respect to certain ordinances and with respect to certain administrative functions but we have no authority which is our own. It is exercised subject to the instructions of the Administrator and ultimately subject to the instructions of the Minister, and that is not what I expected. If somebody was sincere

about promoting the Northern Territory to an autonomous community with its own parliament and its own executive, it was necessary for a start to be made in a somewhat different way to this. Let us get rid of those pernicious words, "subject to the instructions of the Minister". They must go, otherwise you can take this bill and say, "We have a new name but we have no more authority".

Mr TAMBLING: In looking at the bill which has been presented to the Federal Government, we must take into account that it does go a long way towards recognising the objectives and the aims set forth in the Joint Parliamentary Committee's Report. That committee devoted a lot of time and energy and really took into account the interests of so many sectors of the Northern Territory but, unfortunately, what did we see? After it had been completed, due to a Labor administration's inaction, we saw a total lack of meaningful or purposeful cooperation of any sort. In fact, the ALP policy can be only described as one of conflict and confusion. After the tabling of the report, the Labor Government did nothing to give any degree of confidence, maturity or a measure of constitutional development to the Northern Territory. We also saw a proliferation, a bastardisation of the public service operation after the report was finalised. Some of these results are still evident and only with a transfer of executive functions back to a properly constituted Northern Territory Executive are we going to be able to bring any degree of order or sense back into that system.

The Labor Government did recognise in 1974 a fully-elected Legislative Assembly for the first time but they did not put anything up to honour those promises. All members of this Assembly have been terribly mindful of their responsibilities and they have assumed a greater degree or style of quasi-government even though they have been out in the shadows for a long period. I believe that it is very rewarding to note the interests and activities of all members of this Assembly in that period since the report was tabled. They show the degree of potential and qualification

that is afforded to members of this Assembly. The participation of all members of the Assembly in the community after the cyclone, with the Reconstruction Commission, subsequent participations in endeavours relating to budget and finance control and alterations and, more recently, in issues related to Aboriginal land, members have really shown that this is the place where proper expressions of this community's opinions ought to be made and indeed where local controls ought to be vested.

The new statehood policy of the Liberal and National Country Party Government gives a complete recognition to the vesting of responsibility where it properly lies - here in the Northern Territory. Let me quote you several stanzas from the policy: "The Liberal and National Party Government will take steps after December 13 to bring the Northern Territory to statehood. Our aim is that the Territory should achieve full statehood over the next 5 years. Our aim is the maximum degree of autonomy for the Northern Territory in the shortest possible time". Whilst the honourable member for Port Darwin does not feel that this bill fully recognises that policy, I do believe the first major stand has been taken in putting forward those proposals.

What have we seen since 13 December 1975? We have seen a much greater degree of influence on the Australian Government than any elected body in the Northern Territory has ever been able to exert before. The contact with a number of ministers, including the Prime Minister, has been very positive, personal and rewarding. The participation of Executive Members in state and Commonwealth Government conferences and councils has really pointed the direction for Executive Members and has toned up the policies that we must reflect here if we are to work with federal funds. I have just returned from a housing ministers' conference where it has become very evident that we must have that sort of relationship. Through the consultative committee we have again had further influence on the Australian Government.

Since 13 December, we have had a real

contact with the public service for the first time. They have obviously been pointed in our direction. They have been far more cooperative with regard to the administration of the Northern Territory and have taken into account many issues which we have brought to their attention. In fact, there are a number of areas where we have been able to participate with the public service in the administration of the Northern Territory. Through contacts with Treasury and Department of the Northern Territory officers, I have had a preliminary opportunity to discuss major matters of financial implication for the Northern Territory. I have been able to set the ground rules as to our major needs and what we have to turn our attention to with regard to constitutional development issues, the new federalism policy, such things as the accrued loan liabilities in the Northern Territory and the outstanding insurance factors that the Government has to bring to bear as a result of Cyclone Tracy.

We have taken the first major steps in establishing practical arrangements with regard to budget determinations and considerations for the year 1976-77 and subsequent years where there will be areas of executive responsibility transferred across to the Northern Territory Executive. There are always problems and I know from the contact that I have had to date that we have been able to turn our attention very closely towards helping the administration look carefully at the problems. I am sure that in the future we will be able to take over a number of the areas that are very explicit in this bill.

The potential for the Territory to take this next step forward is well established in this bill and I believe that the people of the Northern Territory also have a major anticipation of this step. Most of the people of the Northern Territory have had experience of state administration and in fact they expect constitutional development. Now that the final goal of statehood has been determined and will proceed basically along similar lines, the community is geared up and ready and willing to participate with us in this next move forward. This bill has cut the um-

bilical cord and gives us our eighteenth birthday party at the one time. Certainly, the twenty-first birthday party is still to come, but we have taken a very positive step towards the development of the Northern Territory.

Mr EVERINGHAM: I have been giving the remarks of the honourable member for Port Darwin some thought. It seems to me that his sentiments are extremely worthy but, unfortunately, I think he is in too great a rush. He is very fond of quoting the situation of the states, but at the time that the states were granted self-government - and I may add that it was limited self-government under the British Crown - they were subject to the rule of a governor who still came to each state from Britain with his riding instructions. The Northern Territory is at that stage of its development. We are getting limited self-government and we are getting an Administrator who will continue to have riding instructions. This is obvious. Whilst there is a Minister of State or a Minister of the Crown in the Federal Parliament with the responsibility for the Northern Territory, it would be impossible for him not to have an overriding authority over the Administrator. It would be an impossible constitutional situation.

I think that perhaps we should not look at the development of the Australian states or even the development of New Guinea, because there has not been a new state created there. What has happened in New Guinea is that a new nation has been created and has cast off altogether its bonds with Australia. It was a territory very like ourselves and we have the false feeling, the trap perhaps, that it was on the same basis as ourselves. But no, we are progressing towards the state of emasculation, presently referred to as statehood, whereas New Guinea was progressing towards nationhood and New Guinea is entirely on its own. The states, no matter what we may say at the present time, whilst they do have governmental responsibility within their boundaries and they are indeed sovereign states, nevertheless still have the tune being played by the piper of the Commonwealth. And whilst they

are dependent on the Commonwealth for funds, and whilst they have handed over the greatest of their powers perhaps to the Commonwealth, this will always be the case. Therefore, the situation of the Northern Territory in its development towards statehood is distinguishable from that of the development of the states towards limited self-government in the 1850s and indeed up until I think, in Western Australia, as late as 1890. As I said, at all stages, their legislation was able to be set aside by Imperial Acts. Our legislation is able perhaps to be overridden by Federal Acts, but we have this undertaking virtually from the federal Parliament that it will not legislate on matters relating to the Northern Territory where it would be more fitting for the Northern Territory legislature to legislate, so in that situation we are in advance of the states. I wonder, and I really do not know, what the development of the states of the United States, or territories of the United States, towards statehood was. This, I think, would perhaps give us a better guideline for where we should be heading and what we should be saying about this piece of legislation than comparison with the Australian states.

For my part, I believe that this piece of legislation is a genuine attempt on the part of the Government to honour its promise of eventual statehood for the Northern Territory and local autonomy. I believe it has achieved this target within a respectable time considering that the previous Government had, I think, 18 months to do the same thing, or do something better, and it did nothing. For myself, I am reasonably satisfied, and I believe that, once having made this inroad - and it is perhaps only an inroad at this stage - there can be no backtracking for the Federal Government. It has given an indication of its sincerity and it must continue. It has gone a little way, and it has by doing so virtually put the skids under itself. So I think that this piece of legislation is a guarantee to us that we shall see fairly rapid progress towards statehood, rapid in political terms that is - not rapid in my terms. Anyway, I feel sure that we can afford to be reasonably satisfied with what we

see going through the Federal Parliament today.

Mrs LAWRIE: I had not intended to speak in this debate because I thought it was a foregone conclusion that the Country-Liberal Party members would congratulate the Minister for introducing this measure, and it was also a foregone conclusion that the honourable member for Port Darwin would view it critically - I use critically in its proper sense - and would point out the pitfalls and disappointments which he saw apparent. What stirred me from my apathy was the statement from the honourable member for Finance and Community Development. If I am wrong he will correct me, but I believe he said that since December 1975 the Executive Members have had, and I quote, "a degree of influence on Australian Government Ministers never seen before". Now if that is correct, God help what little influence was had before.

My reasons for picking up this point and for being totally cynical about this whole exercise are twofold. Firstly, I think the member for Port Darwin has a great deal of logic, commonsense and point to his remarks, and in fact this is a tiny crawl forward, certainly no big step forward, by the members of the Executive. More importantly, to come back to that statement of the Executive Member for Finance and Community Development, and I repeat, "a degree of influence on Australian Government Ministers never seen before", let us have a look at them since December 1975. In late May of 1976, we still have not received the details of the Government cut-backs and expenditure in the 1975-76 program from the Department of the Northern Territory and the Department of Education. I asked for those this morning and the Executive Member is going to attempt to get them for me. Since December 1975, we have had the freeze on home loans eventually lifted after nearly bankrupting several reputable builders. I believe that was stated by the honourable member for Jingili amongst others. Since December 1975, we have had the closure of the railway, apparently without any discussion. I believe that the Member for Transport and Secondary Industry was quite correct and proper

when he assured us last time that, in his view, it was only a wicked rumour. We apparently have a submission to Cabinet on the cessation of runs by the "Darwin Trader". That is to be debated tomorrow. Since December 1975, we have had the closure of the Katherine meatworks or at least they are not reopening for this killing season. We cannot get many details about that either. We have had a statement by the Minister for the Northern Territory that he is having discussions with the Assembly Executive concerning increased charges for sewerage, water, electricity, car registration, stamp duty etc. We have had a statement from the Minister that the public service rent structure is under review. How that will affect the Northern Territory Public Service, we do not know. We have had an appointment of an Administrator who is a retired politician and who has never been to the Territory; he may be a very worthy man. Marry all these things with the statement of the Executive Member for Finance and Community Development that he and others have exerted a degree of influence on Australian Government Ministers. All I can say is, God help us in the future if that is all you have been able to do up to date.

Dr LETTS: First of all, I would thank the honourable member for Nightcliff for cataloguing a list of Government decisions which she did not greet favourably or perhaps thought were unpalatable to Northern Territory people over the past 6 months. I think they are a bit of a red herring but those decisions are made in a climate which most people regard as being the most adverse economic climate in Australia since federation. Something had to be done and many people in the states too are going to feel the pinch over the next 12 months or so as everybody takes a share in tightening the belt. I am glad that some of those things were mentioned - the financial cuts, the Katherine meatworks closure decision, the internal railway line etc - because, in doing so, she has underlined the point that in a state situation this would not happen. To that extent, she has given support to the cause of self-government which so many members of this legislature over so many years have given support to. In

some of the fields that she referred to, decisions are going to be made towards meeting the cost of consumer services irrespective of whether we have statehood or not.

I would like to quote from the remarks of the honourable member for Port Darwin in 1972 when he said:

There has been a good deal of publicity in recent months which seems to be directed at the proposition that some sort of local autonomy or provincial executive authority will cost money.

The level of taxes which can be imposed in the Northern Territory will never and can never reasonably exceed the level of taxes presently imposed in the states. I speak of taxes on motor vehicle registrations, stamp duties and other imposts which traditionally have been left to the states to impose. They will certainly not be increased beyond that rate. If someone is to complain that even an increase to that rate leaves the Northern Territory in a less favourable position, I would answer by saying that certainly under the last Government, and it may be under this present Government, the level of taxes is going to rise in the Northern Territory whether these powers be transferred to a local provincial legislature or not. It is quite clear that we can no longer insist on being a favoured child; we can no longer insist on being taxed at a rate much less than the rate applied to other communities in Australia; and I think that everybody who is prepared to face up to the facts of life will be prepared to face up to the fact that it is not fair that the Northern Territory should be enjoying imposts of a state-like character at a level much less than the level which is being paid in the states.

Those are not my remarks or the remarks of the present Government but the remarks of the honourable member for Port Darwin in 1972 - nothing much has changed there.

Going back to his comments, I think I should make it clear that the honour-

able member for Port Darwin and I share the same burning interest in this subject and we share the same goals and objectives - in case anybody should misinterpret anything that has been said here today. I think that the honourable member for Port Darwin by nature is more of a cynic and a pessimist than I am, and time only will prove who had the right outlook. I think also that he takes some sections of this legislation too literally, and it is possible to do that. The present Northern Territory (Administration) Act, in section 3A, which was the part that he quoted, refers to the Administrator being charged with the duty of administering the government of the Territory on behalf of the Commonwealth and being obliged to take directions from the Minister in this respect. But we all know that it has not stopped the position of the Administrator, although it says that in the law, becoming less and less responsible for government in the Northern Territory, particularly over the last 5 years or so. In spite of the fact that those provisions are there, other government departments have been created and have grown in the Territory, in health, education - a dozen or more across the board - which the Administrator has no responsibility for at all, in spite of the fact that the act says he is responsible for the government of the Northern Territory. By administrative action, by other legislation in Canberra, people have taken that responsibility away from the Administrator of the Northern Territory and from the Minister of the Northern Territory. The ministers of the other departments and the permanent heads of the other departments would not consult or care too much for the view of the Administrator of the Northern Territory today on the needs of government here when one looks at the reality of the situation. So I do not think that we should take some of these provisions too literally. History and experience has shown that it is not wise to do so.

Behind the cynicism and pessimism of the honourable member for Port Darwin, if he will forgive me for looking at his remarks somewhat in that light, I believe there was a good deal of substance and truth. But whether it goes the way he fears it will go or whether

it goes from here the way that I hope it will go, depends entirely on the relationship between the Federal Government and this legislature and its Executive. His remarks were more in the spirit of two hostile bodies facing each other across the table, across a battlefield, and I submit, Mr Speaker, that that is not the position. Indeed for the first time in history we have a fully-elected Assembly with a majority group of the same beliefs and closely allied to the Federal Government in power at the moment. This is the first time this combination has ever occurred and it behoves us to make what efforts we can in that circumstance to move forward, and it behoves our federal colleagues to support us.

People have stuck their necks out in this House before today and been disappointed. I can remember the honourable member for Ludmilla back in the early 1970s, Mr R.C. Ward, having great hopes, when a government of his affiliation came to power, that a great deal would be done in the constitutional development and transfer of executive powers. He indicated that, should that government pursue a part of fragmentation and centralisation, he would be the first to be critical of them and that he would be intensely disappointed. I am sorry to say that in his case he saw his disappointment come to reality. We are in the same kind of situation that he was then, but I believe that from the start that has been made we will go forward and within 12 months look to further amendments either being drafted and ready or put through the Federal Parliament to take further steps. I believe that this indeed will happen. If I did not believe so, I would not be satisfied with and speaking in support, as I have done today, of the amendments to the act which have been tabled. I do not think that I will suffer the disappointments that earlier fighters for constitutional development in the Northern Territory have faced. I believe that all indications are that this is only the tip of an iceberg, the tip of a mountain, for development into self-government for the Northern Territory.

Motion agreed to.

ADJOURNMENT DEBATE

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

Mr DONDAS: I would like to speak briefly on what I consider to be a blatant waste of taxpayers' money. I refer to the restaurant commonly known after the cyclone as "Big Al's". Big Al's is situated in Block 8 which is currently occupied by the Darwin Reconstruction Commission. After the cyclone, the ground floor was used by the members of the Darwin public as a cafeteria operated by the Labour Department Food Division. That cafeteria provided a very good service immediately after the cyclone because there were not many private enterprise restaurants or cafes open. However, about April or May of 1975, it suddenly closed down. The reason why it was closed down has not quite hit the surface, but there were reasons given concerning administration. Signs were posted 2 days before the restaurant closed stating that, due to administrative problems, the cafeteria was going to close.

Some 13 months later, there is \$200,000-worth of equipment still sitting in Block 8. It is idle and it is deteriorating and nobody seems to know what is going to be done with it. In the meantime, we have some 2,000 or 3,000 public servants in the area who are in need of a facility of this nature. In the course of the last 2 weeks, I have been endeavouring to make some investigation as to why the restaurant has not re-opened. I rang the Department of Administrative Services and Property and asked an officer there why this particular cafeteria was not operating. He said, "Oh, the building hasn't been handed over to us yet.". I said, "That's a bit strange. The DRC have been in there since 26 December". I rang Barclay Bros, who were the contractors, and they informed me that the cafeteria area had been handed over in May 1975 although the complete building had not been handed over.

I rang the Department of Labour and said, "Why aren't you people operating

this particular food outlet?". They said, "We are sorry but we can't do anything with it. It has been closed down by the Department of Northern Territory and, until such time as they give it to us, we can't get ourselves involved. As soon as the department give us the green light, we will be only too pleased to get in there and operate it again."

We will go back to the waste of public money - over \$200,000-worth of equipment. There are certain items of cooking equipment which, unless they are used regularly, will deteriorate and need replacement. I was thinking of writing a letter to the Acting Administrator or to Mr Dwyer, the secretary.

Mr Manuell: You would not get a reply.

Mr DONDAS: The honourable member for Alice Springs says that I would not get a reply. I think I would have got a reply, but I would not have got a decision or a report as to when the particular outlet that I am talking about would be re-opened.

I refer now to the Fannie Bay Gaol without a fence. It took us 8 months to get a fence around it. I am talking about the Casuarina Fire Station, the updating and the repairs out there. Four months ago they said they would allocate \$7,000 or \$8,000 to fix up our fire station to at least make it water-proof. It has not been done yet, and in the next wet season we will still be asking for the Casuarina Fire Station to be made weatherproof.

We asked about the airport bar, and were told it was going to open in May. Apart from the airport bar, what about the whole of the airport which is a disgrace? People arrive in Darwin and they still see the effects of cyclone damage. We know that Darwin has been through a cyclone but, for heaven's sake! for the sake of a few thousand dollars to replace a ceiling - that has not been done. And that brings me back to the reason why I have not written a letter to the Department of the Northern Territory asking them for information. However, I am now grateful that

the Member for Social Affairs has some information and he may be able to enlighten the House tomorrow morning at question time.

Another area of concern that I have is land available for purchase. We know that there is going to be another auction some time in June and I believe that the Government may be releasing another 50 blocks of land. I could be wrong; it may be more. In fact, I hope I am wrong; I hope it is more, because the 150 blocks at the auction in April were sold and the price the Government obtained for them was quite reasonable. There are people who left that auction heartbroken and in tears, because they were unable to purchase a block of land to rebuild in Darwin. Now we have the auction coming up in June - 50 blocks. That is not going to be enough.

Mr Tambling: 102 blocks.

Mr DONDAS: There was some mention in the House earlier today with regard to town planning. Well, what is the Town Planner doing? What has the Town Planner done since the cyclone, apart from create confusion?

There are so many areas of concern that this Assembly should be looking at and fighting for. However, we have to tread very carefully. We have no cooperation out of the Department of the Northern Territory, none whatsoever. Although I must say that I am wrong there because I did write a letter to the department's Transport and Planning Branch last week with a request ...

Mr Robertson: You are talking about a specific branch, not the whole department.

Mr DONDAS: Yes, a specific branch. I wrote a letter to them asking if they would at least investigate the upgrading of a certain road in the McMillan area. A reply was returned quite promptly 4 days later, telling me that it has been investigated and repaired. So the whole of the Department of the Northern Territory cannot be that bad, it can only be a few of them. I certainly hope that in the near future they get sorted out.

Mr MANUELL: I wish to identify a few problems that are of concern to me in my electorate of Alice Springs. I do not wish to pre-empt any answer that the Executive Member for Transport and Secondary Industry may be able to provide me with in the future following the question that I posed to him this morning, but in this debate this afternoon I would like to identify some of those problems a little more clearly. During question time this morning, I asked the Executive Member a series of questions relating to the railway complex in Alice Springs and I would like to make a few more points about this. I am very seriously concerned about some of the developments that are taking place in the Northern Territory, and - as I think I have been recorded as saying in this same House before - "non-development" in areas which are able to be exploited right now. I recently wrote to the Federal Minister for Transport asking him why there were vacant areas of land in the Alice Springs railway complex. Despite applications by private individuals and commercial organisations to utilise that land, no consent was given and no initiative offered. It seems absolutely amazing that the Federal Government, through its Australian National Railways, is prepared to say to an individual, to an organisation, to an entrepreneur, that, as the railway is planned to be relocated possibly within 5 years or maybe 10 years, in the intervening period, the Railways are not prepared to allocate any leasehold land within their reserve to any individual regardless of how it could be utilised. This is despicable.

At the present time, the community in Alice Springs, the community in the Northern Territory as a whole, is crying out for investment opportunity. It is crying out to absorb some of the unemployed labour that is available in the Northern Territory and it is about time something was done about it. It cannot be done unless we have the cooperation of some of these government departments. A constituent of mine wrote to the National Railways to apply for a parcel of land that is already there and which is serviced by a railway siding. He is prepared to invest an amount of \$200,000 and to employ up

to 20 people in an enterprise which would offer the community of Alice Springs a bitumen plant providing higher quality roads than are currently available to the community. He is prepared to support that cost himself and amortise it over a period that is certainly within that planned by the Railways in shifting their site and, upon the requirement of the Railways, to re-position at his own cost. However, this entrepreneur is told there is absolutely no opportunity. This same person very recently was hospitalised after he was severely burnt by boiling bitumen because he is compelled to operate a decrepit plant for boiling bitumen. He was damn lucky to have escaped with his life.

I ask this House whether or not it agrees with me. Can we tolerate this type of attitude for the next 5 to 10 years, depending on how long it takes for an impact study to be done upon the environment and for the Railways and other organisations at the federal and local level to make up their minds on where they will put the Alice Springs railway complex? I have said that the commercial investment sector is crying out in Alice Springs. It is. It was only the other day at an inter-departmental meeting that I attended along with the member for Stuart that unemployment figures were identified in Alice Springs. There are people there that need employment. There are opportunities for them to be employed but they are being denied, Mr Speaker, because a government department is crippling and stifling private investment sector growth that is desperately needed at the present time.

I think there are other indications and examples of where investment can be placed in Alice Springs in conjunction with railway activity. I suggest to you, Mr Speaker, and other members of this House, that there are certain franchises that Commonwealth Rail or the Australian National Rail, as it was re-named under the Labor Government, retains. These are activities which are conducted within their railway reserve and they demand that people operating commercial enterprises on a leasehold basis within the railway reserve limit their transport require-

ments to that provided by Commonwealth Rail. It leaves them in dire straits when the railway is out of commission for 3 months. You can imagine how well the fuel depots fare when they cannot get fuel supplies and bitumen supplies from the south. We then have to resort to the northern route either through Mount Isa or from Darwin via the Stuart Highway to provide Alice Springs with essential fuel supplies. Under these circumstances, the fuel depots that are currently occupying railway leases applied to the Australian National Rail for an extension to their existing leases so that they could put in additional storage to cater for these - I was going to say unusual, but I am sorry, they are more usual - breakdowns by offering greater capacity of storage and therefore a buffer. But the Railway will not offer extensions to existing leases; they will not offer additional land; they will not offer a lease for any more than a month. No investor is going to be prepared to make an additional lump-sum investment of \$20,000 to \$50,000 on the basis of a month's lease. What on earth is wrong with our Government when they permit restrictions of growth so desperately needed?

One other point I would like to raise this afternoon is the problem which I identified in the local Alice Springs media some 3 weeks ago. It is a problem associated with what I regard as being stray dogs. I was interested to hear the other day of proposals to permit dog racing outside a 20-mile radius around the town. Frankly, Alice Springs is in need of reducing the number of dogs, not increasing them. However, there is a specific purpose for which greyhounds will be permitted to come to Alice Springs and, hopefully, they will be led around on chains by their owners or handlers. In Alice Springs at the present time I think we have a growth in the population of dogs far out-stripping that of the natural growth of the human population. It has been brought to my attention that there are an ever-increasing number of attacks by stray dogs on innocent parties, be they people or animals, and I have personally witnessed attacks by packs of stray dogs on children riding ponies and horses returning from their

areas of interest to their stables. There have been some rather nasty incidents and I think it is probably to the credit of the riders that they have not suffered physical damage to themselves or to their animals because, as some of these children, and some adults also, return from their place of recreation to their stables, they are literally descended upon by these dogs in great packs; they frighten the horses and I am sure that, unless some measures are taken to limit this type of indiscriminate release of dogs in the area, there is going to be a nasty accident occurring.

I received a letter only the other day from a constituent saying that she was very concerned about the number of domesticated dogs and obviously household pets that are permitted to roam the streets in Alice Springs. I do not see the situation applying in other areas in the Northern Territory so much as in Alice Springs. You do not see great packs of roaming dogs in Darwin, nor in Katherine or Tennant Creek to my knowledge; you do not see them as you do in Alice Springs. It is indicated to me that under some circumstances there are people who place a great deal of attachment and value on the number of dogs they own and in some cases they regard themselves as being more wealthy the greater the number they have. It is quite fair to say that many of these people have packs of dogs of multiple numbers exceeding 10. I am certain that these dogs must provide some infestation in the area either by way of kangaroo ticks or fleas and those problems are manifested because these dogs come in contact with domesticated dogs or household pets and so the problem increases. I do believe that this Assembly at some stage will have to consider implementing legislation to prevent the possible effects of these increasing numbers of stray dogs.

The final point that I want to make this afternoon concerns the recent announcement by the Minister for the Northern Territory on the allocation in rural reconstruction funds to the Northern Territory of an amount of \$65,000. I am quite certain that, when the Minister for the Northern Territory made the announcement, he must have

read it and thought there was a nought missing off the end of it. I would have thought that there were two noughts left off the end. I am extremely disappointed and I am certainly amazed at the announcement of this \$65,000 as rural reconstruction finance for the Northern Territory. I seriously wonder whether in fact we are getting our messages through to the Federal Government. I am certain that we have communication with our Minister for the Northern Territory, with our Minister for Primary Industries, and with other responsible ministers with whom we deal. I have a very strong suspicion that some of the communications that we make are not being tabled before our ministers. I am certain that there are some hold-ups, some bottlenecks, and I suspect that some of them may be intended within the departments concerned. If this is the case, I think that the departments and the personnel involved should be seriously questioned about their attitude.

I find it very hard to believe in the justification for the expenditure of valuable time and valuable effort on

the part of people employed in the Primary Producers Board, within the Department of the Northern Territory, within the Department of Primary Industries, in placing before the departments appropriate submissions based on fact, reasonable logic and supported by claims substantiated by fact. It is a simple waste of money, time and effort. I question the virtue in bringing people from these departments from Canberra to listen to us. It is an expense in itself, particularly when they go back and they do not deliver the message that is handed to them. I think that the Assembly should very seriously investigate these types of matters and I sincerely hope that, in the near future, we will find that the announcement of \$65,000 for rural reconstruction for the beef industry - this vital national asset of ours - will be reconsidered and it will not in fact receive \$65,000 but \$650,000, and quick smart.

Motion agreed to; the Assembly adjourned.

Wednesday 26 May 1976

Mr Speaker MacFarlane took the Chair at 10 am.

SENATOR ROBERTSON

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of the honourable Senator Robertson, one of the two Northern Territory senators. On your behalf, I extend to him a courteous welcome.

MEMBERS: Hear, hear!

TRANSPORT MATTERS

Mr RYAN: I move that the Assembly -

(a) regrets the Government's decision to cease operation of the North Australia Railway;

(b) ask the Government to reconsider its decision;

(c) request the Government, in the event of its decision being final, to use its best endeavours to find employment in the Northern Territory for those people displaced by the decision and who wish to remain in the Northern Territory;

(d) is of the firm opinion that the ANL Shipping Service should be retained irrespective of its profitability;

(e) ask for the early implementation of the second three year road program to upgrade the Stuart and Barkly Highways;

(f) ask the Government to give assistance to South Australia and Queensland to construct all weather highways to the Northern Territory border.

In presenting the motion, I would like to say that the transport situation in the Northern Territory is in a sorry state. In fact, there is not much in the Territory at the moment that is not in a sorry state. I believe that the previous Government must take some blame for this and it is regrettable that in these circumstances the Federal Government has seen fit to

further complicate matters by terminating the NAR rail service. In making its decision, the Government seems to have ignored the problems that would be created by that decision. We have witnessed over the past few months a general run-down of government activity in the Territory as a result of which certain industries in the Territory have been forced to slow down. This has resulted in some unemployment in all major centres in the Territory. The cessation of rail services will result in more people losing their jobs.

We in the Territory have been unfortunate over the years with regard to our rail service. The service has been unreliable, mainly due to weather conditions that prevail in the south and the fact that that railway line runs through low country. The line is put out of service sometimes for months and, quite obviously, when the rail from South Australia to Alice Springs goes out the effect is felt on the north Australian section of the rail link. Because of the unreliability that has existed, there has been a tendency for people to use road or sea transport. I do not think that we can blame people for this action in view of the delays in getting freight to the Territory during these times. Services of this nature must be reliable and regular.

The governments over the years have been content to let this situation exist until last year when the previous Government initiated the commencement of the Tarcoola-Alice Springs standard gauge line. I am hoping that this section of the line will not be affected by any decisions that the Government is likely to make. It is imperative that the work continue on this new rail line from Tarcoola to Alice Springs. We now have an opportunity, because of this construction of a new rail link between Tarcoola and Alice Springs, to improve rail services for the Northern Territory. On the other hand, we now have a situation where the railway in the north is being closed. I used the term "closed". I know that there have been other terms used but I feel that the action is closing the railway. It may be able to be opened at a later date but I think

it would be difficult to initiate this. It would have been a much better solution to set about improving the Larrimah-Darwin section in readiness for the completion of the link from South Australia to Alice Springs.

Mrs Lawrie: Hear, hear!

Mr RYAN: This would have given a much more satisfactory result. My criticism of the decision is not only directed at the present Government because the previous Labor Government played a major role in the run-down of the service by applying unrealistic freight increases on both sections of our rail service. This was an attempt by the previous Minister to make the service pay. I think he was flogging a dead horse; if it was not dead, it is dead now. The main customer of the North Australia Railway was Frances Creek Mining Company which was forced into liquidation by the previous Minister for Transport's decision in raising rail freight to a level which made their venture unprofitable. It is a pity that when this happened the unions did nothing to change the decision. At that time, it would have been quite helpful if the unions had realised that this could in fact jeopardise their jobs on the railways and possibly in other places. However, that was not to be. Nevertheless, the present Government should reconsider its decision on the basis that, with our development, a rail service could be more viable if an effort was made to improve the service instead of giving the whole thing away.

We hear quite often in speeches made by members of the present ministry, including the Prime Minister, the statement "get the country moving forward again". To date, this does not seem to apply to the Territory. I think that it is about time it did. If the Government carries out its decision to close the North Australia Railway, and I am hoping that they will reconsider it quite seriously, jobs should be made available in the Territory for those people wishing to remain. It is vitally important that any people who have been long-term residents in the Territory - or even short term residents who do not wish to leave the Territory - should be found jobs, with-

in the public service preferably so that they get their continuity of service. I intend to send telegrams to other ministers with departments in the Territory and ask them to assist in absorbing these people. I have already asked the Minister for the Northern Territory if he could take action in this respect if the decision persists and he assured me that he would.

Mrs Lawrie: Does this include Larrimah, Burrundie and places like that?

Mr RYAN: I said "in the Territory" and I am applying this to all people who will lose their jobs.

The news on Monday morning that the Darwin Trader could be removed from its run to Darwin did nothing to improve the situation. In fact, it really made things look a bit grim. That possibility has been denied by the ANL. However, I am not prepared to take this denial as final because 3 months ago a similar rumour was rife about the railway and a similar denial was made. This freight service must be maintained irrespective of its cost as it is ridiculous to expect road transport to cater for all our transport needs. The Darwin Trader performs a service and it must be retained. I am not forgetting that we have the Western Australian State Ships but I think their service certainly could not replace the service from the east. In fact, recently they had to remove one vessel from the run, not due to any problems in Darwin, but due to the fact that the development of the northwest of Western Australia had been drastically reduced and they just do not have the cargo and, unfortunately, at this stage Darwin does not have enough cargo coming from the west even though it has achieved pre-cyclone levels once again and it will continue to improve. I do not think that we can expect that that particular shipping route would replace the one from the east.

A similar situation exists with respect to the ANL service to that which applies to our rail service. The service has been unreliable. The Darwin Trader on quite a few occasions has missed trips. Once again, this

does not encourage people to use the service. They have to look for regular transport of their goods; they cannot be blamed for not utilising a service that is unreliable. Anybody within the service business knows that you have to give service before you get customers and you have got to maintain that service to keep them.

There has been an improvement over the last 12 months in the Darwin Trader as far as the level of its trips and I believe that the tonnages are up. The previous Government also did its bit to force the trade to look for alternative transport by increasing freight rates by 40 per cent. This not only affected the Northern Territory, but also Tasmania who were in the same situation. When I met the Minister for Transport in Tasmania, who was a member of the Labor Government, he was certainly not too happy with that decision.

The actions taken in the past by watersiders did nothing to help matters. Their irrational and destructive militancy was also a major factor, combined with the general unreliability of the service and unsuitable port facilities, in contributing to a drop in sea freight. I am pleased to say that over the past 12 to 18 months the Waterside Workers Federation has acted more responsibly. I believe that this situation will continue because of their realisation that to continue to disrupt shipping unnecessarily would result in the destruction of their industry. In recent weeks, I did have talks with the executive of the Waterside Workers Federation and I believe that the fact that they have permanency has removed an important reason for their past militancy. I hope that they continue to act in the manner they have over the last 12 to 18 months. I do not suppose that we can expect to have 100 per cent cooperation but we need a certain amount of cooperation by everybody in the Northern Territory, including the people concerned with shipping and the people who bring the goods up to sell to make this a viable situation.

I have been asking this Government and the last Government to make a decision on the approval of funding for

the second three-year road program to upgrade the Stuart and Barkly highways. To date, I have not received any positive answer. This program was approved by the Parliament last October and still nothing has been done to implement this second three-year road program. If they take the railway off us, it means that our road transport then has to take all the freight. We all know that our roads just cannot handle the traffic. At the moment even some of the new roads are breaking up so it is imperative that the second three-year program is implemented as soon as possible.

There should also be action taken by the Government with regard to the improvement of roads from Queensland and South Australia into the Northern Territory. It is not much good having all-weather roads in the Northern Territory when the roads from Queensland and South Australia are out 2 months every year. It has to be a joint effort by the Government to improve our roads internally and also to give assistance to South Australia and Queensland to upgrade the roads into the Territory so that we do have all-weather roads.

Finally, I would like to record my disappointment at the lack of any consultation by any minister with either myself or the Executive regarding the closure of the North Australia Railway and, in fact, any decisions affecting our transport system in the Northern Territory. This situation must change, otherwise there can be only confrontation with our federal colleagues and this is certainly not the way to get things done. There are some ministers who have recognised our existence and have been most helpful, but other ministers should recognise that we are moving towards statehood and do us the courtesy at least of advising us in advance of their intentions. I will be asking the Majority Leader to make representation on Saturday - I will not be here - directly to the Prime Minister on the transport problems that we have in the Territory at the moment.

Mr PERRON: I support the Executive Member for Transport and Secondary Industry in the attempts that he has

already undertaken to have this matter of transport in the Territory rectified and the attempts that he will no doubt continue to persist with. Transport represents one of the major problems in the development of the Northern Territory. Settlements here are widely dispersed and distant from the main centres of Australia's population and industry. We have to import most of our plant, equipment, building materials and food via very long sea, road and rail links. Darwin has the only port facilities to handle large general cargo ships. A sizeable proportion of the Territory's consumer goods and construction materials enters through the port from overseas as well as from interstate. All of our fuel requirements are imported by either road, rail or sea. The great distances over which road trains have to haul cargo present their own particular problems. Having a variety of soil and weather conditions greatly increases the difficulty of providing adequate roads for the pastoral, mining and tourist industries. We have also to contend with poor road and rail links in both Queensland and South Australia. These cause disruptions to our supplies every wet season without fail. Clearly, transport costs are a major element in overall costs in the Territory, and the improvement of our transport services is a necessary prerequisite to the continued development of the Northern Territory.

The recent and disturbing news from the Federal Government that the North Australia Railway is to close down, and the only shipping service from the eastern states is under threat of withdrawal, indicates that, far from being upgraded, our transport services are being dismembered. To even consider withdrawing rail and sea services and falling back on our patchy road system for 90 per cent of supplies is madness.

Mrs Lawrie: Hear, hear!

Mr PERRON: We have entered a world fuel crisis, and even the blind can see that as petroleum climbs into the dollars per gallon bracket over the next few years, the already high cost of road transport will skyrocket out of all proportion. The answer lies not in

transporting 5-ton consignments by road, but in transporting 5,000-ton consignments by train.

I support the Executive Member for Transport and Secondary Industry in the claim that the North Australia Railway should not be curtailed but extended. I call upon the Government to investigate all the options available which might bring the North Australia Railway back to being an economical and viable operation. Have they considered terminating all road transport at Larrimah to increase tonnages carried on the North Australia Railway and at the same time making sure that more road trains are available to return south and east to catch up on the backlog of freight? Have they considered extending the railway link to connect with Mount Isa to take advantage of the copper export to Darwin as well as to transport the massive tonnages of Queensland coal required by Darwin's proposed new power station? Another option worth looking at is using some of the millions of dollars allocated to foreign aid to developing nations to purchase live cattle from Northern Territory producers, rail them to Darwin and ship them overseas as a gift. I am sure that proposal would appeal to you, Mr Speaker.

I support the Government's initiatives to beat inflation and bring Australia back to economic stability, but I strongly believe the closing down of the North Australia Railway would have far-reaching effects on our future development and will cost more than it will save.

As for the "Darwin Trader", its withdrawal is unthinkable. To lose our only sea service to the eastern states would create an intolerable situation in the Northern Territory.

I support the motion.

Mr TUXWORTH: I too find it a matter of great distaste that the Federal Government has seen fit to inflict upon the Territory the inconvenience and the costs that will be caused by the closure of the North Australia Railway operation and also the removal of the shipping connection to the eastern

states.

I would like to make the point, particularly in relation to the closure of the North Australia Railway, that Territorians have missed a very basic and underlying issue in the closure of this railway. Railways have become and will become in the future very costly operations and they are no longer the cheapest means of transport for persons or the movement of goods. The Northern Territory is paying a price for being a territory and for not being a state. Throughout Australia today, state governments are doing their damndest to get out of the operation of railways. In the last 3 years, we have seen 2 state governments hive off to the Federal Government their state railway systems. They did not do it out of a sense of goodwill or comradeship; they did it because the state government railway systems were costing more than the state could afford and they were only too pleased to get out from under and pass the cost to someone else; in this case, there is no one else but big brother. Big brother in turn has taken over the railways but not without a cost to the state which hived them off. Now the Commonwealth railway system, or the Australian National Railway system now, has seen freight increases and fare increases in the last 3 years that amount in most cases to over 100% on the figures that were paid by the public at the time the new government came in in 1972. Hiving off the railways was not a method of saving money because it inflicted a cost on the community and that was paid through another channel; and in the Northern Territory, as we are not a state and do not have a state budget whereby we can absorb the exorbitant costs of running isolated railway systems and connections, this cost has been passed on to us directly as consumers.

In the states, they have paid another price for their wisdom in hiving off their railways. In South Australia alone, the Federal Government is closing 750 miles of country railway lines because it is uneconomic to maintain them and these closures in the remote areas were forced upon the Government because they were not viable. Being a

state and having state-type railway gives any state government the opportunity to carry the loss on some rail lines, to maintain them and keep them open so that the community, or some sections of the community, do benefit from having the railway in existence.

We in the Northern Territory have one such rail line from Larrimah to Darwin. Over the last 5 or 6 years, the amount of freight being carried on the line has been diminishing slowly and has been taken over by both sea and road transport. This trend, if we follow the world trend, is only going to continue. We in the Northern Territory are not the victims of a government of any political colour bashing country people or giving the Northern Territory a hard time; we are the victims of isolation and we are also the victims of not being a state because our own state government, if we had one, would be able to accept the responsibility of maintaining the line, keeping it open, absorbing the cost from the loss involved in it and keeping that cost spread right across the whole community. As I said earlier, the proposal of railway freight and carriage of passengers competing favourably now or in the future with other major transporters is most unlikely. In the Northern Territory, the continued survival of lines such as the line from Port Augusta to Alice Springs and the line from Larrimah to Darwin will only be maintained with the cooperation of political parties from both sides of the spectrum and the members of the community that use the line, such as the business people with freight who could cart it on the railway and do not for various reasons, the people who operate the lines and the unions, who could assist and cooperate by getting as much volume and tonnage across as possible in a given period, and thirdly, by the Government who could be a little more sympathetic to an area as isolated and remote as this and help to carry the loss to maintain lines such as the 2 we have in the Northern Territory. What is done is done and I think it is highly improbable, although it is most desirable, that the Darwin to Larrimah line will be kept open. Even during the depression years of the

1930s, the government of the day was able to maintain the lines of the Commonwealth Railways operating in Australia. Surely it could be done today.

I will just touch briefly on the comment made by the Executive Member for Transport and Secondary Industry on the very great need to continue the upgrading on the Stuart and Barkly Highways. It is of the utmost importance that these highways be not only widened but strengthened because the tonnage across them per annum is going to increase dramatically and, if we continue to have wet seasons such as we have had in the past 5 years, the traffic across the main highways is only going to destroy them. It will only be by a complete rebuilding program of the damaged sections of road and the continuation of these rebuilding programs that we will ever keep abreast of maintaining suitable communication links in the Northern Territory. I come from an area that very recently saw the closure of a \$30m project and the dismissal of some 500 men from the community in Tennant Creek. Having been through that trauma in the last 12 months and having seen the uncertainty that it brings to the whole community and particularly the anguish it brings to the individuals whose heads are on the block, I do feel very strongly for them. I feel that every effort should be made by Government and private enterprise to try to absorb these people into the community and to offer them an opportunity of employment so that they are not forced out of the Territory and so that the Territory does not become the loser once again.

Mrs LAWRIE: Although we are not comrades in arms, I should congratulate the member for Transport and Secondary Industry for the introduction of this debate. It is only fitting that he was the first to initiate it. I also admire his honesty and the fact that he has criticised his big brother government in Canberra even though they are of the same political colour in the spectrum. I was not as happy with the previous speaker who seems to be an apologist for the present Government. Of course, the Northern Territory suffers from government decisions made

in Canberra. Both the ALP and the previous Country-Liberal Party governments in Canberra have made decisions which disadvantaged us but surely this present decision is a Commonwealth Government decision of the governing Country-Liberal Party. There are a couple of decisions which will really put back the development of the Northern Territory for at least 20 years. The two decisions to which I am referring are the closure of the North Australia Railway coupled with the proposed cessation of the Darwin Trader's run. I would hope that the words spoken in this Chamber and the protest of all Territorians will render the second option as something not to be taken up.

I think that the decision to close the North Australia Railway may have been taken not on a rational basis, but on a set of figures presented to the Minister which either he did not understand or which were wrongfully presented. To illustrate this point, let us have a look at the costs of road transport and rail transport. The costs of upgrading railway lines and providing rolling stock to keep the railway operable are very clearly seen. They are budget items that can be precisely detailed; it will cost "X" million dollars to upgrade the rail and to take 30 more engines or whatever. The cost of upgrading a road is borne by the entire community and it is a subsidy to the road operators because they are not paying directly for that, except through their taxation. They use it far more than the rest of us and it becomes a subsidy to them. This particular point may not have come to the Minister's attention. In particular, with the North Australia Railway line, he must have received a breakdown of figures and how it was proving uneconomical and unprofitable, I wonder if he knows that 50 flat-tops which are charged to the North Australia Railway line are presently being used by the Central Australia Railway line. That would be a fair charge.

To look at the direct result to the consumer in the Northern Territory, it is going to be a pretty horrific picture and I do have details and some facts and figures which I shall give to

this Assembly. We must also look at the services the railway provides, which are supposedly so uneconomical, in comparison to those provided by road operators.

As a good example, the railway does not charge for the return of empty containers but road transport operators do and that cost is \$180 dollars which is a fair cost per container. Someone is going to have to meet that increased cost and you can bet your life it will not be the road operators but the consumer. As far as the freight increases which are going to become operable with the new contract being let, I would like to give some details of those increases because again you can bet your life the poor consumer is going to have to meet them and they are pretty horrific. Let us take freight increases on motor vehicles coming through, and I point out that the old rates are composed of the South Australian Railway, Central Australian Railway, the road link and North Australia Railway rates in proportion. The new rates consist of South Australia Railway, Central Australia Railway and road rates and there has been no increase in the South Australia Railway or the Central Australia Railway component. The increases come from doing away with NAR.

Let us look at the rates. For a motor vehicle of 500 kg the old rate was \$239.84 and it has now gone up to \$272.40. For 1,000 kg mass, the old rate was \$263.10; it is now \$291.66; 1,500 kg at the old rate was \$299.17, at the new rate \$319.19. I will jump a few otherwise we will be here all day. For motor vehicles of 3,500 kg, the old rate was \$565.35 and the new rate is \$647.15. If we look at container rates on the same basis, the old rate consisting of a component of road and North Australia Railway was \$199.46 - this is for a container of 8 foot - the rate will be \$219.00; for 14 foot and 16 foot containers the old rate was \$352.52 and the new rate is \$438.00. For a 20 foot container the old rate was \$483.10 and the new rate \$547.44. And so it goes on.

Let us look at general cargo borne by the overland system previously with the

North Australia Railway components but now road alone at some supposed saving to somebody, certainly not to us. Per tonne - and again I stress that the old components of Central Australia Railway have not changed, the only change in the rate has been the northern link - the old rate for ale and beer etc was \$41.51 and the new rate is \$58.83; insulwool and mattresses - old rate \$267.46, new rate \$557.66. The general rate for cargo was \$97.56 and the new \$199.66; for furniture the old rate was \$242.56 and the new rate \$283.91. We see that the consumers are hit hard. Maybe this saving is nothing but a paper saving if it is indeed a saving at all to anybody. The present Government is saying that they are saving money for the taxpayer who foots the bill. The taxpayer is certainly going to foot the bill in a different way; he is going to pay hand over fist for essential consumer goods.

There is a further disastrous comment I have to make. Cement coming on the railway in 20 tonne containers is \$6.50 per tonne but by road it is \$25. That is about 4 times as much and, when you consider the rebuilding of Darwin, that particular item should stand alone and be recognised by everybody as a serious blow to all of us.

Mr Perron: Cement comes by sea.

Mrs LAWRIE: We are not going to have much sea traffic in future I am afraid. If this railway remains closed, we are going to be left with one overland link and that is the Stuart Highway, at least from the Threeways to Darwin. That is something which we would find intolerable normally but, when we look at the extra strain on the resources of this Territory in trying to rebuild and the returning population, it becomes impossible to justify.

Let us look at another angle. The present Minister for Defence has announced that defence has a high priority in the present Government's budget and will not suffer whatever other cuts are made. Surely an alternative link from Darwin to points south is a defence issue. If there is only one road, and that can be cut even by a big petrol container going over

and exploding, surely that should occupy the Minister for Defence's mind. I wonder if his colleagues have apprised him of what it will mean to a defence position. We are always hearing rumours about Darwin being the invasion point and the hordes about to descend upon us. Let those people who have that philosophy remember that the closure of the railway will not suit them at all.

In saying that we will be left with only one link, I have assumed that the Darwin Trader will be withdrawn. Like the Executive Member for Transport and Secondary Industry, I hope that that will not happen, but I have my doubts. I do not share his view on the situation at the wharf. Of course, there was trouble at the wharf for some years because they wanted permanency and they were entitled to it. He must admit that, with permanency, conditions there have settled down. The only problem is that the wharf is grossly inadequate.

Mr Ryan: I said that.

Mrs LAWRIE: I am glad you did because you often have a go at the wharfies and say that it is all their fault. It is no longer their fault; I have been down there when there have been several ships being unloaded and the task is almost impossible. The congestion on that wharf when there are a couple of ships in at one time has to be seen to be believed. The conditions are bad not only for the freight being handled but for the wharfies handling it and for the ship's crew. It is dangerous and it would be more to the point if the present Government announced the extension and upgrading of the wharf and the new facilities which were mooted some time ago, along with an upgrading of the rail links, rather than doing away with the railway and a patch job on the wharf. I fear that, just as we have had air lifts of essential supplies and food to the smaller centres down the track, we will end up with air lifts of essential supplies to Darwin. It will be an incredible situation and at what cost? Either the cost will be borne directly by the consumer and none of us will be able to afford to live here or it will be subsidised by the same Government

that is insisting on saving costs by closing the North Australia Railway line and presumably taking away the ship which does the same service. That is an unreal costing structure, and I doubt if the Minister making the decision has had more than one narrowminded point of view. I agree with the Executive Member for Transport and Secondary Industry that it would be more to the point if, before the Minister made these decisions, he would consult the local people who are going to be affected. They may have a different set of figures to put to him.

There is another problem which was mentioned earlier by the honourable Executive Member. He misunderstood an interjection. He has said that he made representation for the relocation of the railway people affected within the Territory and, of course, I support him and approve. When I referred to the smaller centres like Larrimah, Pine Creek etc, my interjection was to ask if they will be located in those same centres. I would not think so because there is virtually no other employment. What has to be considered is the cost to those people, costs which cannot be tabulated in the Treasury. Some of them have lived in these smaller centres for years. To say to people who have lived in Larrimah, Burrundie, Pine Creek, Mataranka, Adelaide River, "We are sorry, but you have lost your job, and we are going to relocate you in Darwin or Alice Springs" - there does not seem to be any other alternative because Katherine is going down the drain - that is not a good solution. It is better than sending them south but they are faced with a crisis in their lives not of their making.

When I said Katherine was going down the drain, I meant that in obvious sorrow and not in anger. We received a petition yesterday from 700 residents of Katherine. Those 700 people are well aware of what this decision is going to mean to them. It is not only Darwin that is affected. It is smaller centres throughout the Territory which are being affected time and time again by decisions taken since December 1975, decisions apparently taken without local participation.

I would like to believe the honourable Executive Member for Resource Development when he says that if we were a state these decisions would be alleviated, but I cannot really judge because we are not a state and it has not been put to the local executive to decide whether or not these cuts will be implemented and whether or not this reduction in transport services would go ahead. It is a pity for two reasons that it has not. Firstly, we would see where they stood although I think they would fight for the retention of the railway and the "Trader" but, more importantly, the big Federal Government ministers playing with the lives of Territorians should know what the results of their actions will be. It is pretty obvious to me the present Minister for Transport does not know, does not have all the figures, and is relying on some person in Treasury who has decided that it is cheaper to do away with them, and has calculated his figures to show that it is cheaper. But, like statistics, figures can be juggled and they obviously have been. If one looks at the cost to the consumer and the public across the board - because after all the only money the Government saves is our money; it is not saving theirs, it is saving ours - I think we may find that they have not saved a thing, that the costs will be the same but spread in a different area. What will not be spread in a different area is the misery it is going to bring to the Northern Territory.

I support the honourable member in this motion. I also support his desire for the implementation of the 3-year road program. Obviously, if ever the roads are going to need to be upgraded, it is now, but I do not think that any upgrading of the roads will cope with the increased traffic if we lose the "Darwin Trader" and of course if we lose the North Australia Railway.

Mr EVERINGHAM: Other members have attempted to support this motion on emotional and moral grounds. I hope to be able to convince this House that the Government of the Commonwealth has a legal obligation to maintain and in fact expand the operations of the North Australia Railway. I see it as a

matter of deep regret to every person in the Northern Territory that this rail line which has been operating for over 80 years, through lean years and through fat years, and is indeed celebrated in Xavier Herbert's novel "Capricornia", should now be closed down so abruptly. In my view, this is an extremely short-sighted act on the part of our Federal Government and I think that we shall see in perhaps as few as 5 years just how short-sighted this act has been.

I do not know whether members are all familiar with the terms of the Northern Territory Acceptance Act. I refer them to section 14(b) of that act which is in Part III relating to the provisions for carrying out the agreement to surrender that part of the state of South Australia which now forms the Northern Territory to the Commonwealth Government; that of course was when the Northern Territory became a Territory: "The Commonwealth, in consideration of the surrender of the Northern Territory and the property of the State of South Australia therein and the grant of the rights in the agreement mentioned to acquire and construct railways in South Australia proper shall, amongst other things, construct or cause to be constructed a railway line from Port Darwin southwards to a point on the northern boundary of South Australia proper -" and so on. Of course nothing has been done about that at all and we now see them in fact resile and renege on what little piece of railway line there is at the present time. That is the letter of the law. Here we have unfortunately a government which apparently is prepared to disregard this piece of law which was passed through the Federal Parliament in the period preceding the first world war.

My view is that the Commonwealth has a special duty to maintain this railway line and in fact to continue construction. The road is not an alternative because we know how it is seasonally unreliable and is unable to stand the strain of the additional traffic upon it. In fact, if we look at experience in Queensland where railway lines were closed down in the 1950s, we now see some of those railway lines being reconstructed. In fact these railway

lines in Queensland were even pulled up, and now the state government at colossal expense is in some cases having to relay these lines and reopen them for traffic. The most spectacular case is the railway line between Brisbane and the Gold Coast where, at huge expense, they are now going to have to resume land that they sold off in the 1950s when they pulled up the railway line. This just shows how short sighted governments can be in saving what is in fact a paltry sum in national terms.

The annual cost to the taxpayer of running the Port Darwin railway as it is there called, or the North Australia Railway, for the next 5 or 10 years would be, I should say, not more than \$50m because it had its worst loss last year, which is understandable of course, and then it lost \$2.5m or thereabouts. In the previous year it lost only \$0.5m. The biggest reason was the closure of the Frances Creek mine and, as the Executive Member for Transport and Secondary Industry has said, there were various contributing factors there, not least of all the intervention of the then Federal Minister for Transport, Mr Jones.

I should like to see consideration being given at this stage for the provision of a rail facility from the uranium province to a new port facility on the east arm or south arm of Darwin harbour. In my view, if exploratory steps were being taken in this regard at the present time, there would be absolutely no need to retrench these 130 people who are going to suffer from this decision.

I call on the Federal Government to reconsider its decision which just cannot be justified on legal or moral grounds or grounds of national importance, national development and defence. The personal problems of the 130 or so persons displaced by this action are a matter of great concern to us all. We do not want to see these people having their lives upset; we do not want to see them having to leave the Territory. If the Government is indeed going to proceed with its decision, against in my view all reasonable predictions, then these 130 employees must be provided for and I hope that they are all

provided for in the Northern Territory. There are surely areas of employment for these people that can be found within the government here.

The Australian National Line service to Darwin must be retained. It is our only link with the eastern states for about 4 months of the year, and surely the service, having a monopoly on the run, virtually can be made to be profitable. If it is not profitable, I do not know why it is not, because they do have back-loading from Groote Eylandt, and it must be very poorly managed now if it is not at least making its own way. The shipping service from Western Australia cannot provide all our needs. The west does not have the industrial capacity to do this, nor indeed the productive capacity. We must have that service from the eastern states. The shipping service provides the facility for haulage of extremely heavy goods and bulk items to the Territory that we just cannot develop without. I do not want to be entirely at the mercy of the road transport operators myself and for that reason we must have this shipping service retained at all costs. Certainly I am in favour of new roads within the Territory and from the states of South Australia and Queensland, but in my view these should come anyway.

As I have said before and I will say it again, the Commonwealth has a special responsibility to develop this Territory. It undertook that responsibility when it passed the act through both Houses of Federal Parliament those many years ago. The fact that we are developing towards statehood is a purely voluntary effort on our part and in my view we could just as well sit back here and expect special treatment from the Commonwealth as its territory. The fact that they are going to take away these major services from us - they may take away the shipping service, we have no certainty on that yet, but certainly take away the rail service - is in my view a most reprehensible act. I call on the Commonwealth to honour its obligations as laid down by law.

Mr WITHNALL: I do not expect to take up the time of the Assembly for very

long, but I think I should say that I thoroughly support the motion and I want to express my dismay that the Federal Government has taken its economising to this very extreme point. Surely to goodness, it must be recognised that economising, while it has its virtues, can be taken to a point where it becomes in effect almost a suicide so far as certain communities are concerned. The Northern Territory, because of its isolation, has always been the community in Australia which has most depended on transport facilities being available throughout most of the year. It has been a matter of some concern to me for some time that, particularly in food stuffs, the Northern Territory, which could have produced many times more than it has produced, has still relied upon imports from states such as South Australia and Queensland and indeed Western Australia. If you go down to any store today, you will find in those stores, cucumbers, and many other vegetables and fruit, which can be grown here, imported from other states to serve our needs. Although we could by some sort of reliance upon our own production make do with less importation, it still remains inevitably the case that transport is really the lifeblood of the Northern Territory.

The Commonwealth Government, in its need or in its fancied need to economise, has looked at every source of expenditure with an aim to cut it to the bone, and it is only in pursuance of this policy that the North Australia Railway from Darwin to Larrimah has been cut out. It is a false economy for the simple reason that it will bring in time more damage to the economy than it does good by economising. It will in fact not only affect the workers who are employed by the railways, it will affect all those communities which rely upon transport and which use the railway from Larrimah to Darwin, and the final result of the withdrawal of that rail service will, I suggest, be such that the economy in actual expenditure by the Commonwealth Government will be far exceeded by the loss to the economy and the loss to Australia of the production and work of the area which is served by that railway.

To merely say that we will stop the rail service between Larrimah and Darwin because we want to save "x" millions of dollars, shows that it is a completely false economy. Let us assume you have a company which has a number of divisions and they find that the transport division is not making a profit and they cut out the transport division. That of course would be quite foolish and no company would do it because the cutting out of the transport division would have effects all along the line. Surely the Federal Government can take cognizance of the fact that the Commonwealth of Australia has to be run to suit the needs of people, to suit the production of the country, and cutting out a transport facility is likely not to do any good, not to save any money, but really to cripple the industries which depend upon that transport.

As the honourable member for Jingili has pointed out, the Commonwealth Government, in 1910, undertook to complete the line from Darwin to the border of the Northern Territory and every Commonwealth Government since 1910 has steadfastly refused to take that action. I have never seen a railway which was closed ever opened again, and it is idle to suggest that the railway from Larrimah to Darwin, if it is closed finally, will ever be opened again in the future.

I call upon the Commonwealth Government to recognise that they are not really economising by closing the railway but that they are throwing away an asset worth many millions of dollars. The line runs from Darwin some 300-odd miles to Larrimah; then there are 600 miles of track required to connect it to Alice Springs. Rather than spend the money which would completely revitalise the whole railway system and make transport available by rail all the way from Adelaide to Darwin, they are throwing away millions of dollars worth of equipment, millions of dollars worth of track, when by spending perhaps twice that amount to get to Alice Springs they could make the whole line at least 4 or 5 times more profitable than it ever has been in the past with Frances Creek thrown in.

It is a false economy to throw an asset away when, with a little expenditure, you could take that asset up and make it not only a profitable concern but a concern which would revitalise the whole of the industry in the Northern Territory and provide what we desperately need - a sure means of communication during the wet season. If the rail from Port Augusta to Alice Springs is remade in the fashion in which the Tarcoola project suggested it would be, it will be an all-weather railway. Alice Springs to Larrimah would present very few difficulties so far as flooding was concerned. If however the asset is to be thrown away, we can look forward to an escalating cost in road transport. The difficulties facing the transport of goods by sea to Darwin have been spoken of in some detail, and I do not propose to refer to them, but undoubtedly road transport - because of the gap between Alice Springs and Darwin - has taken a much larger share of the transport market in the Northern Territory than it might ordinarily do. With the railway out, the emphasis is going to be on transport from Queensland, because the roads from Queensland are far better than the roads from Adelaide, and we are going to face an escalating price because there will be a road monopoly from Queensland in future, and the operators on that road are going to require that they be given a much more favoured share of the market than they otherwise would have been able to obtain. In addition to that, the pressure that is going to be put upon the roads from Queensland to the Northern Territory will mean the expenditure of money far and above the amount of money that is to be saved by the stopping or the closing down of the railway from Darwin to Larrimah.

I join with the honourable member for Jingili in saying that this is a duty which the Commonwealth has neglected in the past and it is only a further example of the Commonwealth's failure to operate in accordance with its solemn undertaking which has been contained in acts of Parliament for about 66 years now. I call upon the Government to reverse the decision and I fear that, if it is not reversed, there is little doubt that this railway will

never be opened again and the people of Australia will have lost a very valuable asset, worth as I said, some thousands of millions of dollars.

Mr POLLOCK: I do not think that the House needs to be reminded that I represent the most southern electorate of the Territory and therefore the operation of the North Australia Railway to my electorate is not all that important, but it is for the whole Territory, and I rise to support the motion in toto even though my remarks are to be more concerned with road links and also, if the railway is to be closed, the employment of people who are going to be displaced as a result, particularly those at centres outside of Darwin - Adelaide River, Katherine, Larrimah, Mataranka, and so forth. The railway personnel who live at those places do play an important part in the whole economic life of each of those communities. It is just not going to be a matter of the railway closing and employment lost for those people, it is going to reverberate in the whole of those communities, as the petition which you, Mr Speaker, had presented yesterday emphasized.

What concerned me in particular was the news release which the Minister for Transport made when he released the information that the railway was to be closed. There was one sentence in it stating that there is also to be a review of the construction standard of the Tarcoola-Alice Springs railway project. I view that with some suspicion because we in Central Australia, and the whole of the Northern Territory as well, were looking forward to a railway which was going to be quite substantial and, we hoped, free of the troubles which have been experienced in recent years in relation to breakdowns, wash-aways and everything else that seems to go wrong with the railway lines in central Australia. As has been mentioned here this morning, it does reflect on the operation of the North Australia Railway because, if the Central Australia Railway does not operate, it does have quite a considerable effect on the operation of the co-ordinated service and the NAR.

Referring back to points (e) and (f)

of the motion, the railway construction program is of considerable importance as an alternative means of transport and also at the moment as another means of employment. We have a situation where the Stuart Highway south of Alice Springs is being bituminised and I believe that by the end of July will be completely sealed to the South Australian border. However, there was no announcement of any further work on the Stuart Highway generally, or the Barkly Highway, so we are going to have to face problems where expertise, equipment and personnel who have been engaged in road construction work over recent years are going to find their employment opportunities and positions in jeopardy. Therefore it is for a multitude of reasons quite important that the second 3-year road program to upgrade both these highways be implemented immediately and the job got on with. Likewise, in South Australia and Queensland, it is important that those links from the south and from the east are continued to be upgraded and constructed so that we do have this alternative means of transport.

Other areas in relation to shipping and the NAR have been well covered this morning and I will not take any further time on those. I just emphasise again that the road program is important and needs to be continued.

Mr MANUELL: I would like to lend my support to this motion. I believe that the motion is well-timed and well-meant. I am frightfully concerned about the possible result of the closure of this NAR. I am not only concerned about the possibilities that this closure may create but also the possibilities combined with the fear that the Executive Member for Social Affairs has expressed of a possible review attitude by the Federal Government of the standards and rate of progress towards the continuing development of the Tarcoola-Alice Springs rail link.

I have listened with interest this morning to the remarks made by all the members who have spoken and I must say that the bulk of the ground has been covered. However, I may be able to make some small contribution to this debate by adding some additional facts.

Some of the facts I have at hand I believe to be of interest. Some of them have been covered briefly by the Executive Member for Transport and Secondary Industry and also by the member for Jingili in relation to tonnages and goods and services carted over the northern Australia rail link in a period of operation. However, I believe that some of the remarks the honourable member for Nightcliff made were not entirely relevant to the argument; those were in relation to the increased costs of freight which have occurred in recent times and also the relationship between the cost of rail freight and the cost of road freight. I do believe that we must accept, in these recent years of rapidly rising inflation, that increased costs of freight must be expected to occur. There is also no doubt in my mind that we must expect a differential to apply between road and rail freight, and I believe it is the choice of the consumer as to whether he chooses road or rail freight. Of course the relevant point then arises in relation to the removal of rail freight in the northern part of the Northern Territory; with the removal of rail freight, the competition is lessened and a monopoly situation may arise.

I would like to stress that it is painfully obvious to me that part of this problem which may have caused the Minister to make his present decision relates to the drop off in traffic on the North Australia Railway, and some of the reasons why this has occurred are also painfully obvious. In 1970, there was a total tonnage of something in excess of 1 million tonnes, in fact 1,150,000 tonnes. In 1971, 1,131,000 tonnes were carried on that line. These tonnages were made up of general goods, livestock and minerals. General goods in the year 1975 were almost half those carried in 1971 and, in relation to minerals, there was a drop off from slightly in excess of 2 million tonnes carried in 1971 to 294,000 tonnes in 1975. There are no figures available for 1976 yet, but I would venture to say that there would almost be nil.

In the year 1974-75, in contrast to 1971 when there were 3 058 tonnes of livestock carried on that rail, there

was absolutely no livestock carried at all and I think this House is well aware of the reasons for that. It is interesting to relate though, in terms of those years of activity and the tonnages carried, the relative losses experienced by the railway. It is surprising and not coincidental that in 1970 and 1971 the losses experienced by the railway were the lowest of the last 5 years. In the year 1970, \$528,000 was lost by the railway and in 1971 \$651,000 was lost. In contrast, in 1965 there was a much smaller loss but in 1975 there was a \$2.5m loss.

It is not surprising that there would be a reaction by our federal ministers and, in particular, the Minister for Transport over this loss. However, I do wonder whether in fact the federal minister is aware that, in this loss factor of \$2.5m, there is included rehabilitation costs that have occurred as a result of Cyclone Tracy. These costs are non-recurring costs and, whilst they are not clearly identified, it is expressed that a substantial proportion of that \$2.5m is the direct result of rehabilitation of rolling stock and equipment and facilities following Cyclone Tracy.

I believe we should pay very close attention to the end result of the closure of the North Australia Railway. We should consider at the same time the need for the early completion of the Taroocla to Alice Springs rail link. It is of serious concern to me that, when we consider the Northern Territory and its relative lack of an able transportation system, that we should be considering the closing of the North Australia Railway and the possible lowering of the standards of construction of the Taroocla to Alice Springs rail link. We should be looking towards upgrading not the downgrading. Several other speakers have made mention of the various facts concerning transport requirements in the Northern Territory. I am personally very concerned that, if the railway is closed permanently, in the short term the road link between Larrimah and Darwin is certainly not going to be able to cope with increased traffic. Because of the interconnection between the Larrimah

and Darwin link and the Central Australia Railway, the overall effect will be downward.

I am also concerned about the announcement of the commencement of the second 3-year program towards the upgrading of rural roads in the Northern Territory and, of course, the Stuart and Barkly Highways. In making that remark, my attention is drawn to the fact that, in the last three years in particular, the Newcastle Waters causeway has been rendered unserviceable because of the extreme and unusual wet seasons. I am certain also that the closure of the Newcastle Waters causeway crossing in itself has contributed to a drop off of rail freight available to the North Australia Railway, and of course this has had a reflection on its income-earning potential.

If we could get an early implementation of the second 3-year rural roads program, the upgrading of the Stuart and Barkly Highways and the continued utilisation of the North Australia Railway, the likelihood of continued losses being experienced as they are at present is less likely. I am unaware of any rail system in Australia that runs at a profit. I am certain that we should look towards a railway system as being a national need. Yesterday, there was an attempt to put through a piece of legislation that would cause people suffering from venereal disease to be registered; I believe that was an attempt to preserve another national asset - that of health. I say that we should not be content to let a national asset of a transport link decline. In fact we should continue to apply pressure to our federal colleagues and to the Federal Government and insist that the continued operation of the North Australia Railway is absolutely necessary to the continuing development of the Northern Territory. I am certain that all members of the House will agree that, under any circumstances, the development of the Northern Territory is a development of national importance and it does not rest on the shoulders of those who are residing in the Northern Territory alone to develop it.

Members: Hear, hear!

Mr MANUELL: Unless the Federal Government continues to accept responsibility for the continuing growth and development of the Northern Territory, I believe that we are wasting our time. Unless we can continue to seek cooperation, and we receive that cooperation, I believe that it is just a lost cause for us to pursue the course towards statehood. I commend the motion.

Dr LETTS: I have known the honourable Peter Nixon, the Minister for Transport, longer than I think I have known any member of Federal Parliament, indeed we were in a sense boys together back in my old Gippsland days. Being a Victorian, the Minister knows a good deal about the history of that state, and in view of that I find his decision - a decision of the Government on his advice, perhaps that would be a truer way of putting it - even more surprising. The Minister would realise only too well that there are parts of Victoria whose development for more than a century depended on having a railway line which during the whole of that time was uneconomical. I refer in particular to the line into the north-west of Victoria up through the northern Wimmera and Mallee to Mildura. There would not have been a Mildura nor would there have been farm production in the Mallee or northern Wimmera without the wisdom and foresight of the planners and politicians in Victoria in the later 19th century who put the northwest line through. I think it was for something like 80 years that that line was unprofitable, but still it carried all the vast wheat harvest from that area plus a number of other vital commodities, superphosphate and so on, backwards and forwards through the state of Victoria, and more than made its contribution towards the strength and development of that state. I also imagine that the Minister would be aware that in fairly recent days the Victorian Government thought fit to close a branch line and extension to the line from Bairnsdale to his home area, Orbost. I have no doubt that he would have been well aware of the concern of the people of Orbost at that time and I would be surprised if he did not share and join in that concern and the representations which probably took place.

Rail is an essential part of development and it is difficult to predict how soon after the extension of a railway or the creation of a railway that development will be triggered off, but certainly if it is not there it cannot be triggered off. One of the classic cases in the history of Australia of the usefulness of railway lines was the extension of the railway from Oodnadatta to Alice Springs in 1929. Prior to that time, there had been a total cattle population in the Alice Springs district of something like 40,000 head and the total number of pastoral leases in that area was about 14 or 15. That had been the situation which had developed over a 60-year period of settlement in the Alice Springs district. But within 20 years of the railway line being put in, the cattle population grew to over 250,000 head and the number of pastoral leases grew to over 80. Nobody, no wise man, no economist, could have foreseen with any accuracy that things would have blossomed and developed as well as they did. A cost-benefit analysis would certainly never have shown it. What I am trying to say is that a temporary economic criterion put on to a facility in capital works like that is a poor way to judge its long-term worth.

Looking closer, in the Top End we have had examples of capital development which for a period looked as if they were a waste of money. I suppose one of the best examples we would remember would be the highway to Humpty Doo. In 1967, a bitumen road was constructed from the Stuart Highway about 22 to 23 miles out through Humpty Doo to the Middle Point rice area where Territory Rice were supposedly starting a large project in rice growing. A very costly bitumen and formed causeway road was put out there plus a powerline running alongside it. After 3 or 4 years that rice growing project folded and a lot of people wrung their hands and asked, "How many million dollars have we wasted here?" It was only 2 or 3 years before the Mt Bundy iron ore deposits were found; they were known at the time but not explored sufficiently to know their worth. Then, not only did the previous capital investment pave the way for the development of the Mt Bundy

iron ore but the powerline was used and in fact extended another 25 miles. Then, Mt Bundy folded up and now we have extended the Arnhem Highway the full length out to the uranium province which was not known at that time and the powerline will be extended presumably further out along the existing path. The history of the development of these kinds of facilities shows that, while their worth may not be immediately recognised or may be doubted from time to time, they cannot be judged on temporary economic criteria at all.

The railways division of the Transport Department has had a pretty bad history in recent days of making wrong decisions and bad decisions. The steep freight increases on the Central Australia Railway line over the last 12 or 18 months is an example of this. It is my belief that it is another case of the experts in their actual field not winning the day, their advice not being heeded but the advice of other people who do not really know anything about the proposition prevailing. It is my belief that the permanent staff in the railways would be against the kind of freight increases which were imposed in central Australia and that the final recommendation to Government on which the decisions were based in that case came from inexperienced crown prince elite second division officers of the Department of Transport, the silver tails of the public service, some of whom I know in that department and indeed worked with some years ago. What surprises me is that the Minister, Mr Nixon, is a man who has built up a reputation for running his department and not being run by his department. I do not know in this case, I cannot be sure, but it does seem to smack a little bit of perhaps the department having been faced with cuts taking the easiest way out and the way with the least political rebound and once again it is the Territory that suffers.

Like the honourable member for Nightcliff, I am concerned about all the people affected but I am most concerned about the number of little people who are most directly affected. I think I could claim to have the longest length of the North Australia Railway in my

electorate, running from Noonamah almost down to Katherine. Some of the places mentioned are in my electorate - Pine Creek and Adelaide River for example. Associated with the railways in these centres are a number of maintenance people who are the poorly paid but who are amongst the most valuable servants of the railway system. They are the ones who keep the line open. The kind of people who work on the railway in that capacity range from older people who are nearly pensioners down to younger men. In some cases, they have families to keep and they are working by preference in an area which they regard as their home and some of them were born there. They come and go to some extent; when they are not working on the maintenance gangs on the railways, some of them find seasonal employment in the pastoral industry, with bull catchers, musterers etc. If any of these people are dispossessed, what chance have they got? The Government would be able to place the clerical and administrative staff up here in alternative jobs but these people cannot turn to what would normally be their alternative source of income in the pastoral industry because employment is at such a terrible level in that industry. What will happen to them? I suppose the best that can happen in many cases would be that they will finish up on social security payments, back on a pension of some sort or another. I wonder if the cost of this has been reckoned in the overall economics of what has been done in this decision, and whether the cost of people who will be forced into drawing on the taxpayer in some other form has been reckoned.

The revenue and expenditure statements to which the honourable member for Alice Springs referred earlier indicated fairly generally that, over recent years, the railways has shown a loss on the average of slightly less than \$1m per annum over the last ten year period and reaching a sharp peak in the 1974/75 financial year with a loss of about \$2.5m. Much of that loss was directly attributable to the effects of the cyclone combined with the closure of Frances Creek. It is necessary to look at the longer term. If you are looking at something like

\$0.75m as the annual revenue loss over a ten year period, you have to look at it in terms of the whole of the Northern Territory yearly budget of \$300m. What we are looking at is perhaps \$0.75m in assistance, if you like, to the community as against a \$300m budget.

If the Government wanted to save that money, the least it could have done was to talk to the people of the Northern Territory and representatives of the Northern Territory about whether they would see some adjustment of priorities, whether they would be prepared to see \$0.75m come off from somewhere else across the board out of the \$300m so that the railway could stay alive, even perhaps at a reduced scale, and the kind of people that we have been talking about could stay alive too. I think it is a most selfish decision. On top of that, the honourable Minister is a man who knows a great deal of the Northern Territory. We always thought he had a good deal of sympathy for the Northern Territory; he knows the country well and he was a good Minister for the Northern Territory. From those days, he knows something about our potential and our future. He knows that there are mineral deposits at places like Batchelor as yet undeveloped, there are phosphate deposits and there are other mineral deposits that are unknown and which are expected at some time in our history to become economic. In the Pine Creek area, people are regularly turning up new mineral shows and I am sure that there is a lot of mineral yet to be found and developed in that area.

What is the future of agriculture with this decision? In the limited development so far, quite a bit of agricultural produce and fertiliser has been carried by road and rail transport but if ever we amount to anything in agriculture and we grow sorghum or grain - and I am talking about hundreds of thousands of tons of it for which fertiliser will be needed - railways will be required to play their part the same as they do in every other state of Australia where they still carry nearly 100% of the grain produced and the bulk fertiliser required to produce it. It will be no different here.

The decision that has been made prejudices the future in mineral developments and in agricultural development as well as affecting the lives of Northern Territory people. I doubt if all of the things that have been said here today were ever written into the case that went to Cabinet or even to the Minister. I think it was a decision that was taken in a hurry and I hope, on that basis, that it will receive a serious review and I will be happy to bring our concern to the attention of the Prime Minister when I see him on Saturday.

Mr DONDAS: I support the motion. I do not intend covering the same ground as all the other speakers, especially after listening to the Majority Leader, because I find that there is very little field to cover. However, I will attempt to raise some concern with regard to the Australian National Shipping Line. At the moment, we do have state shipping coming in from Western Australia; there are 2 ships a month or one every 12 days and we do have the Australian National Line. I certainly hope that the reports are incorrect and that the National Line will stay. However, the area that I wish to cover concerns the Waterside Workers Federation in the Northern Territory.

This morning the honourable member for Nightcliff made a statement that our waterside workers were working very hard, that they were working under very difficult conditions and that every dollar that they made they earned. I disagree with her on that particular field. The Darwin harbour has the worst reputation in the world as a port. I have been to other ports where the tonnage shifted in a day is far more than the tonnage we would move in a year. Nevertheless, my fear is that, with the railway disbanded, we will be forced to use 2 other forms of transport into the Territory, shipping and air freight which is very expensive. My fear is that we will be faced with one lane and that will be shipping.

I think that our town could be held to ransom by the Waterside Workers Federation. The waterside workers have retarded the progress of the Northern Territory for many years. If there are

times of the year when we can only use shipping because the roads are out, then we can expect trouble from the wharfies. I would certainly hope the decision of the Government with regard to the railway is reversed. I know it is only a small railway but to the Territory it is a very important link, not for today but a very important link for the future.

I am not speaking at this particular moment on any great factual events; I am speaking more from the emotional point of view of how people in my electorate feel. They do not care whether the railway is losing money or not; they do not care whether we have got an iron ore mine operating or not. Basically, they are looking at the future if we become a state. Every other state has its own rail services and, if it was not for railways, then the great United States would possibly not be as developed as it is today. There are books written about the robber barons on the North American continent whereby the government gave grants to people to run railways so that the vast continent would be populated and its minerals and produce taken to market. We are in a little different area here. We have only a few hundred thousand square miles but it is ours and I think it should be protected with all the resources that this Assembly and its members have.

State Ships in Western Australia are operating 2 ships and they are losing money because of the road link on the Western Australian coast which is now as high as Wyndham. In another few years there will not be any need to ship goods from Perth to Wyndham by ship because they will all be going up on road transport which in the short term is a lot quicker. Consequently, if they cut out shipping on the west coast then there will be no need for State Ships to come to Darwin and this will eventually leave us with the other alternatives - the ANL line on the east coast and air freight. It is very important that every endeavour be made by ourselves and by the unions to ask the Government to change its mind and keep the North Australia Railway operating in the Northern Territory.

Mr STEELE: No one seems to have taken the view in support of the Minister's problems and the need over the last 10 or 15 years to rationalise the North Australia Railway setup. I can remember years ago when a decision was taken at Larrimah to implement this "you beaut" system of unloading trucks, putting freight onto railway carriages, loading trucks back up in Darwin and delivering the goods. This must have cost the Northern Territory a lot of money. Years ago, when that decision was taken, they should have rationalised it at that time. I would say that ministers of the day were gutless wonders. I would say further that Minister Peter Nixon has got a ton of guts to agree to the decision he has agreed to because of the problems. I do not necessarily agree that these problems can be lightly smoothed over and that they are not important. I am very concerned about the unemployment; I am very concerned that a service like this should be knocked on the head; I am very concerned that the service will not be available to those people down the track.

I would remind honourable members that 10 years ago, the line had a greater importance than it has today. When I was a stock inspector in the Animal Industry Branch, we used to load cattle at Larrimah and the line had some significance. I would remind members also that nothing has been more economic and efficient than private road transport in the Northern Territory because the railway line only went to Larrimah or Birdum. So what do you want? You get the goodies on one hand and you still have to pay. You are going to pay if the stuff is put on the train at Larrimah; you are going to pay if it is going to be put on a truck. Once again do not forget the importance of the people who are going to be hurt by a decision such as this.

The Minister has very reluctantly made this decision. It is not a decision that he wanted to make, but just how much gravy can you have on your meat; how much icing can you have on your cake? Do not forget about the tightening of the belt. I would make the remark that back in those days

primary industry had some affluence. I would remind honourable members that in the last few years inflation has soared to such great heights that we cannot possibly afford the railway from Larrimah to Darwin. I would mention that in the budget of moneys going to Darwin, we are getting a lot of money put into things like transport planning and town planning. Is there any rationalisation in those sorts of areas? We have had discussions over years gone by in areas of the Palmerston Freeway, of multi-millions of dollars, of the Frances Bay arterial system as well - multi-million dollars-worth of money. What is wrong?

We want some effective reorganisation so that those people can still be employed. How about local people having a say in their own affairs in town planning, and working towards some sort of commuter system so that the railways can still be catered for, so the people employed by the railways can still have a job. Okay, so Larrimah people will not have a job, I do not know what happens there. I am sure there is no one in this room who has a solution to that, or the people in Katherine, or the people a little bit further along the line. But how about us looking to the future of all the people who live down the track and the commuter system that is needed? Why are we worrying about the Palmerston arterial road that the mosquitoes and the residents of Fannie Bay do not want anyway? Let us look at the commuter system. I commend the motion, because essentially it is aimed ...

A member interjected.

Mr STEELE: You do not think I do? Well, no one else seems to have the guts to put a different point of view around here so let us have a bit of guts in the whole exercise.

Members: Hear, hear!

Mr STEELE: I do commend the motion because there are the side effects that have to be taken into consideration. I did speak of the effects of 10 years ago and the action which should have been taken, and the gutless wonders of ministers as such that we had at the

time, but let us ...

Mrs Lawrie interjected.

Mr STEELE: I do not care who was the minister at that time; he was guided by people who probably guided him today, so why shouldn't he have made the decision then?

The motion is timely because this sort of industry has to be supported at this time. The honourable member for Port Darwin said that, if a big business cut out its transport section because it was losing money, that business would inevitably have losses all around. I support that view.

Mr MacFARLANE: I have been asked by the honourable member for Port Darwin to explain that what I am doing is quite wrong in his book, but I do feel that circumstances dictate that I should say something about this matter because I know a bit about it.

I support the motion. I am very upset in respect of the honourable Peter Nixon because it was he who told the honourable Executive Member for Transport and Secondary Industry on February 18 that there was no intention to close this railway. Less than 3 months later, we find the Minister guilty of telling a falsehood, if I could put it mildly, of being a bloody liar if you like to put it the other way. Ministers are like computers, if you put the wrong advice in, you get the wrong answer out, and I think that is what has happened here. Sure, the North Australia Railway is not paying. Why should it? There has never been any imagination put into the running of the show. The Katherine meatworks was running for 13 years, and there was never a spurline from the North Australia Railway into that meatworks. This would make it unique in the world. If the cattle came to Katherine by road, they went straight to the meatworks; if they came by rail, they had to be transhipped at the railway yard and carted the extra 2 or 3 miles by truck. All the processed meat, the whole of the turnoff from the meatworks, had to be taken to Darwin, or wherever it went, by road, despite the fact that there is a railway there.

This to me indicates a lack of imagination on the part of the railway officials.

Another thing that worries me now is that, if the export market for cattle is revived, we have no loading facility here at the wharf. It was pulled down by someone in Canberra, or on instructions from someone in Canberra, without any consultation with the Primary Industries Branch here. What we are really getting to is the lack of consultation. Another case of this, of course, is the closing of the Katherine meatworks. We find that cattlemen were not consulted about that, and neither was the Government. The meatworks was just closed, the employees were sacked, and that was that. The Government has taken a page out of Northmeat's book and they have done the very same thing to the North Australia Railway.

What do we do to make this railway pay? I suggest one of the best things would be to cater for the people who would use it. In the 30 years that I have been around Mataranka, we used the railway all the time, except for about the last 15 years, and during those 15 years I do not think I have used the railway at all. About 15 or 20 years ago there was an airconditioned rail coach put on. I do not know what happened to it but it has not been running for a long time now.

If imagination was used, I do feel that the railway could make up this \$1m that it is losing annually. One of the big problems I think with the last deficit was the fact the Central Australia Railway was out for months. As you know, much of the goods that come to Darwin, much of the goods that use the North Australia Railway, come to Alice Springs by rail; they are shifted to Larrimah by truck and then on by rail from Larrimah. Naturally, if the Central Australia Railway is floodbound and inoperable, that freight would not come. So that is another reason, apart from the cyclone, why that year was a bad year.

We are talking about money; we are talking about \$1m here and \$1m there and bits and pieces like saving

\$26,000m, but we see that, with this Government, charity does not begin at home. Our foreign aid program is up 14%. That is fair enough; I suppose it is another way of buying friends. But surely when you think about buying friends you think about people; this was one of the boasts of the previous Government: it is people that matter. I believe this. I believe in the people at Mataranka and the people at Katherine and the people at Larrimah, and I believe it is a catastrophe when their jobs are gone. With their jobs, they would probably lose their houses. Do people ever think about these things? There was a meeting in Katherine on Monday when a petition was handed over to me to present here. Over 700 people expressed their concern. People came from Burrundie in the Victoria River electorate and from Pine Creek in the same electorate; they came from Mataranka and Larrimah and Katherine to express their concern because it is not only their jobs that have gone, it is their accommodation. People who live in Mataranka do not particularly want to live in Alice Springs or Darwin. For one reason or another they like Mataranka; it is as simple as that. People who live in Larrimah do not want to go to Mataranka. They live in Larrimah; that is where their job is. Suddenly they are not only out of a job, they are out of a home. Education comes into it. Many of these people are married; they have children and the children are going to school. What happens then? Sure, you say, go to another school. But there might not be a job where the education is. There are 2 big schools in Katherine.

Both storekeepers spoke strongly against the move to close the railway. One, the owner of the Katherine Stores, Mr Les Cox, likened the position to a man with an infected finger. There is something wrong with the railway and there is something wrong with a man with an infected finger - and to cure him you cut off his head! It is simple, is it not? It fixes his finger. Mrs Cox from C.J.A. Cox and Co spoke. They have been using the railway ever since they can remember, ever since they started, and suddenly, without even the courtesy of a warning,

we hear this - not from the Minister for Transport but from the Treasurer for God's sake! He mentions it in his minibudget speech.

There is a letter here from Mr Ah Toy from Pine Creek which is not in my electorate; it is in the honourable Majority Leader's. He says:

The railways have been our lifeline to carry the bulk of our stores into Pine Creek for over the past 25 years. They have supplied a weekly and, when required, a twice-weekly service to us, carrying goods from Darwin and interstate. During this period, we have received much business patronage from the railway fettlers from both Pine Creek and Burrumdie. If the railways were to close, our business would be grossly affected by the destruction to our supply of goods and the loss of the support by the railway fettlers. Please convey our concern and that we strongly support the railways to remain open, and the loss of the support by the railway fettlers.

The people at Larrimah are a bit more charitable than I am: "While the necessity for government cutbacks is realised, we ask you for your assistance to have all essential services such as electricity, water, telecommunications and education retained in this town. In the event of the cessation of the rail service, we ask that full use be made of the existing facilities by other government departments." They are reconciled to the closing of this link.

One of the last things the honourable member for Ludmilla said during his speech was about the future. Surely, when we are talking about the closure of the railway, we are neglecting to think about the future. I think the railways, like meat works, when they close just do not open again.

Mr RYAN: It appears from the speeches here today that the Assembly is united on this issue. I detected some note of agreement by the honourable member for Ludmilla so I include him in the total. We are responsible collectively to the people of the Northern

Territory and our action today should make the Government recognise that the decision to close the railway was wrong and not in the best interests of the people of the Territory. In closing the debate, I hope that the Government recognises this and that the people who made the decision are big enough to reconsider the decision and reverse it.

Motion agreed to.

BUSH FIRES CONTROL BILL

(Serial 114)

Bill presented and read a first time.

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

In the principal ordinance, there is provision for the Administrator to appoint 9 members to the Bushfires Council and 5 of these members are to come from various government branches which have a particular contribution to the operation of the board by virtue of their professional experience. With the passing of time and as a result of departmental organisation, it has now become impossible for the Administrator to appoint departmental officers who would be able to make the greatest contribution to the operation of the board. Clause 4 of this bill allows the Administrator to appoint departmental officers to the board on the basis of their expertise rather than on the basis of the branch of government from which they come.

Clause 5 of the bill allows departmental officers to remain on the board at the pleasure of the Administrator although members of the public appointed to the board will still hold office for 2 years and they may be reappointed to the board.

The proposed amendments to the ordinance are purely mechanical; they do not alter the spirit of the principal ordinance and I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Miss ANDREW (by leave): I move that so much of standing orders be suspended as would prevent me presenting 3 bills together and -

- (a) the 3 bills being read a first time together and one motion being put in regard to respectively the second readings, the committee's report stage and the third reading of the bills together; and
- (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

NATIONAL PARKS AND GARDENS BILL

(Serial 110)

PORTS BILL

(Serial 111)

LOCAL GOVERNMENT BILL

(Serial 112)

Bills presented and read a first time.

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

During 1974-75, the bylaw-making provisions of the Ports, National Parks and Gardens and Local Government Ordinances were amended. The purpose was to make the provisions consistent and to ensure that all bylaws made were reviewed before they were brought into operation. In each of the ordinances a provision such as the following section 351 (1)(c) of the Local Government Ordinance was inserted: "(c) comes into operation on the day on which the notice of the confirmation of the bylaw by the Administrator in Council is published in the Gazette or, if a later day is specified in that notice, as the day on which it comes into operation on that later date."

This provision would seem to remove from the bylaw-making authority the

power to make bylaws for future operation. The power to determine the date of operation is vested in the Administrator in Council. A commencement clause in a bylaw purporting to bring the bylaws into operation on some future date to be determined by the authority and published in the Gazette is probably ultra vires to the authority. Notwithstanding that clause, the bylaws would probably come into operation on the date of publication of the Administrator's Council confirmation or a date specified in that notice.

It is reasonable that an authority should have the power to fix a forward date for the operation of bylaws. For example, the Port Authority, when it introduced a bylaw concerning the licensing procedures for small craft, made the bylaws available to the public but did not bring them into operation for some 6 months, thus giving people time to obtain equipment and ready their boats before the bylaws came into operation. They took similar action in foreshadowing increases in berthage fees etc. This legislation is concerned only with the promulgation of the law. Each bill simply gives the power in clause 4 to the Reserves Board, the Port Authority and the local councils respectively to fix the commencing date for the bylaws made by them. Each is a responsible body having full facts, figures and reasons for the bylaw at their disposal. Consequently, I feel that they are the best judges of the need for commencement.

Debate adjourned.

LOTTERY AND GAMING BILL

(Serial 109)

Bill presented and read a first time.

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

This is a rather short and simple bill. It relates to the provisions of section 72 of the Lottery and Gaming Ordinance and the licensing of dog racing grounds. In 1960, when a debate occurred on this subject to allow proprietary companies to conduct dog racing, there were restrictions placed

in the ordinance at that time restricting dog racing to within a radius of 20 miles of the Post Office at Darwin. It is very interesting to read the debates of Hansard in 1960 for the reasoning behind this. The then member for Stuart, Mr Petrick, reported that he could not support the bill allowing dog racing because there were many sheep in his electorate. Dog racing, he said, might be all right in the Darwin area and the residents in Darwin could have it as far as he was concerned, but he continued, "Do not let it be brought into the centre because there are already too many dogs there, a good number of which should be but are not being destroyed". That might be true in relation to dogs generally but there has been an interest expressed in central Australia, and in other parts of the Territory, for organised dog racing to be conducted and the present provisions of the ordinance prevent the Administrator from allowing dog racing courses to be licensed outside the 20 mile radius from the Post Office of Darwin.

It has therefore been considered that this limitation be lifted and that persons who wish to show an interest in dog racing and promote this sport may do so in wider parts of the Territory.

Debate adjourned.

REGISTRATION BILL

(Serial 99)

Bill presented and read a first time.

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

It would seem most inappropriate that appointments to Northern Territory functions, especially those which are self-contained such as that of the Registrar General, should be made by a remote Federal Government. Under current legislation, the Registrar-General can only be appointed by the Governor-General and hold office at his pleasure. This is both cumbersome and unnecessary and in the instance of the appointment of the Deputy Registrar-General it is totally inflexible. This legislation will amend the ordi-

nance, transferring the right of appointment of the Registrar-General from the hands of the Governor-General to the Administrator in Council.

This is another instance of bringing powers previously held by Canberra to a representative Northern Territory body.

Clause 4(1A) of this bill provides for the appointment of Deputy Registrars-General to be made by the Administrator. This will allow for considerably less delay than is the case at present. It would seem ridiculous that the Registrar of Companies is appointed by the Administrator's Council but the Registrar-General and his deputy by the Governor-General. That matter is, as I have said, self-contained and as such is a right and proper function as well as being more expeditiously performed under local control.

At the last sittings, legislation was passed allowing any judge of the Supreme Court of the Northern Territory to sit on the various arbitral tribunals. The Registration Ordinance is legislation which was drafted when there was only one judge in the Northern Territory. This is now inappropriate as we have 3 judges of the Supreme Court. Clause 5(b) of this bill removes the reference to the judge which has caused confusion, because this would be taken to refer only to the senior judge, and substitutes: "a Judge of the Supreme Court of the Northern Territory", thereby referring to any of our now 3, perhaps later more than 3, judges.

Section 6(2) of the principal ordinance contains saving provisions relating to actions taken by Registrars, Deputy Registrars and Acting Registrars under earlier legislation. It enables, where necessary, the action to be continued by current incumbents of these offices and so refers also to current positions of Acting Registrar. As this reference is no longer appropriate, I foreshadow an additional amendment to remove this reference from the ordinance. I commend the bill.

Debate adjourned.

MOTOR VEHICLES BILL

(Serial 106)

Bill presented and read a first time.

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

This bill seeks to amend section 10A of the principal ordinance and to repeal sections 80, 80A and 80B. Section 10A deals with provisional drivers' licences. When introduced originally in the then Legislative Council, the legislation intended that provisional licences were to be issued to the following categories of persons: (a) those who had never held a licence either in the Territory or elsewhere; (b) those who had not held a licence for a continuous period of 12 months; (c) those returning to licence status after a period of disqualification. Unfortunately, the wording which appears in the current legislation has produced some confusion as far as (b) is concerned. The wording currently is: "(b) has not held a licence for a period of at least 12 months immediately preceding the application". The interpretation that this engenders is that a person whose licence expires and who fails to renew it for a few days, say a week, after expiry, has not held such a licence for a period of 12 months immediately preceding the application. This being the case, that person must be issued with a provisional licence. This situation is quite ludicrous.

Whilst the situation cited is one which cannot be permitted to continue, it is considered that if a person has let his licence lapse for some lengthy period, say 5 years, he should be issued with a licence that is provisional. Consequently, this amendment will now take care of that problem by changing the wording in that particular section of the ordinance to: "(a) has not for a continuous period of 12 months during the 5 years immediately preceding the application held in the Territory or elsewhere a licence to drive a motor vehicle".

Clause 5 repeals section 80, 80A and 80B of the ordinance. This particular

section was brought to my attention some months ago. The reason that it was brought to my attention is that it requires owners of a motor omnibus, public hire cars or private hire cars to insure themselves against damage to property caused by that vehicle in its use. And "third party property", as it is commonly known, has become rather expensive in the Northern Territory. I cannot speak for the other states but certainly in the Northern Territory it now ranges from \$60 to, I believe although I have not substantiated it, \$250 a year. I know for certain it goes as high as \$100. I did hear that there was an insurance company that was charging \$250; I have not substantiated this. Nevertheless the situation existed where the owner of a hire car, if he had 10 hire cars, had to take out 10 third party property insurances, even if he had comprehensive insurance. We all know that; if you have comprehensive insurance, you are covered for damage to the other vehicle or property.

I did look into amending this particular section of the ordinance to enable them not to take out insurance to any great extent but to give them a reasonable cover. Then I got to thinking why motor omnibus operators and hire car operators should be subjected to this when other vehicles on the road, such as graders, trucks, road trains, many other quite large vehicles which can cause considerable damage, are exempt. Consequently, I did not feel that it was necessary to extend the provision of the ordinance; I felt that it was more equitable to actually take this part of the ordinance out as I feel that it is certainly inequitable and I do not feel that it should be extended to other forms of transport. This is the purpose of removing those sections 80, 80A and 80B from the principal ordinance. I commend the bill.

Debate adjourned.

ADOPTION OF CHILDREN BILL

(Serial 101)

Bill presented and read a first time.

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

In presenting this bill, I foreshadow that I will be seeking leave to withdraw bill serial number 88. This bill is substantially a redraft of bill serial 88 and is designed to remedy certain deficiencies in the Adoption of Children Ordinance that have only recently become evident. These deficiencies relate to adoption orders made under earlier ordinances.

Members may be aware that the present Adoption of Children Ordinance was passed by the Legislative Council in 1964. However, prior to the passage of that ordinance, there were 2 earlier Adoption of Children Ordinances in the Northern Territory, one having been passed in 1935 and one in 1949; neither are now in force. Difficulties had arisen when persons adopted under these earlier ordinances applied to the Registrar-General for copies or extracts of their birth certificates. The Registrar-General has taken the view, based on the wording of the present ordinance and regulations, that he is unable to make out and issue a copy or extract of a new birth entry for such a person. I refer to section 51 of the present ordinance and regulations 8 and 9 of the Adoption of Children Regulations. Members will no doubt realise that, for a variety of reasons, it is necessary to be able to obtain birth certificates, and there is no reason why persons adopted under earlier ordinances should be under any disability in this regard. The purpose of this bill is to correct this position.

The principal clause of the bill is clause 9. Proposed new subsection (2) of section 51 of the principal ordinance is designed to incorporate the register of adopted children kept under the Adoption of Children Ordinance 1949 with the register of adoptions kept under the current ordinance. At present, the old register has no legal status. The purpose of the rest of clause 9 is to enable the Registrar to obtain particulars of old adoption orders and to record them in the register of adoption where they are not already recorded in the register of

adopted children. If the adoption relates to a child born in the Northern Territory, the Registrar will be able to either make a birth entry or alter an existing birth entry. It will also enable him to do this where old adoption orders are recorded in the register of adopted children. Clause 9 will enable a copy or extract or an appropriately worded birth entry to be made available to anyone who was adopted under an earlier ordinance and who requires it, thus alleviating the present difficulties. These difficulties have been pouring in to my office in the last few weeks - people simply cannot get birth certificates.

One other important matter is dealt with in this bill. Under part IV of the principal ordinance a person may apply to the Supreme Court for an order recognising a foreign adoption as having the same effect as an adoption order made under the ordinance. However, there is no provision for registering such an order in the register of adoption and, if the adoption relates to a child born in the Northern Territory, making a new birth entry or amending an existing birth entry. Clause 8 of the bill proposes to make provision for this. I understand there has been one recent instance where a child born in the Northern Territory was adopted in Papua New Guinea. At present it would not be possible to use part IV of the ordinance to obtain an amended birth entry showing the correct particulars.

The remainder of this bill contains purely technical amendments. If this bill is passed, it is proposed to make consequential amendments to the Adoption of Children Regulations, the amendments to come into force at the same time as this bill. I commend the bill.

Debate adjourned.

RADIOGRAPHERS BILL

(Serial 98)

Bill presented and read a first time.

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

This bill is introduced as a substitute for a bill of the same title already on the notice paper. It is intended to withdraw that bill, serial 97, at a later stage because of the large number of typographical errors in it. Some further amendments have also been made and it is considered that this method of operation will save the time of the Assembly.

The bill now before us is essentially the same as the earlier bill. There are, however, some amendments incorporated in it to which I would like to draw honourable members' attention as they are of a more substantial nature than simply rectifying minor drafting or printing errors. The first of these is to be found in clause 12(2) of the bill. In the original bill, this clause extended eligibility for registration to a person who was qualified for the certificate of competence granted by the Conjoint Board of the College of Radiologists of Australasia and the Australasian Institute of Radiography. That certificate has now been replaced by a diploma of qualification, the requirements for which are exactly the same as previously applied to the certificate of competence. The name of the former College of Radiologists of Australasia has also been changed to the Royal Australasian College of Radiologists. Again, there is nothing more involved than the change of name and the wording used in clause 12(2) simply takes into account these changes without altering the practical effect of the clause.

Clause 14(1)(a) has also been amended. In the original bill, this clause provided the board with the power to discipline a registered person who failed to comply with a prescribed professional and ethical standard and clause 20(c) provided the Administrator in Council with the power to make regulations prescribing such standards. It is considered better to leave the determining of ethical standards within the profession to the profession itself and the clause has therefore been re-drafted to accomplish this and remove the necessity for regulation. The supplementary amendment to clause 20 has also been incorporated in the bill.

The provisions of clause 16 which provides a right of appeal against decisions of the board have been extended to include new subclauses (2), (3) and (4). These subclauses detail procedures for submitting such appeals but do not affect the main substance of the clause as appearing in the original bill.

Clause 18 (1) has been amended to require a radiographer in training to practise under the supervision of the registered person rather than at the latter's direction as was provided in the original bill. The use of the term "supervision" provides for a greater degree of control than would be necessary over the person acting under direction and I feel sure honourable members will agree that this is desirable.

Clause 20 introduces a requirement that was not included in the original bill. This is a requirement for registered persons and holders to maintain records relating to persons exposed to radiation. The clause also requires such records to be produced upon demand to the board. Inclusion of this provision is intended to provide the board with a direct means of supervising activities of a person authorised to carry out radiographic procedures and to provide information which may assist in safeguarding against individual patients being subject to overexposure to radiation.

The amendments to which I have referred were requested by the Department of Health which sponsored the original bill. There are, however, some further amendments which the Executive considers necessary and I foreshadow their introduction during the committee stages. Firstly, it is proposed to add a new paragraph to clause 14(1) to provide the board with the power to discipline any registered person who breaches any provision of the ordinance or who, for any other reason, the board considers unfit to continue to be registered.

Amendments to clause 16 will be presented to specify that applications under subclause (2) are to be in writ-

ing and also add a new subclause providing for a magistrate determining an appeal to award costs. It is also proposed to introduce an amendment inserting a new clause providing for the appointment of inspectors and defining their duties and powers. In essence, the function of such inspectors would be to inquire into the activities of persons who have applied for either registration or the grant of a practising certificate or permit. It is also envisaged that these inspectors would be the persons to periodically inspect records required to be maintained under clause 20 of the bill, and a machinery amendment to that clause will also be presented for this purpose.

Probably the most significant of the amendments will be those to clause 19, the clause providing for the issue of permits to practise to persons who are not qualified for registration. It is proposed to add several new subclauses to this clause. One of these will provide that a person who is qualified for registration as a chiropractor within Australia is to be eligible for a permit to practise radiography. Honourable members are no doubt aware that the taking of x-rays is a necessary adjunct to the practice of chiropractic and it would be unreasonable to leave the board the discretionary powers to grant a permit or not in this particular case, remembering that chiropractors do not have access to other x-ray facilities. I am aware that the medical profession generally is opposed to the practice of chiropractic. However, the inquiries I have made have satisfied me that the training undertaken by chiropractors includes sufficient tuition in radiographic procedures to enable them to safely use x-ray equipment during the normal course of their work. Additional new subclauses proposed to clause 19 will provide the board with wider powers in relation to the control of permit holders and these will be a safeguard against the misuse of x-ray equipment by chiropractors and other permit holders.

A further amendment proposed is a new clause making it an offence to carry out radiographic procedure using equipment which, in the opinion of the

board, is not safe for that purpose. This is an additional safeguard which I feel sure honourable members will support. There are also 2 or 3 minor drafting errors in the bill and amendment will be introduced to rectify these.

This bill provides an effective means of exercising control over the use of procedures which, although they are of immeasurable benefit, can also be dangerous when not used with care by trained persons. Its introduction is long overdue and I commend the bill to honourable members.

Debate adjourned.

NATIVE AND HISTORICAL OBJECTS AND AREAS PRESERVATION BILL

(Serial 107)

Bill presented and read a first time.

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

The Northern Territory has certain unique features and many historical items and many of these have not been found because of the isolation. Over the last 2 years much publicity has been given to the search for the Kookaburra aircraft yet no one has found it because of the difficult country in which it lies. Indeed, other states have shown interest. The Northern Territory has in many ways a long history and this must be preserved. It also has relatively few traditions which must be kept and encouraged. People must be prevented from damaging, destroying, removing or exporting what we do have. Already many items of Aboriginal significance have been removed willy-nilly by people. The burst of enthusiasm for the collection of items has placed a lot of the Northern Territory's historical objects under threat. A very good example is agricultural implements which seem to be rapidly disappearing from various areas around Alice Springs.

This legislation enables the Administrator to make a declaration providing immediate protection for an object or an area where necessary while regula-

tions are being prepared. This will provide for the declaration to be effective only until the next Administrator's Council meeting where the matter can be fully discussed and a decision made by the council. I advise honourable members that I will be inviting defeat of clause 5 because this matter has already been covered by previous amendments to the principal ordinance. I feel that this legislation enabling the Administrator to make declarations, as more and more areas of the Territory are fully explored, will go a long way in future towards helping build up a collection of objects and indeed areas which portray a history and encourage preservation.

Debate adjourned.

MINES SAFETY CONTROL BILL

(Serial 120)

Bill presented and read a first time.

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

For some considerable time, there has been a need for legislation to replace the existing Mines Regulations Ordinance, an ordinance which was based on the Western Australian Mines Regulation Act of 1939 and, whilst it was satisfactory in the days of the small prospector or gouger, it is now quite inadequate for modern mining machines and methods. In addition, administrative procedures are poor and indecisive so creating uncertainties to the obvious disadvantage of an industry where operations could be seriously affected by a variance of opinion between different inspectors of mines. That this existing legislation has worked at all is due to the quality of the personnel involved to whom all credit is due.

The aim of the Government is to provide through this bill the best possible legislative controls to safeguard the lives and health of all employees in the mining industry. The bill is to act as the vehicle whereby safety regulations can be made and whereby the mining industry can design its machinery and procedures without the present

inherent uncertainties of the Mines Regulation Ordinance. Over many years, successive conferences of Chief Inspectors of Mines from all states have agreed upon regulations which are known as the Basic Code for the Operation of Mines and Quarries, with the exception of coal mines; the code contains rules applicable to all operations involved in the mining and treatment of ores to the stage of refined metals. These rules are constantly being updated to cover modern mining machines, practice and health matters. All states, as well as New Zealand and Papua New Guinea, have agreed to incorporate these rules as regulations in their legislation as and when the opportunity to change legislation occurs. The Mines Safety Control Bill will allow this basic code as well as the code of practice on radiation protection in the mining and milling of radioactive ores to be enacted as law, so making the Northern Territory a leader in mining legislation.

Mining is the major industry of the Northern Territory and, although there has been a degree of stagnation in the last 3 years, especially on the exploration side, many millions of dollars have been spent in the last decade on mines and plant. On the Gove Peninsula, the Nabalco bauxite-alumina complex cost over \$310m; on Groote Eylandt, the Groote Eylandt Mining Company has spent over \$70m on developing the island's deposits of manganese; at Tennant Creek, Peko Mines Limited has spent \$26m on a smelter complex and, in addition, has developed the Warrego mines to the tune of \$30m and the Gecko mines for an additional \$7m. There are many types of mining operations in the Territory: underground, open-cut, quarry, treatment plants and smelters. In addition, new mine workings involving large capital investments are projected and these include the McArthur River silver-lead-zinc project which could result in one of the world's largest silver-lead-zinc mines, the uranium province in Arnhem Land in the Alligator River region and the oil refinery at Alice Springs.

In such a vast region as the Territory, there are problems in the administration of any legislation due to dis-

tance and mode of transport, poor communications in isolated areas and, more especially, the difficulty of recruiting and keeping qualified personnel. The Majority Party is in concurrence with the Federal Government in seeking a rationalisation of bureaucratic procedures, both from an economic point of view and as a means of curtailing the menace of Parkinson's law, a law so eminently propagated by the previous Government.

I believe that the way of ensuring such a rationalisation is to consider that a mine includes all types of operation, for example: the winning of minerals from a stope, open-cut or quarry face; the blasting necessary to achieve those operations; the haulage of the mineral, no matter whether it is an underground or a surface mine; winding; all facets of a treatment plant and metallurgical operations; the transport and storage of waste materials; electrical and mechanical installations and maintenance and civil engineering construction on mining tenements. The appropriate application, operation and administration of this legislation should therefore be undertaken by one government body; namely the Mines Branch, a branch which has the available expertise and, as previously mentioned, admirably administers the existing inadequate legislation.

Treatment plants and other improvements encountered in mining operations and which are peculiar to the industry will come under the Mines Safety Control Bill which is specifically designed to cover all operations on mining tenements. It is intended to add to the power to make regulations set out in the bill, a power to make regulations to provide a satisfactory control of the disposal of mine wastes whether they be in solid, liquid or gaseous forms.

Members will have noted that the bill is titled the Mines Safety Control Bill. This change of name has been brought about for 2 reasons: firstly, the bill is new legislation and not just a rehash of the existing Mines Regulation Ordinance and, secondly, the change is to alleviate the confusion

which has sometimes arisen between the names, "Mines Regulations", which are the regulations under the Mines Regulation Ordinance, and the Mining Regulation Ordinance itself. Additional confusion arises between the names "Mines Regulations" and "Mining Regulations" which are regulations under the Mining Ordinance.

I will now give a review of the bill and compare it with the existing ordinance where it is thought this will help explain the reasoning behind certain of its provisions. Part I deals with the preliminaries, especially it repeals the existing Mines Regulations Ordinance and, by so doing, creates the need for consequential amendments to the Explosives Ordinance and the Inspection of Machinery Ordinance. An assurance is given to all existing inspectors, managers and winding engine drivers that their appointments or certificates are continued under the new bill. A comprehensive section of interpretation defines such words as "excavation", "mineral", "open-cut", "treatment" etc, definitions which leave no doubt as to their meaning and scope.

Perhaps the more basic and therefore controversial definition is that of a "mine". The definition in the present ordinance is "a place within the Territory where any operation for the purpose of obtaining any metal or mineral has been or is being carried on and where the products of any such place are being treated". It was this definition that was used as a base by the Government many years ago in deciding that the Mines Branch should control mines. The definition in the Mines Safety Control Bill is more lengthy, but does not in fact extend that definition more than to include waste dumps and tailings dams, items in which stringent controls are necessary. There will also be controls which will protect the employee, the public and the environment.

A treatment plant as well as all other improvements are included in the definition of "a mine", the only exception could be where the treatment plant is many hundreds of kilometres away. Prospecting operations where at least 2

men are employed are specifically mentioned so making it clear to prospectors on mining tenements and those in charge of exploration drilling of mining tenements of their responsibility to report accidents or dangerous conditions and occurrences to the appropriate authorities. In addition, it may be appropriate to use the expertise of the Chief Government Mining Engineer and his staff on such projects as tunnels, deep sewers etc. Procedures are laid down in the bill whereby the Administrator may declare any such place to be a mine, so ensuring that the full provisions of the bill are applicable to those areas with the resultant ensured safety of the employees.

Part II, which deals with the administration of the bill, is distinct from the present ordinance and describes in particular the qualifications necessary for officers to be government mining engineers whose duties are unrestricted and officers who shall be district inspectors for the performance of duties in specified areas of the Northern Territory.

Provision is also made for the appointment of special inspectors. They may be officers who are inspectors of explosives under the Explosives Ordinance, inspectors of machinery under the Inspection of Machinery Ordinance or other persons with expertise in a relevant subject. It will therefore allow persons qualified in radiation safety to be appointed as special inspectors should approval be obtained for the commencement of uranium mining. All appointments are to be approved by a mining board which is to be established under the bill.

The composition of the Mining Board and its functions are covered in Part III. The board is to consist of the Director of Mines, the Chief Government Mining Engineer and an officer appointed by the Administrator in Council and 2 experienced representatives from the mining industry. It will approve the qualifications of officers or other persons for appointments under this bill. It will act as the final arbiter in the case of appeals against discretionary decisions and it will advise the

Administrator on the operation of the bill or on matters arising out of or in connection with the bill. Additionally, the Mining Board is to be a medium for cooperation between the Administration, the mining industry and the labour component of the industry without which we could not function.

Part IV deals with the inspection of mines and is mainly concerned with provisions relating to the powers of inspectors. Perhaps the most important provision is that relating to dangerous conditions and the manner in which an inspector may give directions to remedy any situation. Rapid advances in technology have made it necessary to give fairly broad powers of discretion to inspectors and especially to the Government Mining Engineer. For this reason, provision is made for appeal to the Chief Government Mining Engineer against a decision or action of an inspector and in turn an appeal to the Mining Board against a decision of the Chief Government Mining Engineer.

The decision of the Mining Board is final. Subject to any other law in force in the Territory, only the Chief Government Mining Engineer or an officer authorised for the purpose by the Administrator may initiate or conduct prosecutions for offences committed under this bill whereas, under the existing legislation, an inspector may do so. This is in no way meant to reduce the authority of a government mining engineer or inspector but rather to ensure that prosecutions, when necessary, are brought at the highest practical level possible. This part also covers the provision of record books, employees' powers to appoint miners to inspect mines and inquiries by inspectors into complaints. These latter provisions differ little from the existing legislation.

The appointment of and responsibilities of managers are covered in Part V of the bill, the provisions of which are similar to those contained in the existing legislation with the addition that assistant managers responsible to the manager may be appointed by the owner or agent or may be required by the Director of Mines. In the case of larger mines, both

underground, which includes the employment of more than 10 men, and open-cut where more than 20 men are employed, the qualifications of a manager must be approved by the Mining Board. An additional proviso is that the manager, deputy manager or assistant manager must be willing to accept their respective positions.

Although the bill is designed to prevent accidents and injuries, they will nevertheless still occur and Part VI of the bill concerns actions subsequent to accidents, the method of reporting accidents and inquiries into cause of accidents. In order to achieve uniformity throughout Australia, definitions for such phrases as "work injury", "permanent disability" etc are set out as in the Standards Association of Australia code book "Recording and measuring work injury".

This bill has safety provisions relating to the protection of abandoned shafts and the responsibilities as to safety fences and the filling in or covering of abandoned or disused shafts and mines. Dangerous excavations are also included in this part. The existing ordinance puts the onus of responsibility on an inspector to require an owner or agent or manager to make shafts or dangerous excavations safe. The Mines Safety Control Bill reverses this, placing the onus on the owner, agent or manager unless exempted from doing so by an inspector.

Part VII deals with employment and, in common with the states of Australia, the restrictive provisions relating to Sunday work on mines in the existing legislation has been deleted as it is considered that setting conditions for Sunday work is an industrial matter. The minimum age for work underground has been set at 18 which conforms to the standards of the ILO convention although provision is made for this to be varied under special circumstances by the Chief Government Mining Engineer. The minimum age at which a person can be employed in a mine is set at 15 years to correspond to the school leaving age. In line with current thinking and trends of other legislation, the old clauses barring women from underground employment has been deleted.

This should widen the employment opportunities in both manual and professional occupations which are at present closed to them. I do not, however, expect a sudden rush of our better halves to Tennant Creek.

Winding, which forms an integral and most important part of underground mines, and winding engine drivers are covered in Part VIII of the bill. Provision is made for the issue of winding licences for the use of winding engines not exceeding 40 kilowattage and winding permits which will cover the use of winding engines not exceeding 15 kilowatts and which are not used for raising or lowering men. This action necessitates the removal of references to winding and the winder driver's certificates from the Inspection of Machinery Ordinance and therefore consequential amendments to that ordinance are to be made. The result of this action will be to control winding, including winding engines, ropes, cages, spikes, kibbles etc and winding engine drivers under the very modern provisions of this bill. In passing, it should be stated that a winding driver under the present Inspection of Machinery Ordinance has to have experience on steam engines before he can obtain a certificate of competency, a situation which is rather archaic in these days of automatic or semi-automatic electric winders.

Provisions relating to plans of mines are covered in Part IX in which, as distinct from the existing ordinance, an inspector will be able to require plans for open-cut workings as well as those underground. The mine surveyor making the survey will have to have qualifications and experience complying with standards laid down by the Mining Board.

Part X is a comprehensive section dealing with the powers of the Administrator to make regulations and approve special rules. The regulations which can be made cover the whole field of mining and include machinery, explosives, dredges, electricity etc and, as mentioned earlier, will be able to cover the disposal and control of mine wastes. In addition, the Director of Mines may make an order setting stand-

ards to apply to mines. These standards could incorporate, in full or part, those of the Standards Association of Australia, the British Standards Institution or some other similar body.

The use of explosives on mines has traditionally in Australia and elsewhere been within the purview of legislation administered by the Department of Mines or, in the case of the Northern Territory, the Mines Branch. Provision has therefore been made for regulations to be enacted under this bill to allow for the usage, storage and transport of explosives on mines, both underground and surface. This will result in consequential amendments to the Explosives Ordinance. Provision is also made for an inspector to require a manager to draw up rules applicable to persons handling explosives in or about a particular mine and rules that will take into account local conditions which affect the order, discipline, protection and health for the people working in that mine. These rules would have to be approved by both the Chief Government Mining Engineer and the Mining Board before being submitted to the Administrator for approval.

The concluding section of the bill, Part XI, Miscellaneous, relates to the usual provisions of compliance and penalties.

The bill is very comprehensive and is designed to replace the existing Mines Regulations Ordinance, the unsatisfactory features of which forced the Northern Territory Chamber of Mines in 1972 to engage a mining consultant to prepare a draft for a completely revised ordinance and regulations. The consultant, Mr Morley, was for many years the State Mining Engineer in Queensland and was widely known and respected as a mining safety engineer. Although Mr Morley was commissioned by the Chamber of Mines, he carried out his task with the very close cooperation of the Mines Branch of the Department of the Northern Territory. His final draft which was the basis for this bill was prepared after accord had been reached at conferences with government officers and leaders of the

Northern Territory mining industry. The draft was also discussed with the Quarrying Institute and the North Australian Workers Union representatives. In addition, it was referred for consideration to the then Department of Minerals and Energy and the Department of Labour. There were no objections to the proposed ordinance.

The present Mines Regulation Ordinance is obsolete for modern mining machinery and methods. It is therefore very desirable that this bill which, through subsequent regulations will embrace such items as safety of structures in rock, sanitation, dust hazards, fires, escape ways and the exclusion of persons with communicable diseases, be brought into law as soon as practicable. It covers a much wider field than the existing ordinance and, for that matter, the Explosives Ordinance and the Inspection of Machinery Ordinance. I ask all members to give it their urgent consideration and subsequent support so as to ensure that the safety and health of all those employed in the mining industry can be more adequately protected and controlled. It is the intention of the Majority Party to let this bill lie on the table for several months to enable the widest circulation to all parties involved in the industry. The Majority Party, and myself in particular, will appreciate any constructive criticism of the bill.

Debate adjourned.

CO-OPERATIVE SOCIETIES BILL

(Serial 103)

Bill presented and read a first time.

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

The limits on loans which may be made by a credit society to its members are contained in section 14D of the principal ordinance. These provisions were last amended in 1972 and gave the following limits: in the case of a secured loan, the maximum amount is \$3000; in the case of an unsecured loan, the maximum sum is \$1000 or, in respect of a specially approved

society, \$1500. Honourable members will appreciate the considerable changes in money values between 1972 and today. Representations have been received from credit societies that those limits are inadequate for present borrowing needs. New loan limits were proposed and, after consideration, they are accepted as realistic in terms of today's money values.

The purpose of this bill is to amend the loan limits to the new proposals which are: in the case of an unsecured loan, a maximum amount of \$2000 or, in respect of a specially approved society, \$3000; in the case of a secured loan, an amount equal to 1 per cent of the total assets of the society or \$4000, whichever is the greater. Provision exists in the principal ordinance for the declaration of a society which satisfies the standards required by the Registrar of Co-operative Societies as a specially approved society.

This bill preserves existing declarations but empowers the Registrar to revoke them if necessary. Honourable members will note that, instead of merely amending figures, the opportunity has been taken to repeal and restate the section. I think it will be agreed that the new statement is more easily followed. The proposed rates are generally those now applying in New South Wales. This is a simple measure and should be acceptable to all members. I commend the bill.

Debate adjourned.

ADJOURNMENT DEBATE

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

Mr DONDAS: I rise to speak partly about a question I asked this morning of the Executive Member for Social Affairs. My question was in relation to when the Block 8 cafeteria would reopen. The Executive Member for Social Affairs' reply was in the form of a letter received from the Department of the Northern Territory and signed by Mr B.L. Walton, the secretary. Upon perusing the letter, I find that the contents of it, as our honourable member for Jingili would say, is a lot of humbug.

The letter states that delay in reopening the cafeteria area has been brought about because the original contract for the construction of the building has not been completed. In parts, this particular sentence is correct. However, it is not correct to the point that the cafeteria area that is situated on the ground floor of Block 8 was handed over to the Department of the Northern Territory in May 1975. I do not know what that particular answer was there. "The Department of Construction has been advised legally that it would be imprudent to commence repairs prior to the building being handed over from the builders." But that particular part of the building has already been handed over. I do not know what Mr Walton is talking about. "The department has prepared estimates for repairs for submission to the Darwin Reconstruction Commission immediately the building contract is complete and is currently looking at alternative types of finish to the floor area." At the moment, it is a parquet floor which is a timber squared floor. My professional advice would be that it would not be too much to put a bit of vinyl floor covering down which would make the area complete. However, it is hoped that the cafeteria will be in operation by the end of the calendar year. If I was in private enterprise and I wanted to protect my investment, I would have that place open in 2 weeks. You have the Department of the Northern Territory which is a huge department but cannot even get a floor operation like that completed in 2 weeks. In private enterprise, I could turn around and get it going with the limited resources that I had to hand.

The honourable member for Ludmilla asked what will happen to the DRC. The DRC has given an undertaking that they will move out of the ground floor when the cafeteria is ready for reopening. So much for the Executive Member for Social Affairs' answer to my question without notice this morning.

I have another area of concern. It relates to the Darwin Business Relief Loan Fund. I have a constituent in the northern suburbs who suffered quite a considerable amount of damage from Cyclone Tracy in the Wagaman area. In

fact he is the owner of the Wagaman Supermarket. Unlike some other business proprietors in the town, this gentleman was very unfortunate in that his building was completely levelled. Other businessmen were a bit fortunate - they only lost their roofs and a little bit of stock and they were able to reopen in a very short time with assistance through the Darwin Business Relief Loan Fund. However, this particular person who has approached me is not in that position. He was forced to remain in Adelaide for a period of 15 months until such time as the property he was renting prior to the cyclone was made available to him. The shop that he was occupying is still not available but the shop adjacent to it has now become available. He returned to Darwin in April of this year and he approached the Darwin Business Relief Fund for assistance but he was refused. He came along and saw me. I thought the gentleman had a reasonable complaint so I thought I would write a letter to see what would happen. I wrote them a letter which basically went as follows:

I have been requested by Mr Papantonio to make representation on his behalf to your committee for assistance regarding the Darwin Business Relief Loan Fund. Further to your letter of the 30 April 1976 refusing his application for assistance, Mr Papantonio is of the opinion that the committee were unjust in this decision as he has suffered a considerable loss and is finding it difficult to re-establish himself. I am led to believe that he has some \$90,000 invested in stock and equipment in the business previously known as the Wagaman Supermarket, of which he received payment of \$30,000 from his insurance company and \$16,000 from the Department of Compensation and Repatriation for uninsured losses. The total of these amounts received has been absorbed by outstanding trading accounts or debts. I enclose a photostat copy of a letter I received from Sgt. J. Bowling who at the time of the evacuation was in charge of the Wagaman School refuge centre. This information was obtained to assist the proprietors of the Wagaman Supermarket's claim for un-

insured losses. In light of the enclosed correspondence from Mr Bowling, it would be appreciated if Mr Papantonio's application for assistance from the Darwin Business Relief Fund could be reassessed, unless of course the committee were aware of these circumstances at the time of making their decisions to refuse his application.

The letter that I am talking about received from Mr Bowling is a lengthy one but it must be read out so that members can appreciate the problems that Mr Papantonio has had. The letter is addressed to myself and dated 5 July 1975, almost a year ago.

With regard to your query concerning the removal of stock and equipment from the Wagaman Supermarket in the aftermath of Cyclone Tracy. An amount of tinned foodstuffs was removed from the supermarket for use at the Wagaman School centre. Also on my advice and to relieve the pressure of supplies on the centre, people sheltering in that area were directed to this source of food. Much of the stock was removed in this manner. Approximately 75% to 80% of the beer stock was removed and stored under security at the school centre. The initial reason for this removal of all the remaining beer stock was to prevent indiscriminate looting and possible related problems in the area. Subsequently, I authorised a daily ration issue of this beer to all the workers at the centre engaged in the clean up operation. The main reason for the issue was to help the morale of the men.

The refrigeration units became a health hazard when the frozen foodstuffs in them putrified in the humid conditions prevailing. The health authorities were called and, on their advice, I had the refrigeration units and food removed for dumping. My recollection of this is that the food was so badly putrified that the refrigeration units were contaminated and were themselves a health hazard. Because of the proximity to the Wagaman School centre which was my responsibility, I decided it was safest to have the units along with

the food removed for dumping and/or burying.

The name of the health officer who advised me on the foodstuff was Colin. He was the health inspector designated to our area and I believe he was a resident of Darwin. Mr Terry Edward was the engineer in charge of the John Holland clean up crew and he and I worked in co-operation. It was at my request that he had the refrigeration units removed.

To the best of my recollection the above-mentioned items were all that were removed by the Wagaman centre from the Wagaman Supermarket. I am sorry that I am unable to give an estimate of the foodstuff removed by us but as you appreciate many things were occurring simultaneously and some occurrences have slipped from my memory over the intervening period. If I can be of any further assistance, I am available at the above address.

The reason why I have read this letter out to honourable members is that I would like them to put themselves in the position of the proprietor of the Wagaman Supermarket who on 23 December had a \$90,000 flourishing business and on 25 December had nothing. He had to stay in Adelaide for a period of 12 or 14 months. He came to Darwin in about the middle of the year trying to sort out some of his various problems and I was of little assistance to him. He came back again in April and was told the shop he had before the cyclone was not ready but he could have the one next door if he wanted to go into business. So he has come up thinking, "Fair enough, I can get back into business here. I know people are getting money from this Darwin Relief Business Fund. They are getting it at 5% interest and they don't have to pay it off for a couple of years. I will try because I think I am entitled to it". He has gone along to the fund and they have said no. He does not know the reason why they said no. They have not told me the reason why they said no. They may have a good reason, I do not really know. He may have \$100,000 assets. He may have got more from the insurance company than he

told me but I can only go on that man's word. If they know more than they have told me or what he has told me, then I would be quite prepared to let the matter rest. Unfortunately I can only go on a letter that I received from Mr Walton dated 18 May 1976 which states:

I refer to your letter of 11 May 1976 to the Secretary of the Darwin Business Relief Loan Fund making representation on behalf of the above applicant for reconsideration of the committee's decision. Applications for the Darwin Business Relief Loan Fund closed on 31 December 1975 and it is my committee's decision that late applications will only be considered in exceptional circumstances. The application by Mr Papantonio was dated 15 April 1976, some 3½ months after the closing date for the applications. The committee rejected the application as it was not convinced that any special consideration was warranted. My committee does not question Mr Papantonio's need for assistance, but considers his application to be now outside the scope of the Fund. The Fund was specifically established to assist in the re-establishment of a commercial infrastructure in Darwin during the city's rehabilitation following Cyclone Tracy.

That is a fair enough letter to somebody who had been in Darwin all the time, had made no attempt to get his business back on its feet and had premises to go into. But Mr Papantonio was not under those circumstances. "It is my committee's decision that late applications will only be considered in exceptional circumstances". For Christ's sake! He has not got a shop; he has not had one for 15 months. Isn't that exceptional circumstances enough? Not according to them. "My committee does not question Mr Papantonio's need". That is what they were there for. They were there to give the businessmen after the cyclone a little bit of encouragement to get Darwin back on its feet.

Mr Speaker, I do not know whether you have been out there recently, but Wagaman is still pretty desolate and people are moving out of the area all the

time. There is no shopping centre; there is nothing. People from the Wagaman area have to go over to Alawa, Jingili or Nightcliff. These particular shopping centres were put in those particular areas to provide a service for the citizens of that area. Eighteen months after the cyclone, the people of Wagaman still do not have this service. They are going to be denied it or Mr Papantonio will have to go to other sources to borrow money to provide the service. They say in the letter: "The Fund was specifically established to assist in the re-establishment of commercial infrastructure in Darwin". Isn't Wagaman in Darwin? Certainly it is.

I feel that his particular gentleman has had an injustice done to him unless they know something which I do not know or which he had not told me. He may have too much money and does not need assistance but, until such time as they can say why Mr Papantonio cannot have it, I will not be satisfied.

We had a committee set up in the early days and the honourable member for Jingili is part of that committee. I asked him today whether this particular case has been brought to his attention. He said, "No. I know nothing about it". We have the chairman of the committee writing a letter back 4 days after I wrote to him and giving me his decision. It is not a decision; it is just an airy-fairy piece from the Department of the Northern Territory administration again.

Mr POLLOCK: I want to talk about some transport problems such as the Kulgera bypass and the construction of the Stuart Highway. The construction of the Stuart Highway south of Alice Springs is progressing very satisfactory and I believe it is some considerable time ahead of schedule. By 22 July, the contractors hope to have the road fully constructed and sealed to the South Australia border. On 19 May the service road to the store and the police station at Kulgera is still under consideration and it is hopeful that sufficient funds can be found to have them sealed. I can see what is going to happen. On 22 July, the contractors will have finished and

the whole matter will still be under consideration and, because it will cost so much more to do anything very substantial in the area, there will never be sufficient funds to get the job done. The store is 170 miles south of Alice Springs and it is another 170 miles to the next port of call south. Nearly 95% of people who are travelling the highway need to stop at Kulgera for some sort of service. They will experience a section of history. Part of Australia's heritage is going to be retained in that we are going to have the old bumpy track to the original Stuart Highway in and out of the Kulgera community.

At one stage, we did have a plan. Somebody in Brisbane drew up a plan and sent it over to Alice Springs. The left hand of the department in Brisbane did not know what the right hand of the department in Darwin was doing. It placed the proposed access road in the middle of the local racecourse which is being developed by the community. However, I am now assured that no such realignment of the road will take place. At least we had one winner there but I am still looking forward to the day when the Minister or his department can assure me that the bypass and service road to the Kulgera township is going to be properly constructed to a standard which the community deserves.

In central Australia, we are experiencing some difficulty in trucking cattle to markets which happily are improving in Adelaide. I was speaking to the honourable Mr Claude Allen, the member for Frome in the South Australian Parliament, this afternoon and he told me that markets for cattle in Adelaide again improved substantially this week. However, we are experiencing the difficulty of being able to get these cattle from central Australia to Adelaide because of the antiquated railway system that we have and the decision of the railways that they are only capable of running 2 stock trains from central Australia to Adelaide a week. They say that they are unable to implement the practice of previous seasons when there were 3 stock trains a week because the present trains which already are taking a schedule time longer are also, in addition to that

schedule extra time for the journey, running 12 hours or so late in this direction and therefore turnabout is not sufficient to be able to provide the extra train. I do believe that at Larrimah or somewhere on the NAR, there are 50 or 60 rail cattle trucks which have for some considerable time been lying idle. Perhaps the Minister for Transport, with whom I have communicated, might hurry along a little and get those units to central Australia so that they can be put to use.

Of course, we also had the debacle in central Australia where we did not have a railway operating for about 4 months through flooding and other incompetence. Whilst all that was going on, the cattle rolling stock and the other rolling stock in Alice Springs and in other places was just left to sit as it was. It was not serviced and, now it is needed, there is a great rush to service it. This work could have been done.

The great fear that many people in central Australia have is that the railways in the next few months might go out of commission because of the rising waters in the Lake Eyre system. I am very happy that today I did receive from Mr Allen a letter following his visit to that particular area last week assuring me that the floodwaters of the Diamantina River have stopped running. The Diamantina River has now ceased flowing and Cooper's Creek will not reach Lake Eyre, so therefore the floodwaters in that system will not raise the levels in the Lake Eyre system and cause the railway to go out. This is very gratifying news because, if the system that we have at the moment was further disrupted by the floodwaters rising and knocking out the line, we would be in real strife.

I would like to close by calling on the Minister for Transport to ensure that he takes every possible step to provide cattlemen in central Australia with every possible stock rail transport.

Mr STEELE: One of our greatest gripes from time to time is the lack of the decision-making process in the

affairs of the Northern Territory and the fact that people so often speak on our behalf without any due regard to the way we feel or the way we think. This happens all the time. You pick up a newspaper and it is there in the press. I would like to refer honourable members to a couple of items in the press by a chap who is now the shadow Minister for the Northern Territory and Aboriginal Affairs. He is quite often bound to speak on our behalf and I suppose he has some small prerogative with the way the constitutional situation is at present. Senator Keeffe says in a recent newspaper article that the Hay Inquiry into Aboriginal expenditure should be terminated. He said that the inquiry was being used as an excuse to further slash government spending. Senator Keeffe said so-called press leaks from confidential reports to the inquiry were resulting in a white backlash and that costs had been wildly exaggerated to the tune of thousands of dollars in excess. Senator Keeffe also said members of the inquiry had spoken mainly to whites and many Aboriginals had been denied their say. I say that Senator Keeffe is probably more concerned with some complicity, probably between the ALP and their members who travel around that electorate down there, otherwise he would not have latched onto the subject. The fact is that the Hay Inquiry might be starting to hurt things that he and his government or party did not so long ago.

Senator Keeffe goes on in another article to say that the decision to make the Territory's Legislative Assembly implement - he has that by the wrong end - increases in electricity, water and sewerage charges, stamp duties and motor vehicle registration would place a great burden on people already living in hard conditions. This is news to a lot of us here. We have not discussed things like stamp duty as far as I am aware. The fact of the matter is that some of these costs that we are inflicted with are a burden that governments have to bear. The New South Wales Premier, Mr Wran, says he may have to put up taxes after reducing transport costs by 20%, plus other things that he might put on the New South Wales budget. There are costs

that we do not mind bearing if we have some say in how these costs are arranged, if we have some say in the management of the situation. If I am going to be hated, I am going to be hated for being responsible for a decision. I am not going to be hated for what Senator Keeffe says - that we are going to up stamp duty, up this charge and up that charge. He does not know what he is talking about.

Mr TUNGUTALUM: I would like to tell you about the meeting that my people had recently. On 7 April 1976, delegates from Bathurst and Melville Islands expressed some reservation regarding the forestry project on Melville Island. The main concern of delegates was that the local Tiwi people on Bathurst and Melville Islands have had very little to say with regard to the project. The delegates considered the participation and control of

forestry by Tiwi people. The Bathurst and Melville Islands conference is held approximately every 6 weeks and comprises council representatives from the 4 main centres on the 2 islands. After long discussions with the forestry representatives, the delegates passed a resolution to appoint a subcommittee to liaise with the Forestry Branch and to report back to the conference. I am very pleased that my own people have formed this forestry subcommittee; this is one of the most important activities of Melville Island and it has a long future. We are all aware that this control of forestry operations and the manner in which it will be undertaken in the future is dependent on the Aboriginal Land (Northern Territory) Bill and the local legislation which may pass in this Assembly.

Motion agreed to; the Assembly adjourned.

Thursday 27 May 1976

Mr. Speaker MacFarlane took the Chair at 10 am.

PERSONAL EXPLANATION IN RELATION
TO REPORT OF THE SELECT COMMITTEE
ON THE LANDLORD AND TENANT (CONTROL
OF RENTS) ORDINANCE

Mr KENTISH: Mr Speaker, I wish to make a personal explanation in relation to a document which was presented in this House on Tuesday.

Leave granted.

Mr KENTISH: I wish to make some comments on the first report of the committee of inquiry into the Landlord and Tenant (Control of Rents) Ordinance. My paper refers to annexure "A" of the interim report. Before I commence, I would like to challenge the NT News to print my reply in full as twice they have printed or given strong publicity to matters in this connection without any reply by myself. I was encouraged last night by receiving communications from park residents who are incensed about the way that this matter has been treated. They are not incensed particularly with the News which has simply reported something which has come into the Chamber here and not incensed with the committee which was doing its duty but incensed with the people who brought forward this material to the committee. A number of residents communicated with me last night and one has sent a letter to the editor of the News.

The evidence in this report is obviously not taken on oath and is so garbled, distorted and lacking objectivity as to be almost useless as evidence. What point do the witnesses seek to make? It appears more like a character assassination badly performed. Shady Glen caravan park is controlled or managed by Santavan Company Pty Ltd. The basic weekly charges are in respect to sites only and the company owns no caravans in the park. Charges in all or most caravan parks are regulated by the number of persons involved as people have a direct effect on running expenses such as electricity, water, toilet facil-

ities, etc. Site fees at present are \$15 a week for a powered site with a limit of 2 persons, extra adults on site \$4 per week, children extra to the two basic occupants 50c per week up to 14 years. There are daily rates which are slightly higher. Airconditioners are an extra charge at \$7 to \$10 per week according to horsepower - there is no profit in them. Washing machine meters give 15 minutes for 10c and others work on 30 minutes for 20c. Meters can on occasions go wrong, particularly when fed wrong coins or pull rings of drink cans. Apart from airconditioning and laundry, there is no other charge for electricity which is in other respects included in the \$15 site fee. There never has been and never will be a separate charge for hot water, the installation of which has some severe problems. One such problem is the heavy electricity consumption of hot water units and the low voltage supply at present available to the park, making additional demands on the system unwise.

This brings me to a point of comment on some of the evidence submitted. The Santavan Company has never advised residents that a specific part of their fees is linked to the supply of hot water, mainly because hot water is not available. Also, some residents would demand a reduction of fees on the grounds that they only have cold showers. It is not known whether this obsession about a charge for non-existent hot water derives from some wrong information given by a past manager or is just a flight of imagination by some residents who have circulated their ideas or are bent on making mischief.

People who are paying \$22 or \$23 per week for a caravan site are telling a half truth which equals a lie. They refrain from mentioning that the basic rate of \$15 carries an extra \$7 for an airconditioner and comes to \$23 with 2 extra children. Caravan park charges everywhere are related to people. We have nothing to do with the amounts of money people undertake to pay for hire-purchase or rental of their vans.

The statement about 200 vans in the park is a lie. The assertion about being evicted at any time without

notice is just sheer nonsense and humbug. The 3 main grounds for eviction are arrears of rent, misuse of site by various means and causing a social nuisance - noise, drunkenness, foul language, etc. A person is given ample warning in all cases before being asked to leave the park.

The case of the removal of the van owned by Mr McKenna has been viciously presented, or misrepresented, to the committee. It is noted that Mr McKenna is represented as being a girl. It is not unusual to see a girl wearing trousers but the big bushy beard fooled us apparently. The woman in attendance may have been related to the person with the beard. From February 29 to the time of his eviction, Mr McKenna owed 6 weeks rent which, with an air-conditioner, amounted to \$22 per week site fee. He offered on one or two occasions to pay part-rent, but it is not possible in a caravan park or any other business with fixed charges for a customer to decide that he will pay less than other persons for goods or services. It is not possible for a business to deal on this basis; the result would quickly be 130 people deciding how much rent they would pay. So it is a case of all or nothing, and notice to move out. After 5 weeks, Mr McKenna was still adamant that no power on earth would move him. The truth of this situation has been camouflaged and not presented to the committee. When finally evicted, after several notices to quit, then 24 hours notice and 3 day's grace, Mr McKenna wanted a further 2 hours. It is noted that the reason for eviction has been credited to other causes of which I am unaware. His remarks about a sewer were noted and it was noted that the sullage pit on the site was clean, working and in good order at the time of eviction. The conglomeration of junk on the site belonged entirely to Mr McKenna but this was not the cause of the eviction. I should think that he left happily with \$132 of unpaid rental in his pocket. Mr McKenna is not an isolated example of the type of racketeer which plagues caravan parks, but he received apparently the full backing of social worker, Mrs Monica Glenn, employed by YWCA, and better publicity than was ever accorded to Ned Kelly. The

victims who have been brazenly robbed are the villains of the piece. Long live Kelly and the social workers!

It is noted that a sewerage problem is mentioned several times. It was more truly a management problem affecting other things besides sewerage.

Mention is made of the sickness of small children. Folks with experience and memory will know that many families with small children, fresh from the south, run into skin troubles etc when first coming to the Top End of the Territory. The situation has been multiplied by the arrival of so many new southern families. Six months ago I knew of a family, not resident in Shady Glen, who had to send their children back south at the commencement of the wet season. I would remind the lady who had the very same problem 9 years ago that the park was not in operation then.

One witness stated: "He," Mr Kentish, does not do much for Darwin. As far as I am concerned he gives Darwin a bad name". This was stated in evidence. The lady should look in a mirror if she wants to find out who is giving Darwin a bad name. The assertion, "He does not do much for Darwin", is the hardest for me to answer. I would rather not talk about it.

(Debate interrupted.)

POINT OF ORDER

Dr LETTS: A point of order, Mr Speaker! I think that the honourable member has been given permission to make a personal explanation in relation to a specific document which is before this House. I believe that he should keep his remarks to the document and the refutation thereof.

Mr SPEAKER: I find that there is no point of order. The charges made before committee are in the report and they are very broad. The honourable member for Arnhem may proceed.

Dr LETTS: I accept your ruling, Mr Speaker, but if the honourable member for Arnhem continues to exchange what I might call gratuitous fire with some of

the people he has referred to, he may be in danger of it being moved that he be not further heard.

(Debate resumed.)

Mr KENTISH: The assertion, "He does not do much for Darwin", is the hardest for me to answer. I would rather not talk about it. Briefly it is like this. I stayed put after 24 December and worked harder in 1975 than for some time past. My staff stayed and worked with great spirit also. There was not much left in places. We had to borrow money to rebuild and to re-establish. From 1 January 1975, we found accommodation with portable power for 40 families in 2 areas. By June it was 150 families in 2 areas and increasing as the year went on. Most of these people were the rebuilders of Darwin and, with some help from the DRC, they had one new house built by December 1975. Many ex-Darwin residents wrote to me to find them jobs and accommodation. Very few were disappointed. My R and R return fare tickets were torn off me in October as I had not found time to use them and the good Dr Patterson declared such persons to be malefactors of some sort. I hope to get a brief turn south about September next.

My anonymous character assassins have had the advantage of shooting their poisoned arrows from cover. My advice to the girls is to pay their rent when due, keep their sites clean, and cease trembling with fear. Less standing around tongue-wagging could help also.

REPORT OF THE DARWIN HOSPITAL
ADVISORY BOARD FOR YEAR ENDED
29 FEBRUARY 1976

Mr POLLOCK: I move that the Assembly -

1. Notes the report of the Darwin Hospital Advisory Board for the year ended 29 February 1976, on the condition of buildings and facilities at the Darwin hospital.

2. Expresses its concern at the condition of the buildings and facilities.

3. Calls on the Federal Government to take every possible action to rectify the problems.

As required by statute each year, the Hospital Advisory Boards conduct an inspection of the buildings and facilities at hospitals and present to the Administrator a report. This year, the Darwin Hospital Advisory Board inspected the Darwin Hospital buildings on Tuesday 9 March 1976, and reported at some considerable length on various aspects of those buildings. This report has subsequently received considerable publicity, and there have been a number of inquiries as to what should or should not be done and what has been done and what has not been done in relation to the Darwin Hospital over the period since the cyclone.

According to my understanding, a copy of the report at least was not supplied to the Department of Health at the earliest convenience, but came to their notice more through press reports. In addition, the meetings of the Hospital Advisory Board, whose minutes are forwarded to the Department of Health revealed next to no concern over the past 12 to 15 months. Only on 2 occasions was there mention of the Hospital Board's concern as to buildings and so forth at the hospital. We all know that, like many other buildings in Darwin at the time of the cyclone, the buildings at the hospital were severely affected, and that some action was taken immediately after the cyclone and during last year to effect repairs and renovations to those premises. At the same time, between the Department of Health, the Department of Construction and the Darwin Reconstruction Commission, a program was evolved for a complete rehabilitation of the hospital buildings and facilities. Contracts which were under way, particularly in relation to the X-ray department and the operating theatre, have been performed by no means satisfactorily and are of great concern to anybody who has anything to do with the hospital.

Last month, as a result of the report which appeared following the preparation of the Hospital Advisory Board Report, in company with the Medical Superintendent and Assistant Director and some members of the Darwin Hospital Advisory Board, I inspected the facilities and buildings at the hospital. I remarked to the chairman of the board

that I understood they had a few grumbles and that I was there to listen to them. I was quite abruptly told that they had no grumbles, that they might have a few whinges but they took exception to such a remark. However, I did inspect the premises and I share their concern. Many of the matters which they raised in their report had already been rectified, many were being rectified and many are really outside the scope of the Department of Health; most of the construction problems are the concern of other departments. The contractors in Darwin have been having it pretty good lately. There is so much work that, if there is a job to be done, they seem to be able to take as long as they want to complete it. This is particularly evident at the Darwin Hospital in relation to the operating theatre renovations and reconstruction. Work commenced on the X-ray department before the cyclone; in fact, it is about 4 months away from being completed now even though work has been continuing in some form or another ever since.

We all know that bricks and mortar do not provide the complete health service. Doctors, nurses and other staff have to operate within those facilities, but good working conditions do make a big difference in the performance of their duties, and the staff must be commended for the way they have worked under very trying conditions.

There is a program evolved by the Department of Health in conjunction with the Department of Construction and the DRC to restore cyclone damage and, at the same time, completely renovate the hospital. When the work is completed in the not too distant future, the whole of the establishment will be like a new penny. There will be no need for an immediate large maintenance program. Maintenance has not been carried out because repairs will be incorporated in a complete renovation.

This does not mean to say that there are not matters of concern. The waiting time at the outpatients department and clinics is quite unsatisfactory and that is well recognised by the department. It is hoped that, with the new buildings and renovations, some of

these problems will be overcome. At this stage, we accept that conditions at the hospital are not what we would expect, particularly in relation to buildings and facilities. The most urgent matter now is for the program to rectify these problems with the least possible delay so that last wet season's problems of leaking roofs etc will be rectified.

I know that members who are more closely associated with Darwin than I will perhaps be more critical. At the same time, I would remind them all that any condemnation of what has happened or what the conditions have been can only lead in some areas to a worsening of the situation in relation to staff. It can get worse but it could get a lot better. If we have people who continually want to snipe at the Health Department, we will have further difficulties with staff recruitment from interstate because potential applicants will be continually hearing how bad conditions are. Our task is to call upon the Government to ensure that the program which is envisaged to bring the condition of buildings and facilities at the Darwin Hospital to the level at which the community expects them to be moves forward with the least possible further delay. I will be interested to hear other remarks.

Mr EVERINGHAM: This Assembly has been asked to note the report of the Darwin Hospital Advisory Board for the year ended 29 February 1976 on the condition of buildings and facilities at the Darwin Hospital. I note the report with horror and dismay. I am appalled. It is an indictment of health administrators in the Northern Territory; not so many years ago, it might well have been used to frame their impeachment. It is a ghastly piece of reading. Let me take you through it, Mr Speaker. By the time I have finished, I think even the stones will cry out, as Mark Antony said, for a remedy.

"Administration building - the physiotherapy department is still short of space and the casualty-outpatients department is severely restricted in room and quite inadequate for the number of patients. Ward No. 1, geriatric

and psychiatric ward - now because of staff shortage only 20 beds are available; previously there were 40; it still requires basic maintenance. Main store - totally inadequate and unsuitable for the tasks that they are being required to perform. Ward 2 - this building still shows the effects of water action on the ceiling and is badly in need of rehabilitation; one half presently devoted to industrial staff dining facilities and at the other end we have the pathology department. Ward 3, infective children - water enters the ward through the doorway which used to lead into the nutritional annexe which was destroyed by the cyclone and has not been replaced. Mortuary - building totally unsatisfactory. Maintenance workshop and office - totally inadequate. Boiler house - there are bad leaks in the roof over high voltage equipment. Ward 4 - not reconstructed. Ward 5 - this ward is in much better condition than some of the other parts that the board visited; however, there are still quite a number of leaks which have been investigated, but again it seems rather remarkable that a ward that has been reroofed 3 times since the cyclone should still have a considerable number of leaks in one or two strategic areas. In the nursery, the sisters, when it is raining heavily, use the empty baby cots to catch the water."

This is criminal - young children, babies! It is allowed to go on and we are told by our honourable Executive Member that the constructing authorities are to blame, not the Department of Health. What does the Department of Health do? Why is it not right on the tail of the constructing authorities? What is going on in the department? I do not know. I am serious when I say that I view it as a criminal negligence - criminal. Would you like your newly-born child in a ward where empty cots are used to collect water from drips in the roof? Good God!

The report goes on: "X-ray building - parts of this section can only be described as a disgrace. Children's ward - a four-bedded bay in this ward cannot be used at all owing to the complete absence of the ceiling. No efforts have been made to repair this area".

It just goes on and on, pages and pages of it. "Lambell House" - I am not sure whether that is a staff area or not but, if it is, this is why we cannot get staff - "most rooms are without flywire; exterior walls peeling; window frames splitting; the oilburning hot water unit breaks down constantly; washing machines are of a domestic type and need constant attention". And so it goes on and on. In summary: "The board found that the hospital showed evidence of frightening and appalling neglect in most areas. It found that the living conditions provided for the staff were also way below the standards accepted elsewhere. The board's opinion is that it can see no reason why the hospital has been neglected in this fashion and it considers that ample time has elapsed since the cyclone for it to have been fully repaired. It considers that the defects in the hospital itself and in the accommodation may well be an important factor accounting for the apparent inability of the hospital administration to recruit staff. It notes that the reasons given for the staff shortage by the establishment refer only to the differential in remuneration, but it notes also that there are no staff shortages at Katherine or at Gove".

We are asked by the Executive Member to believe what he says. We are asked not to raise a hue and cry, but we would fail in our duty to our constituents if we did not note this report with dismay and with horror. He says that we will frighten away staff if we tell people what is in a public document. I note that the public document was not circulated to us by the Health Department; I had to obtain my photocopy by a direct approach to the Clerk of this Assembly. It is a ghastly situation. I do not know how it can be permitted to continue. I was told by the Chairman of the Advisory Board himself, only about 2 weeks ago, that the situation is very largely the same now as it was at the time of publication of that report.

Mr Pollock: Rubbish!

Mr EVERINGHAM: That is what our honourable Executive Member tells us, but what have we been able to reply on

that he has said in this matter so far? He reads too closely from his brief, I fear. This is a scandal and the Minister himself must personally intervene and see that the situation is rectified. Health is a matter of prime public importance. This is the Territory's major hospital; it is supposed to supply services that are not available elsewhere in the Territory; it is a base hospital. The Minister must intervene because his administrators are obviously incapable of rectifying the situation. I do not know why. The Minister is the man responsible. The Health Department cannot pass off its responsibility for repairing the hospital onto other authorities by saying they are too slow. The Minister must get into this and get this fixed up.

Mr KENTISH: I rise to remark on this report of the Hospital Advisory Board. It is a good thing that the board has had the courage at last to put this matter into print. Of course, this is the time of their annual report; it is the only time in the year when they are entitled to publicise this sort of material. In February last year, when they would have brought out their annual report, it would have been an unfortunate time to comment on the condition of the hospital with the cyclone dust barely settled around them. A year later, the hospital board is quite entitled to expect that conditions would be improved. The physical side of the situation is mentioned in this report although I have not had much time to study it all. The report unfortunately was in a book that I had, but not listed in that book, and I have just finally dug it up. But the physical side of the situation seems to be the worst thing. It seems to be very bad as we follow it through step by step and ward by ward in the report. One would have thought that the hospital might have received a higher priority in the repair and rehabilitation needs of the community. It is not a thing that can be allowed to let stand indefinitely. However, the report has been made and I am disturbed that there appears to be little progress on it, but I would not accept that without further inspection or information about the situation.

The physical lack of good conditions at the hospital must have some effect on the medical work that is being done there. I understand that the X-ray ward situation is very bad altogether. It has been under consideration for years but still seems to make little progress and whether it was retarded again by the cyclone is a matter of conjecture, but in any case it is still far behind the needs of the hospital. When I was visiting the hospital at Nhulunbuy, I was advised that their operating and X-ray facilities were superior to those available at the Darwin Hospital. It does not appear that the Darwin Hospital has ever caught up since.

The condition of the hospital must have some effect on the medical work that is going on there. But it would appear to be greatly to the credit of the staff at the hospital that we have heard little that is detrimental publicity about the effect of the bad surroundings on their work. In other words, the human element has overcome the obstacles which have surrounded them to produce good effects. This is much to their credit. I would think that the time has come now, 18 months after Cyclone Tracy, that some much stronger effort be put into the rehabilitation of the hospital - much stronger than appears to have been mounted so far.

It is ironical to note that health inspectors going around the Darwin area give short-shrift to people who say that they are still struggling with cyclone rehabilitation, that they are not quite up to the mark because they have not rebuilt or have not repaired all their cyclone damage. Health inspectors will tell people in this category, "You cannot use that one any more; a year has gone by or more and you have no excuse for not being duly repaired". It is ironical that the same department which is under criticism itself for its repairs and rehabilitation is in fact hounding other people and telling them that the time is past when they should take any refuge in saying that they are out of repair from the cyclone damage.

I noted that at the time when the reports first came out, the Director of

Medical Services in the Territory, Dr Gurd, did mention that he had consulted with the Works Department and that it was expected that everything would be in good order by Christmas time, but he did not mention which Christmas time. I would hope that it is at least the one that is just ahead of us. Dr Gurd himself in other circumstances has given people 5 working days to cover similar repairs and then the threat of a summons. They treat themselves much more generously at the hospital. Finally, I would just hope that the authorities concerned with this, and the Minister in particular, will give this situation a very high priority.

Debate adjourned.

TRAFFIC BILL

(Serial 94)

Continued from 25 May 1976.

In Committee:

Clause 6:

Mr RYAN: I move that clause 6 be amended by omitting paragraph (a) from proposed new section 8C(20), and in paragraph (c)(ii), by omitting "a result" and substituting "an accurate result"; and also by omitting the words "is evidence of the matters" and substituting "is, if the member of the Police Force giving the certificate has undergone a course of instruction referred to in subsection (2), evidence of the matters".

Amendments agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 12 agreed to.

Clause 13:

Mr RYAN: I move that clause 13 be amended by omitting "Section 36D(1)" and substituting "Section 36D"; and by inserting the following new paragraph after paragraph (a): "(aa) by omitting subsection (13)(i) and substituting '(13)(i) upon, or within 6 metres of, a pedestrian crossing or a children's crossing;'".

In the ordinance it refers to "a school crossing" and in this bill the reference has been changed to "a children's crossing".

Amendments agreed to.

Clause 13, as amended, agreed to.

Remainder of bill, by leave, taken together and agreed to.

Bill passed the remaining stages without debate.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL

(Serial 87)

Continued from 25 May 1976.

In Committee:

Clause 17:

Miss ANDREW: I move amendment 92.8.

This corrects an error in the proposed new fifth schedule of the bill. The fee for an extract of an entry in the register should have been shown as \$2 not as \$3.

Amendment agreed to.

Miss ANDREW: I move amendment 95.1.

This omits item 3 of the fifth schedule. I feel that to put this in could cause at some stage some considerable embarrassment and discomfort to bereaved persons when they are perhaps not at their most efficient; they go to the Registrar of Births, Deaths and Marriages, and perhaps through no fault of their own but emotional difficulties provide information which is not correct.

Amendment agreed to.

Clause 17, as amended, agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

VENEREAL DISEASES BILL

(Serial 89)

Continued from 25 May 1976.

In Committee (on recomittal):

New clause 3:

Mr POLLOCK: I move that a new clause 3 be inserted.

(See Minutes for text of new clause.)

This reinserts into the bill the clause which was the subject of some discussion and debate earlier in the week and which, owing to a misunderstanding by some members, happened to become deleted from the bill. Without this clause the whole bill is useless; it is the operative clause of the bill.

New clause 3 agreed to.

Clause 4 agreed to.

Title agreed to.

Bill passed the remaining stages without debate.

ENCOURAGEMENT OF PRIMARY
PRODUCTION BILL

(Serial 85)

Continued from 24 February 1976.

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

New clause 2A:

Dr LETTS: I move that new clause 2A as circulated in schedule 89.1 be inserted in the bill.

This provides for a definition of "auditor" appointed under section 30F of the ordinance. My remarks now also relate to the proposed amendment to clause 5. In the provisions of the bill as previously looked at by the Assembly in the second-reading stage,

reference was made to the audit being carried out by the Auditor-General of Australia. However, a legal advising has been received that an ordinance of the Northern Territory cannot impose duties on the Auditor-General who is appointed under the Audit Act. However, it is possible by arrangements with the Treasurer to appoint the Auditor-General to be the auditor and so we have defined "auditor" in those terms.

New clause 2A agreed to.

Clauses 3 and 4 agreed to.

Clause 5:

Dr LETTS: I move amendments to clause 4 as circulated in schedules 89.2, 89.3 and 89.4.

These provide that the Treasurer may appoint a person to audit the books of the board and substitute the word "auditor" for the former words the "Auditor-General".

Mr WITHNALL: I rise to make a general comment on this clause but it does relate to the amendment because we are taking out an expression that I find a little bit at variance with the presently accepted view of the name of the Commonwealth of Australia. In section 30C, securities are to be guaranteed by Australia and there was the reference there to the Auditor-General of Australia. I understand that now it has become quite fashionable again to talk about the Commonwealth of Australia, and I merely rise to wonder whether somewhere or other some sort of rationalisation will take place so that we can regard the terms "Australia" and "Commonwealth of Australia" as meaning the same thing and as being varied to suit one's personal taste from time to time.

Dr LETTS: These amendments, as with other amendments which I have brought to the Assembly in the last year or so, are means of making the board operate better and more successfully on a temporary basis. I have advised the Assembly from time to time that a broad revision of the whole ordinance is needed and tomorrow afternoon the Ex-

Executive Member for Finance and Community Development will be having a meeting with the board and officers of the department to try and get close to the point of a general repeal of the present ordinance and its replacement with something more suitable for Territory needs. When that is being done I assure the honourable member that his views will be noted and taken into account.

Amendments agreed to.

Clause 5, as amended, agreed to.

Title agreed to.

In Council:

Bill reported; report adopted.

Third reading:

Mr EVERINGHAM: I rise at this very late stage to support the bill with its amendments. I am very pleased, for the sake of facility of operation of the Primary Producers Board, that this legislation is now about to be enacted. I would hope that similar legislation can shortly be introduced into this House to facilitate the operations of the Home Finance Trustee. I should think a very similar piece of legislation would enable him to set up his own bank account in Darwin rather than having to get cheques by mail from Brisbane, and thus greatly assist him in the operations of day-to-day settlement of loans. I support the bill.

Bill read a third time.

LANDS ACQUISITION BILL

(Serial 59)

Continued from 25 February 1976.

In Committee:

Clause 3:

Mr STEELE: I move that the committee report progress.

It is desirable that the Northern Territory has legislation in this area. However, the present section 9 of the Northern Territory (Administration) Act

limits application of the bill to leasehold land. Unfortunately, the present amendments to the Northern Territory (Administration) Act will not rectify that position and the sponsor of the bill will be seeking suitable amendments.

Motion agreed to; progress reported.

ROAD SAFETY COUNCIL BILL

(Serial 93)

Continued from 25 February 1976.

Mr ROBERTSON: I move that the debate be adjourned.

The honourable Executive Member in charge of this bill informs me that there are detailed discussions still to follow both with the department and with members of the Road Safety Council. It would be desirable in the interests of debate that the matter be adjourned for the time being.

Debate adjourned.

REPORT OF SELECT COMMITTEE ON REFURNISHING AND SECURITY

Continued from 25 May 1976.

Mr ROBERTSON: I think it is necessary for me, as a member of that committee, to explain to the House the background of the line of thinking which developed into this report. I might say at the outset that it was a fundamental part of the committee's responsibility to dissociate itself as far as possible from its own wishes in terms of the layout of this Chamber and from what it thought may have been comfortable or convenient to itself, having regard for the fact that 2 of its members were junior members of the Assembly. We have worked in this Chamber since the very first Assembly day; it was the only Chamber we knew and it was necessary for us in our travels, in our inspections of other parliaments and in our deliberations, to completely rethink the whole concept of the Chamber.

Mr Withnall: And get an expensive education.

Mr ROBERTSON: I do not know whether I will reply to that interjection.

We had to think more in terms of future Assemblies which will govern in this place. We had to consider, above all, that this is a parliament house, not a debating lounge, and that it will be used by members other than those who are gathered here today. I recall that, in moving the motion to set up the select committee, I considered it would probably be a decade before we would see a new parliament house built. In light of events over the past few months, I have now revised my thinking and probably added another half decade. It is going to be a long time before we see a new parliament house built and it will therefore be necessary for us to operate here for quite some considerable time. Further, I believe the committee has decided in its recommendations to seek furniture of such strength and durability as to allow it to be transferred to any new parliament house if and when that happy day comes to the Northern Territory. I consider that to be essential if we are to have any hope of being granted funds to carry out what recommendations may be accepted by the Assembly. If we are going to propose a fairly heavy expenditure on the Chamber, then we should be maintaining the attitude that this furniture should be transferable at a later date.

The report recommends a layout and design of the Chamber and furnishings which will achieve fully all the necessary physical functions for a chamber of a house of parliament. The recommendations, if adopted, will achieve these objectives for quite a long period of time. It will be noticed that the proposed seating arrangements will allow for a numerical expansion to 32 members. The seating arrangement is such that the majority party of the future could have up to 17 members and still maintain the normal parliamentary system of having that party on the right hand of the Speaker's chair. In all probability, we are most unlikely to see that number exceeded even with expanded representation of the electorate.

I can assure honourable members that I can think of no possible layout using

the single desk and chair combinations which will allow such numbers to be fitted into this Chamber and at the same time maintain any semblance of a parliament. I for my part cannot possibly see that the use of individual seating arrangements could be made to resemble a parliament in any event. That, of course, is what our democratic system has come to take on. I can visualise the single seat system being used as a debating lounge or a town council chamber but certainly not as a parliament.

I believe there may be some members present, particularly on the Executive, who may feel somewhat peeved at the suggestion of having no desks in front of them. Apart from any other reason they may now have, this could possibly be because they have personally become attached to the present system and are certainly inexperienced, in most cases if not in all, in operation from the front bench of a normal parliament.

Mr Withnall: I have become attached to my present chair.

Mr ROBERTSON: I think the honourable member may be more attached to a chair somewhere else.

We need to provide for this Assembly a furnishing system of long duration. I would imagine that that furniture would be used a long time after any of us have a particular interest in this Chamber.

On the particular issue of the accommodation of front-bench members, reference to the text of the committee's report on page 2, recommendation E and paragraph 9 will clearly indicate the thinking of the committee. Having now visited most Australian parliaments and having seen some of them operate, I recommend the suggestions to honourable members. It may not seem desirable to them right now, but I can assure Executive Members that they will appreciate the system if it is introduced. The Executive Members will be able to use the Table when actually handling legislation and will approach the Table for the purpose of answering questions at question time. This is the proper and almost universally accepted place for executive or ministerial mem-

bers at those times. In order to get easily to the Table, it is obvious that a desk in front of each member would be undesirable. It is also utterly unnecessary. The new system will provide for ready access to and assistance from the attendants. While on the subject of accommodation for attendants, I draw members' attention to page 3, paragraph 17, which deals with the details of that subject.

Regarding seating arrangements for the back-bench members, it will be noticed from paragraph 12 that the committee supports the idea of the small desk for their use. Obviously, back-bench members do not have the use of the Table as is proposed for the Executive Members. Most Australian parliaments have adopted this system and I tend to go along with the idea. The back-bench layout is most clearly understood by examining the plan annexed to the report. It is to be noticed that not more than 2 members sit side by side. As such, no member will have to step in front of another member to move about the Chamber. More importantly, the Whip's job will be made much easier than could possibly be done under a desk system or indeed a continual bench system.

The system as envisaged, however, will still maintain the proper parliamentary atmosphere conducive to parliamentary debate in its ancient traditions. I would also suggest that, by proper orthopaedic design of the seating, a high level of comfort can be achieved and I think all honourable members would agree with the desirability of comfort in the Chamber; there is little point in sitting here in agony for long hours. If proper design is given to the actual structure of the seating itself, honourable members will find it quite comfortable. I certainly suggest that it will be far more comfortable than these present television-style seats.

It will be noticed that, in the interest of all-round visibility from the Speaker's chair, the back-bench seats are proposed to be slightly elevated. This is a long-accepted practice in Westminster-style parliaments.

In concluding my remarks as to the proposed furnishing arrangements, I point out to honourable members that I have repeatedly used the word "parliament". This Assembly, since it has become fully elected, is now a parliament in the truest traditional sense of the word. I believe that if the committee's report is substantially adopted, then the right atmosphere will be established for the institution to mature over the many Assembly gatherings to come. To maintain what we presently have or merely to modify the present system would frustrate that progress.

I now turn briefly to the question of security. As has been mentioned in the select committee's report, full security in any parliament is entirely impossible, it simply cannot be done. The aims of security clash so much with the overriding aim of providing access to the public - that is the main thing that parliaments are all about, the encouragement of the public to attend. I believe the recommendations outlined on pages 4 and 5 of the report provide sufficient security for our needs. It has been brought to my attention recently that one honourable member is somewhat concerned about the security arrangements having some deleterious effect on access to the female toilets. It has been suggested that we propose leaving the members's lounge open and cutting off access to the toilets. I could not be that cruel.

Also I noticed that the honourable member for Nightcliff yesterday referred a question to you, sir, in relation to the suggestion in the committee's report of providing identity passes for honourable members. I can assure the honourable member that there is absolutely no intention whatever of regimenting her in any way, or of asking her to produce a pass in moving around this Assembly. That is certainly not the intention at all; it is purely a form of identification which she can carry with her to other places. I have noticed, and had it brought to my attention, that the honourable member is in the habit of wearing her Commonwealth Parliamentary Association badge. She does that clearly so that she will be identified elsewhere. It was the

opinion of the committee that it was also desirable to have something more definite by way of identification than that. It will be a properly presented identification with a photograph of the member on it and endorsed by Mr Speaker. I am quite sure that all honourable members will find that pass invaluable. But I do reiterate it is not my intention certainly, and I doubt that of the other committee members, to have this as a system of identification around this Chamber where each member is well known.

It is of course considered desirable that staff have some identification, not so much so that we know who the staff is, but so that when a staff member challenges someone who is a stranger on the premises, then that staff member has an immediate and easy method of identifying himself or herself.

I have not covered all of the points in the report step by step. I suppose this could be quite easily done, but it would be quite unnecessary also. Honourable members are capable of reading, with perhaps the exception of two.

It will be noticed that a lot of emphasis is being placed on the new design in respect of the gallery. I support the proposal of a greatly expanded gallery capability. The chairs that we have and which we can see from here are certainly not the sort of thing you would expect to find in a parliament, nor do I believe that straight benches would be all that desirable either, but we have to come up with a system which encourages people to come and listen to the debates in this place. It will also be noticed that the layout has been designed to allow particularly for special occasions, with galleries down either side. The Chamber has been sufficiently measured, calculations have been done, and I certainly believe that all of these facilities can be fitted in without too much effort at all.

It should also be noted that at the far end it is proposed to put attendants' booths. This allows attendants to confer between themselves without interrupting the affairs of the House. They will have a light system, if the

proposal comes to fruition, where a member merely pushes a button and the attendant attends to that number. This would be particularly valuable to the Executive Members, especially if they go into the true parliamentary system and conduct all their operations from the Table and not from a thundering great desk as in the present system.

I hope that all honourable members will study the report with interest and sincerely and genuinely. It is not a matter of a vainglorious exercise on our part at all. It is something the Northern Territory has not got. When we travel, as you would be well aware, Mr Speaker, we realise just how much we miss. And a parliament is, after all, a house of the people; it should not be a barn; it should not be something to be denigrated by lack of expenditure. I know there are other priorities far more important than this, but it is necessary to plan properly right from the start. I anticipate that there will be a number of suggestions from various members. Of course, ultimately we hope to have a full report in workable form and agreeable to the majority of members.

I have omitted to make a correction which I wanted to do in relation to my actual motion in the first instance. It is in fact quite the wrong time for me to do this, but I do ask leave to amend my motion by the substitution of the word "adopted" for the word "noted" in order that we may have some material result from the debate and eventual decision here.

Motion for amendment of the wording of the motion put and agreed to.

Debate adjourned.

STABILIZATION OF LAND PRICES BILL

(Serial 60)

Continued from 25 February 1976.

Dr LETTS: I am rising to seek leave of the Assembly to withdraw this bill. By way of explanation, this bill was prepared as a result of a select committee which was formed a year or more ago at the request of the Australian

Senate to look at certain legislative proposals which had been before the Federal Parliament. As a result of the recommendations of that select committee, this bill was drafted as a model or sample as to our preference for Territory legislation should legislation be required in this field. I understand now from the present Federal Government that this type of legislation would be against their philosophy and their policy and that they have no intention or proceeding in this field. Certainly I, as a sponsor of the bill, see no need for it in the Territory at this present time and therefore ask for its withdrawal.

Bill, by leave, withdrawn.

LEGISLATIVE ASSEMBLY (EXECUTIVE
RESPONSIBILITY) BILL

(Serial 18)

INTERPRETATION BILL

(Serial 19)

PUBLIC SERVICE BILL

(Serial 20)

Dr LETTS: I seek leave to withdraw these 3 bills. They have been on the notice paper for a long time. They represented, as I said in respect of other legislation, an attempt by members of this Assembly to take initiative in seeking to put into operation the provisions of the Joint Parliamentary Committee's report. They were of limited or doubtful effectiveness in that regard and did indeed require amendments to the Northern Territory (Administration) Act to enable them to have any effect at all. A subsequent bill passed by this Assembly for the transfer of executive responsibilities, in combination with the amendments now before the Federal Parliament to the Northern Territory (Administration) Act, will have the effect which we originally sought in proposing these bills. They are therefore no longer required and I seek leave of the Assembly for their withdrawal.

Bills, by leave, withdrawn.

ADOPTION OF CHILDREN BILL

(Serial 88)

Miss ANDREW: Mr Speaker, I seek leave to withdraw this bill as I foreshadowed yesterday, and in doing so draw your attention to its replacement which is item 20 on the Notice Paper. When this bill was drafted and presented, it was drawn to my attention that there were a number of amendments necessary and it was decided to have the bill reprinted and re-presented.

Bill, by leave, withdrawn.

LEGISLATIVE ASSEMBLY EXECUTIVE
AUTHORITY BILL

(Serial 95)

Continued from 24 February 1976.

Dr LETTS: I seek leave to withdraw this bill. While we are cleaning up the dead wood in the field allied to the previous bill for which I got approval to withdraw, I would include this one. It was an attempt to give the Assembly some sort of authority, however weak it might be, on our own behalf to maybe provide some essential staff for the working of the Executive Members. The first formal approvals of staff for the new branch of the Northern Territory Public Service to do this job have come through and people are being appointed to them. I believe that the purpose for which this bill was introduced is no longer there and I seek its withdrawal.

Bill, by leave, withdrawn.

CHURCH OF ENGLAND IN AUSTRALIA
CONSTITUTION BILL

(Serial 66)

Continued from Wednesday 15 October 1975.

Motion agreed to; bill read a second time.

In Committee:

Clause 1 agreed to.

Clause 2 agreed to with formal amendments.

Clauses 3 to 6 agreed to.

Clause 7 agreed to.

Clause 8 agreed to.

Clause 9 negatived.

Title agreed to.

Bill passed the remaining stages without debate.

SALVATION ARMY (NORTHERN TERRITORY)
PROPERTY TRUST BILL

(Serial 90)

Continued from 24 February 1976.

Motion agreed to; bill read a second time

In Committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr BALLANTYNE: I moved that clause 4 be amended by omitting "a Trust" from subclause (1) and substituting "a body corporate".

This amendment is designed to make it clear that the Trust is a body corporate plus making subclause (1) consistent with the references to a body corporate in subclause (2).

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 9 agreed to.

Clause 10:

Mr BALLANTYNE: I move that clause 10 be amended by adding at the end of subclause (1): "subject to the same trusts upon which the property was held immediately before the commencement of this ordinance".

The reason for this amendment is to ensure that any property which is held on specific trust prior to the commencement of this ordinance will continue to be subject to the same trust once the property is vested in the

Northern Territory Trust through the operation of clause 10.

Amendment agreed to.

Mr BALLANTYNE: I move that clause 10 be amended by omitting subclause (2).

It is felt that the matter is adequately covered by subclause (1) of clause 10. I am informed that all land held by the Salvation Army in the Northern Territory is presently invested in the Victorian Trust and this land will be vested in the new Northern Territory Trust by virtue of subclause (1); no further provision is thought necessary to deal with the personal property.

Amendment agreed to.

Mr BALLANTYNE: I move that clause 10 be amended by inserting in subclause (3) after "any property" the words "which was before the commencement of this ordinance".

This is designed to make it clear that the property referred to in subclause (3) of clause 10 is the property vested in the Victorian Trust prior to commencement of the ordinance.

Amendment agreed to.

Mr BALLANTYNE: I move that clause 10 be amended by omitting subclause (4).

The solicitors of the Salvation Army advise that there is no property presently in the course of being transferred to the Victorian Trust and accordingly, subclause (4) is not required.

Amendment agreed to.

Mr BALLANTYNE: I move that clause 10 be amended by omitting subclause (7).

The solicitors of the Salvation Army are opposed to the inclusion of subclause (7) because it will not give the new trust sufficient control over persons purporting to act as one of the trustees.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clauses 11 to 13 agreed to.

Clause 14 negatived.

New clause 14:

(See Minutes for text of new clause 14 agreed to without debate.)

Clauses 15 to 24 agreed to.

(See Minutes for amendment to clause 21 agreed to without debate.)

Title agreed to.

Bill passed the remaining stages without debate.

ADJOURNMENT DEBATE

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

Mr DONDAS: I wish to speak on a matter of great importance to the people of Darwin. This morning, I asked the Executive Member for Finance and Community Development a question without notice with regard to when the Government would re-introduce its home sale scheme for government employees. The reply was that the Executive Member had made representation to the Minister for some consideration to be given to the re-introduction of the scheme. I would like to bring to the attention of the House that there are many people who have been working for the Government for many years and who have purchased their homes after the cyclone but who now find themselves in a situation where they cannot plan for the future.

I would like to bring the House's attention to a letter I received and then elaborate on it. This letter is addressed to the Secretary of the Department of the Northern Territory.

I am aware that the 'Sale of Government Homes Scheme' is presently suspended; however, I wish to purchase the residence which I currently occupy, and herein submit application to do so. The following points are supplied in support of my application:

1. The house was badly damaged in the cyclone and the Government made no attempt to effect any repairs until I personally repaired the end wall and roof, replaced louvres and moved back into the house.

2. Following these repairs, the Department of Construction screwed down the roof, replaced some exterior and interior linings and made temporary repairs to the wiring. The house is now in a fair state of repair; painting inside was done by myself.

3. Repeated phone calls and a letter to your Department seeking (i) partial reimbursement of expenditure in repairs, (ii) information on upgrading of residence and (iii) permission to purchase, have resulted in vague and inconclusive replies.

4. Should I be given the opportunity to purchase the dwelling, I would be able to carry out necessary repairs - upgrading as required by present standards. This would also have the effect of removing at least one house from the burden on your Department to eventually rebuild.

5. I have lived in Darwin for 18 years, during 13 of which I have occupied the above dwelling. I regard myself as a permanent resident and, I hope, one who is willing to do something to better my present standard of housing if given the opportunity.

I would like to refer to the fourth paragraph of this letter; "Should I be given the opportunity to purchase the dwelling, I would be able to carry out the necessary repairs - upgrading as required by present standards". What this gentleman basically means is that he is willing to take the responsibility off the Government to rebuild this dwelling. This is not an isolated case. I have received numerous telephone calls from people in this situation and they ask why the scheme was suspended in the first place and when the Government is going to re-introduce it. This subject has been discussed and bandied about for the last 12 or 15 months and I think it is time now that the Executive Member for

Finance and Community Development made every endeavour to prompt the Government into re-introducing this home sale scheme. It is very important because it would take the pressure off the Government to rebuild quite a number of homes for people in that category. They could probably obtain money from a private source and they may not have to use the Home Finance Trustee. I do not think they would be entitled to it; they would be entitled to at least the \$15,000 at 7.5 per cent. Anybody who wants to put up his first house in Darwin is entitled to \$15,000 from the Government.

This man has lived in Darwin for 18 years, and he has been living in that house for 13 years. Everybody is entitled to change his mind. Just because you have lived in a place for 20 years does not mean to say you might not want to turn around and buy it in the twenty-first year. There are people who moved into their houses in May 1974 knowing that in May 1975 they would have been able to buy that Government house.

Mr Perron: If they applied.

Mr DONDAS: They would have applied because they put a swimming pool in. They have put fences up; they have put concrete under the house and they have spent many thousands of dollars in upgrading the residence, knowing that they were going to buy it. Their application was not accepted because of the cyclone. They do not qualify for a 12-month period. The cyclone blew their hopes away and blew away the money they had put into improving their property. That is the sore point of my speech. These people wanted to put money into a property which was not their own because they knew on past experience that 999 people prior to them had purchased a property after being tenants for 12 months. Why should that particular policy be changed because we have had a cyclone? The same places are still there and the same land is still here. The only difference is that the house is not there. These people cannot build on that land because the land does not belong to them, and all they want to do is buy that land.

People have taken the trouble and time to upgrade government residences with a view to purchasing them, yet they are now running into problems. They realise there have been problems but there is nobody today, 18 months after the cyclone, saying when they are going to introduce the scheme. "We will introduce it in 6 months' time", or "We will introduce it in 9 months' time". Nobody is saying, nobody is prepared to take the gamble and say, "Yes, we are going to do it". It is just, "Don't know". We will write letters off, we will get representations, and maybe we will get a bit of a reply in 3 or 4 months' time, or maybe in a year's time. I think that it will be too late because these people are losing heart and I do not blame them.

Another subject is the recent announcement by Minister Adermann with regard to some of the cutbacks. I feel very very sorry, although the Territory did not do too badly, that the Casuarina swimming pool will not be built in the immediate future by the city corporation. I feel that is a blow to the northern suburbs.

Mr Robertson: You can come down our way and have a swim in the potholes if you like.

Mr DONDAS: That is your problem down there; I am worried about my problems up here.

We were eventually going to have 2 olympic pools built out in the northern suburbs and, because of cutbacks, we are now faced with not having them go along in the immediate future. That is a great disappointment because in the next 2 or 3 years the northern suburbs will hold most of Darwin's population. In the wet season, which the honourable member from Alice Springs does not have down there - they can go and swim in the river all the year round, but -

Mr Robertson: What did you say?

Mr DONDAS: You can swim all the year round down there.

Mr Robertson: If you are a sandgroper you might be able to.

Mr DONDAS: We have such things as seawasps to worry about.

Mr Robertson: We have bull ants.

Mr DONDAS: It is a great disappointment that the swimming pools and those

facilities are not going to be built in the northern suburbs in the near future.

Motion agreed to; the Assembly adjourned.

INDEX TO MEMBERS' SPEECHES

25 May 1976 - 27 May 1976

ANDREW E.J.

BILLS

Adoption of Children (Serial 88) 281
Adoption of Children (Serial 101) 255
Co-operative Societies (Serial 103)
262
Local Government (Serial 112) 252
National Parks and Gardens (Serial
110) 252
Native and Historical Objects and
Areas Preservation (Serial 107)
257
Ports (Serial 111) 252
Registration (Serial 99) 253
Registration of Births, Deaths and
Marriages (Serial 87) 208, 275

SUSPENSION OF STANDING ORDERS

Bylaw procedure bills 252

BALLANTYNE M.J.

BILLS

Salvation Army (Northern Territory)
Property Trust (Serial 90) 282
Traffic (Serial 94) 199
Venereal Diseases (Serial 89) 210

DONDAS N.

ADJOURNMENT DEBATES

Airport bar 227
Block 8 cafeteria 226, 263
Casuarina Fire Station 227
Casuarina swimming pool 284
Darwin Business Relief Loan Fund 263
Department of the Northern Territory
227
Fannie Bay Gaol 227
Government employees home sales
scheme 283
Home sales scheme 283
Land availability 227
Papantonio, Mr 264

BILLS

Traffic (Serial 94) 206

MOTIONS

Transport Matters 247

EVERINGHAM P.A.E.

BILLS

Encouragement of Primary Production
(Serial 85) 277
Traffic (Serial 94) 201
Venereal Diseases (Serial 89) 212,
214

MOTIONS

Northern Territory (Administration)
Bill 223
Report of Darwin Hospital Advisory
Board 272
Transport Matters 239

KENTISH R.J.

BILLS

Venereal Diseases (Serial 89) 212

MOTIONS

Report of Darwin Hospital Advisory
Board 274

PERSONAL EXPLANATION 269

LAWRIE A.D.

BILLS

Traffic (Serial 94) 203
Venereal Diseases (Serial 89) 209,
213

MOTIONS

Northern Territory (Administration)
Bill 224
Transport Matters 236

LETTS G.A.

BILLS

Encouragement of Primary Production
(Serial 85) 276
Interpretation (Serial 19) 281
Legislative Assembly Executive Authority
(Serial 95) 281
Legislative Assembly (Executive Responsibility)
(Serial 18) 281
Public Service (Serial 20) 281
Stabilization of Land Prices (Serial
60) 280
Venereal Diseases (Serial 89) 211

MOTIONS

Northern Territory (Administration)
Bill 197, 215, 224
Transport Matters 245

STATEMENTS

Administrator of the Northern Territory 197
Executive Member for Finance and
Community Development 197

MacFARLANE J.L.S.

DISTINGUISHED VISITOR

Senator E.A. Robertson 231

MOTIONS

Report of Select Committee on Chamber
Refurnishing and Precincts Security
198
Transport Matters 249

MANUELL G.E.

ADJOURNMENT DEBATES

Alice Springs -
railway complex 228
stray dogs 229
Rural reconstruction funds 229

MOTIONS

Transport Matters 243

PERRON M.B.

MOTIONS

Transport Matters 233

POLLOCK D.L.

ADJOURNMENT DEBATES

Cattle transport 266
Central Australia, railways 267
Kulgera bypass 266
Stuart Highway 266

BILLS

Lottery and Gaming (Serial 109) 252
Radiographers (Serial 98) 255
Traffic (Serial 94) 205
Venereal Diseases (Serial 89) 212,
276

MOTIONS

Report of Darwin Hospital Advisory
Board 271
Transport Matters 242

ROBERTSON J.M.

BILLS

Road Safety Council (Serial 93) 277

MOTIONS

Report of Select Committee on
Chamber Refurnishing and Precincts
Security 277
Select Committee on Landlord and
Tenant (Control of Rents) Ordinance
198

PETITIONS

North Australia Railway 197

RYAN R.

BILLS

Motor Vehicles (Serial 106) 254
Traffic (Serial 94) 206, 275

MOTIONS

Transport Matters 231, 251

STEELE R.M.

ADJOURNMENT DEBATES

Aborigines, Hay Inquiry 267
Electricity and other charges, increases
267
Keeffe, Senator 267

BILLS

25 May 1976 - 27 May 1976

(First week)

ADJOURNMENT DEBATES

Aborigines, Hay Inquiry 267
 Airport bar 227
 Alice Springs -
 railway complex 228
 stray dogs 229
 Block 8 cafeteria 226, 263
 Casuarina Fire Station 227
 Casuarina swimming pool 284
 Cattle transport 266
 Central Australia, railways 267
 Darwin Business Relief Loan Fund 263
 Department of the Northern Territory 227
 Electricity and other charges, increases 267
 Fannie Bay Gaol 227
 Government employees home sales scheme 283
 Home sales scheme 283
 Keeffe, Senator 267
 Kulgera bypass 266
 Land availability 227
 Melville Island, forestry project 268
 Papantonio, Mr 264
 Rural reconstruction funds 229
 Stuart Highway 266

BILLS

Adoption of Children (Serial 88) 281
 Adoption of Children (Serial 101) 254
 Bush Fires Control (Serial 114) 251
 Church of England in Australia Constitution (Serial 66) 281
 Companies (Serial 84) 198
 Co-operative Societies (Serial 103) 262
 Encouragement of Primary Production (Serial 85) 276
 Interpretation (Serial 19) 281
 Lands Acquisition (Serial 59) 277
 Legislative Assembly Executive Authority (Serial 95) 281
 Legislative Assembly (Executive Responsibility) (Serial 18) 281
 Local Government (Serial 112) 252
 Lottery and Gaming (Serial 109) 252
 Mines Safety Control (Serial 120) 258
 Motor Vehicles (Serial 106) 254
 National Parks and Gardens (Serial 110) 252

Native and Historical Objects and Areas Preservation (Serial 107) 257
 Ports (Serial 111) 252
 Public Service (Serial 20) 281
 Radiographers (Serial 98) 255
 Registration (Serial 99) 253
 Registration of Births, Deaths and Marriages (Serial 87) 208, 275
 Road Safety Council (Serial 93) 277
 Salvation Army (Northern Territory) Property Trust (Serial 90) 282
 Stabilization of Land Prices (Serial 60) 280
 Traffic (Serial 94) 199, 275
 Venereal Diseases (Serial 89) 209, 276

DISTINGUISHED VISITOR

Senator E.A. Robertson 231

MOTIONS

Northern Territory (Administration) Bill 197, 215
 Report of Select Committee on Chamber Refurnishing and Precincts Security 198, 277
 Report of Darwin Hospital Advisory Board 271
 Select Committee on Landlord and Tenant (Control of Rents) Ordinance 198
 Transport Matters 231

PERSONAL EXPLANATION

Mr Kentish 269

PETITIONS

North Australia Railway 197

STATEMENTS

Administrator of the Northern Territory 197
 Executive Member for Finance and Community Development 197

SUSPENSION OF STANDING ORDERS

Bylaw procedure bills 252

INDEX TO MEMBERS' SPEECHES

Lands Acquisition (Serial 59) 277

MOTIONS

Transport Matters 248

TAMBLING G.E.

MOTIONS

Northern Territory (Administration)
Bill 221

TUNGUTALUM H.

ADJOURNMENT DEBATES

Melville Island, forestry project
268

TUXWORTH I.L.

BILLS

Bush Fires Control (Serial 114) 251
Mines Safety Control (Serial 120)
258

MOTIONS

Transport Matters 234

WITHNALL R.J.

BILLS

Encouragement of Primary Production
(Serial 85) 276
Traffic (Serial 94) 200
Venereal Diseases (Serial 89) 211

MOTIONS

Northern Territory (Administration)
Bill 218
Transport Matters 240