

NORTHERN TERRITORY OF AUSTRALIA

**LEGISLATIVE ASSEMBLY**

**First Assembly**

**Parliamentary Record**

**Tuesday 17 June 1975**

**Wednesday 18 June 1975**

**Thursday 19 June 1975**

Part I—Debates

Part II—Questions

Part III—Minutes

Part IV—Bills Introduced



**PART I**

**THE DEBATES**

**Tuesday 17 June 1975**

**MOTION**

**Northern Territory Fire Service Inquiry Report**

The report of the inquiry into the Northern Territory Fire Service having been laid on the table—

**Mr RYAN:** I move that the report into the Northern Territory Fire Service be noted and ask leave to continue my remarks at a later date.

Leave granted.

**RESOLUTION OF THE SENATE**

**Northern Territory (Stabilisation of Land Prices) Bill**

**Mr SPEAKER:** I present a communication from the Minister for the Northern Territory conveying the text of a resolution of the Australian Senate relating to Northern Territory (Stabilisation of Land Prices) Bill 1975.

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

Leave granted.

**REPORT**

**First report of the Cyclone Relief Trust Fund**

**Mr SPEAKER:** I present a communication from the Minister conveying the first report of the Darwin Cyclone Relief Trust Fund.

**Mr EVERINGHAM:** I move that the report be noted and ask leave to continue my remarks at a later hour.

Leave granted.

**REPORT**

**House Committee report—new parliament house**

**Mr SPEAKER:** I present a report from the House Committee relating to the construction of a new parliament house.

**Miss ANDREW:** I move that the report be noted and ask leave to continue my remarks at a later hour.

Leave granted.

**PAPER**

**The Katherine Project 1969-73**

**Miss ANDREW:** I seek leave to table a paper named "A program to adapt the schooling process in the interest of Aboriginal students in the Northern Territory schools,"

and I beg leave to make a few comments on this paper.

Leave granted.

**Miss ANDREW:** I table this mainly for the information of members. In reading this report, members may have questions which they can refer to me at a later date. The committee was inaugurated in June 1969 by Mr Fraser, the then Minister for Education and Science, and Mrs Steele, the South Australian Minister for Education who during a tour of Territory schools decided to form a committee to investigate Aboriginal needs within the schools. In November 1969, the first meeting was held and the basic terms of reference were to inquire and make recommendations relating to the educational needs of the children, investigate the relationship between education of Aboriginals and disadvantaged children in the community and to review special programs and make recommendations regarding these programs.

In 1970, a special project was implemented at Katherine and this project ran for the following 3 years. It involved action research and was strictly experimental. The key-notes were flexibility, communication, the teaching of the English language, parental liaison, adult education, community involvement among both sections of the community and a family education program. I was personally involved for a brief period in the operation of this special project and was most impressed with what it achieved. I think the knowledge and experiences gained will be reflected in Territory education system for years to come.

**MOTION**

**Report of Freehold Land Inquiry**

**Dr LETTS:** I move that the report of the freehold land inquiry conducted by Sir John Nimmo and tabled in the Assembly on 19 March 1975 be noted.

I was responsible for the motion in the old Legislative Council which resulted in the setting up of this particular inquiry into the problems of unauthorised subdivision and sale of freehold land east of Darwin. At the outset, I should pay tribute to the way Sir John Nimmo carried out his inquiry and produced a report and, more specifically, to the way that he has been able to produce some action in this matter. This is probably the most unusual feature of the inquiry.

In the past, we have had a number of inquiries under the Inquiries Ordinance into a

wide range of matters and the boards of inquiry have usually done their job very well on behalf of the citizens of the Northern Territory and have produced reports which have highlighted the problems in the areas referred to them and produced certain recommendations as to how these problems might be corrected. However, one knows from reading the reports on the activities of the Nimmo inquiries that Judge Nimmo went further than this. He not only analysed the situation and suggested certain corrective measures but he was also able to initiate certain administrative moves which for the time being have corrected the problems of the unfortunate people who were victims of the situation in the freehold area. To this extent, this Assembly and the people of the Northern Territory owe our thanks to Sir John Nimmo and the people who assisted him in the inquiry.

This problem has been with us for some 10 years. There were a number of people who either rejected the way of life which they found in suburban Darwin or found the costs of establishing themselves in this city too dear. These people elected to go beyond the city limits and to obtain for themselves a block of land within the area from Berrimah out towards Noonamah and even beyond. They found that they could obtain land there more cheaply than they could in the city area. They realised that they would probably have to live in a somewhat more unconventional style as there was no guarantee of the connection of some of the amenities and services required at that early stage. The people who invested there on the basis of a freehold title which they expected to get, expected that, by virtue of the title, they would be able to go to a financial institution and borrow sufficient money in order to be able to erect a dwelling and any other things they might like to do. In some cases, they were producing primary produce to supply the city and in other cases they were running some other form of business or enterprise such as a caravan park.

Back in 1964, the Town Planning Ordinance attempted to provide some form of control of the method by which land would be subdivided and to ensure that some form of town planning would be applied in this area. This was based on the premiss that, with the proper authority being given for subdivision and purchase of land, it would be a matter of course for the necessary titles to be issued. This did not happen. Whilst some subdividers

went through the process laid down in sections 18 to 27 of the Town Planning Ordinance and sought the necessary approvals from the Administrator and various other agencies, there were people who subdivided and sold without the necessary authority. In many cases they sold land to unsuspecting buyers who did not realise the full terms and requirements of the Town Planning Ordinance themselves and, because of this, these people were left in the position where they could not obtain title. Because they could not obtain title, they were unable to obtain any financial assistance to live in anything but an extremely primitive style under conditions which we would not tolerate in this day and age.

This problem has been evident to our legislature over a period of years and when I moved the motion for the inquiry it was after I had made a number of representations to the Department of the Northern Territory to do something administratively or legislatively to correct the situation. Back in 1971, two members of the Council, Messrs Brennan and Withnall attempted by legislation to bring about some rectification of this situation. After their bill had been passed by the Legislative Council, a period of 12 months elapsed before the government of the day announced its non-assent to the bill in August 1972. It stated that the government was examining the manner in which Part 3 of the Town Planning Ordinance might be rewritten to incorporate the principles expressed in the Brennan Withnall bill of 1971. After that statement, the examination of the situation continued for a further 10 months when the official member in this chamber who was in charge of the legislation indicated that an attempt to draft legislative provisions had not proved successful and that any hope of providing retrospective legislation to look after the people who were in difficulty over some years had been abandoned.

However, research was still continuing and in February 1974 the official member then in charge of the matter confessed that the whole matter was in the "Too hard" basket. In the following meeting, in May 1974, I moved a motion for the inquiry. The first term of reference to Mr Justice Nimmo was to inquire into and report on the sale in recent years of blocks of land smaller than 20 acres in the freehold area near Darwin contrary to the provisions of the Town Planning Ordinance

and the extent of hardship caused to purchasers. Secondly, he was to inquire into the extent to which malpractices had been evident in the operation of subdividers, legal firms and real estate agents concerned in such sales. Thirdly, the degree to which governmental departments and statutory bodies had failed to exercise their responsibilities in relation to subdivisions and sales in the area and the measures which could be taken by the government to alleviate the hardships and inequities encountered by purchasers and to restore to them a fair and equitable interest in land which they had contracted to purchase. Mr Justice Nimmo was appointed as the inquirer and he had counsel assisting him. He came to Darwin on a number of occasions; held hearings; went out into the areas affected; he talked to the people there and he conducted his inquiry very well. I don't think it would be unfair to Mr Justice Nimmo to say that rather than try to penetrate into all the areas that have led to the situation, he took the attitude that there wasn't a great deal of virtue in crying over the spilt milk but rather to try and produce some more milk that would be sustaining to the people who were in a state of financial malnutrition out in this area.

Although he found out that undoubtedly hardship had been suffered by a large number of people out in this area—something like 120 blocks—most of the people who had been involved were not technically in breach of the ordinance because the big weakness in the ordinance was that, although you broke the law if you went ahead with an unauthorised subdivision, there was nothing in the Town Planning Ordinance relating to the sale of these unauthorised blocks. It was only the subdivision itself in many cases which was unauthorised and therefore illegal. By the time that this was followed up, the matter could not be pursued through the courts but the ordinance itself does not make specific reference to the sale of these blocks and this was the loophole by which a number of people have escaped their just deserts. In spite of the fact that Mr Justice Nimmo to some extent passed over the history and involvement of certain people in the sale of blocks and concentrated more in trying to rectify the situation, I am still of the belief that people engaged in transactions and real estate and legal firms who had clients buying land did not take the trouble to sufficiently investigate the particular subdivisions and to give their clients the

protection which they might well have expected to have in a professional office.

Mr Justice Nimmo defined 3 main problem areas—the so-called group holding subdivision, the so-called Skewes subdivision and the so-called McNab subdivision. At the time that his report was tabled in this House, by virtue of his own participation in negotiations with the subdividers and the title holders, he had been able to virtually rectify the Skewes situation and bring it to a stage where people could obtain proper titles. The group holding situation had been satisfactorily resolved and the work which had been delayed for a year or two had been carried out. There is no doubt that the pressure of this inquiry was the chief instrument by which these people were induced to carry through the undertaking which they had given to the purchasers of the blocks. The main remaining problem area was the McNab subdivision. Once again, Mr Justice Nimmo had been able to arrive at a proposed solution which looks as though it will bring about the desired result. He obtained the agreement of the owners of the land to transfer the property to trusteeship. The trusteeship was empowered to raise finance to enable properly authorised subdivisions of the total area to go ahead. On the basis of anticipated sales from the properly authorised subdivision, the whole of the improvements required could be brought up to the stage where everybody in that area could expect to get his title. Mr Justice Nimmo had some reservations about how the cyclone might possibly cut across this particular plan but, as I understand it, the interest in land in the area is still quite high and it looks very much as if the Nimmo plan for the McNab subdivision will go through to a very satisfactory conclusion.

What we have actually achieved from the inquiry up to this point is that the mistakes and the injustices of the past have largely been overcome. Mr Justice Nimmo went further and pointed out that these things would happen again because of the weaknesses of the Town Planning Ordinance and he makes a specific series of recommendations as to how that ordinance needs to be corrected and brought up to date. That is a job for this Assembly; work for the future is now in our hands. The recommendations of Mr Justice Nimmo come under two headings.

His first recommendation is that for the efficient regulation of future subdivisions a master plan for the whole Darwin area,

including the area with which this inquiry was concerned, be prepared and published for it is only with such a blueprint that orderly development can be undertaken. We know that the government set its foot on the planning of this area some 3 years ago. We had the Pak Poy investigations and general recommendations on town planning arose from them. In early 1973, we had the 32-square mile acquisition, and in the course of the debates on that matter it became evident that the government was accelerating its planning activities in the region between Humpty Doo and Darwin. As part of the effort to diffuse the angry situation that developed in the 32-mile acquisition, we were promised that, by bringing to bear the powers of the City's Commission and the Regional Planning experts from down south alongside our own Darwin town planners, a master plan for the whole area down as far as Humpty Doo would be produced. After a number of false starts on the deadlines, the final deadline that was set for the production of the town plan for this area was February 1974. It was about February 1974 that the news came forward that the 23 square mile and adjacent areas were found to be not entirely suitable for the purposes for which it had been acquired. The soil types and the drainage problems were such that about one third of the area would not be suitable for the kind of building and town planning that had been envisaged.

This matter was delayed again. Surely the people of the Northern Territory can now expect, after some 2½ years of what should have been concentrated effort, that we must be getting very close to the town plan that was envisaged and to fulfilling the first recommendation of the Nimmo report for future action.

I know the great strains which are being placed on town planners by virtue of Cyclone Tracy. However, we must see that a further town plan for this next urban area outside Darwin is produced properly, so that further subdivisions can be fitted into that plan and not take place on a haphazard basis. That is Nimmo's first recommendation which I thoroughly and fully support. The second recommendation is in several parts and relates to the Town Planning Ordinance itself. He says that Part 3 of the Ordinance should be replaced by a new part, set in the mould of the legislation now operating in other parts of Australia. In other words, our legislation in this respect is old fashioned, outmoded, outdated, archaic and antedeluvian. He goes on

to say that a new town planning board should be established with proper delimitation of its powers. These powers should be wide enough to enable the board to achieve implementation of the master plan recommended for the area and to ensure that any development proposed will have adequate services and amenities within a reasonable time. To these ends, it will be necessary for the board to impose varying conditions on subdividers who will be obliged to fulfil those conditions or by the provisions of security to satisfy the board that they will be fulfilled before the board approves the subdivision. The further recommendations are:

- (b) That there should be an absolute prohibition with adequate sanctions for its enforcement on the sale of allotments in a subdivision before a plan of that subdivision has been registered by the Registrar-General. Sale should be defined to comprise those transactions set out in the present definition of "subdivide" in section 18 of the existing ordinance and a sanction should be made to apply not only to the subdivider but also to any agents employed by him in effecting the sale. It should be provided that a purchaser to whom land has been sold illegally shall be able to recover the consideration moving from him to the vendor notwithstanding the illegality of the transaction.
- (c) A clearly expressed procedure for dealing with an application to the board for approval to subdivide should be laid down. On such application, the following steps are envisaged:
  - (1) The application accompanied by a plan of the subdivision is lodged with the board.
  - (2) The board considers the application and inter alia inspects the land concerned—which has not been done in the past—and consults with the government departments and instrumentalities.
  - (3) The applicant then accepts the board's conditions or allows the application to lapse. If he accepts, he fulfils the conditions or provides security for their fulfilment to the satisfaction of the board.
  - (4) The board approves the subdivision and forwards the plan as

approved to the Registrar-General.

- (d) Under amendments required to the ordinance, the new ordinance should be made to apply to all subdivisions of freehold land near Darwin, regardless of the size of the allotments into which a given area is subdivided. Unless this is done, it is only a question of time before the same problems which led to this inquiry will arise in relation to subdivision of land into blocks of 20 acres or more.

Honourable members will realise that these recommendations have to be examined alongside the ordinance and expert advice has to be taken and this has to be done quickly. Under our present setup in the Assembly, the responsibility for this particular kind of job will probably fall between the Executive member for Community Development and myself as it involves both urban planning and rural land. I therefore propose to ask the Executive Member for Community Development to liaise with the Department of Northern Territory, with the Parliamentary Draftsman and with everybody who has an interest in this matter with a view to getting drafting instructions drawn up at the earliest possible date.

Finally, I would like to say that the whole sorry exercise and the findings of Justice Nimmo vindicate what I and many other people have been saying ever since the legislature was first created and this is very important in broad terms in relation to the Joint Parliamentary Committee's report: the legislation for the administration of land should be sufficiently delegated to the people of the Northern Territory through their elected members so that it can be drafted in the light of local knowledge and experience and we are not entirely in the hands of a Canberra-based minister and public servants who, however capable and well-meaning, are not as closely in touch with the problems that develop in the Northern Territory as elected members have to be. This clear case emphasises the need for land administration and land legislation to come back at a high level of delegation to the local legislature of the Northern Territory. I commend Justice Nimmo on his report.

Debate adjourned.

## HOSPITALS AND MEDICAL SERVICES BILL

(Serial 15)

**In Committee:**

Clause 7:

Progress reported.

### EXECUTIVE RESPONSIBILITY BILLS

**Dr LETTS:** I move that Order of the Day No. 2 be postponed until a later hour.

By way of brief explanation, we have encountered some difficulties in moving forward at least one of these bills. Legal opinion has been forthcoming from the Attorney-General's Department that the Executive Responsibilities Bill as it stands at the moment is ultra vires in terms of the Northern Territory Administration Act. It appears that there may have to be some amendments made to the Northern Territory Administration Act before the Executive Responsibilities Bill could become valid legislation. Alternatively, some amendment to the Executive Responsibilities Bill may be possible to make it fit into the present Northern Territory Administration Act. Until I have further discussions with the Parliamentary Draftsman and legal authorities to know exactly which way to proceed on this, we won't be able to finalise at least that particular bill during the course of this sittings.

On the other hand, while the Public Service Bill is before us, there are some amendments which may be required to enable the Northern Territory members of the public service to obtain their rights in the near future. It may be necessary to split up the bills at a subsequent meeting of the Assembly so that one of them can be handled separately from the others. I will examine the best way of doing this.

Motion agreed to.

### BILLS RELATING TO DISPOSAL OF PROPERTY

#### POLICE AND POLICE OFFENCES BILL

(Serial 16)

#### JUSTICES BILL

(Serial 24)

**Mr POLLOCK:** I would like to speak briefly in support of the bills. I have had some first hand experience with the difficulties which the police experience in the disposal of

some property which comes into their possession. They find that they are unable to dispose of it under the present provisions of the Police and Police Offences Ordinance and the Justices Ordinance. These amendments will allow the police through the courts to dispose of some property when the owner is known but cannot be located. On so many occasions, property does come into the possession of the police. If they know who the owner is at the time when it comes into their possession, certain proceedings occur, time elapses, the owner does a midnight flit and next thing the police are left with a conglomeration of property varying from firearms to motor vehicles, to ball point pens. Because of this, property has been held for long periods at police stations and is quite a nuisance. A court order will still be needed to dispose of the property and I am quite certain that the courts will not make any order without having looked into all the aspects of the police application.

Motion agreed to; bills read a second time.

Bills passed the remaining stages without further debate.

#### DRUNKENNESS BILLS DRUNKENNESS BILL

(Serial 31)

#### POLICE AND POLICE OFFENCES BILL

(Serial 32)

**Mr EVERINGHAM:** I ask leave to make a statement relating to the Drunkenness Bill 1975.

Leave granted.

**Mr EVERINGHAM:** I wish to brief the Assembly on developments that have occurred in relation to this legislation since the last sittings. In that time I had a chance to find out the reactions of the various Aboriginal Councils throughout the Territory. I visited Papunya and Yuendumu where I spoke to the councils and I received approval from those councils for the legislation. I have received many written approvals from Aboriginal councils elsewhere, and I have received no rejections of the legislation from any quarter.

Since I had the favourable reaction of most representative bodies in the Northern Territory, including the Alice Springs Council and the Katherine Town Management Board, I felt that it would simply be a matter for the governmental departments to undertake to administer the legislation when it was finally

passed and assented to. However, in a discussion with the Minister for the Northern Territory last week, I was informed that an inter-departmental conference at Canberra some six weeks ago had brought certain aspects of the legislation which they considered to be unfavourable. The Minister has afforded me the opportunity to comment on these various aspects and to arrange a further conference between governmental departments which it is hoped may take place in Alice Springs in the next four or five weeks. I am hopeful that I can overcome the objections raised by the Federal Government departments.

Debate adjourned.

#### CONTROL OF ROADS BILL

(Serial 36)

Motion agreed to; bill read a second time.

In Committee:

Clauses 1 to 5 agreed to.

New clause 6:

**Mr RYAN:** I move that new clause 6 to be added to the bill.

The new clause is to amend section 49D which relates to the distance to which an inspector can order a transport operator to go to the nearest weighbridge. Currently the distance is 16 kilometres and the area that we are principally concerned with is the section of road known as The Three Ways which is 26 kilometres from the town of Tennant Creek. If an inspector pulls up a transport at The Three Ways and he suspects that the vehicle is overloaded, he is unable to ask that operator to go to Tennant Creek to have the vehicle weighed on the weighbridge. Currently, the weighing of vehicles on the road is not particularly practical. The loadmasters which are used for weighing the vehicle on the road have to be carted around and they are rather heavy. They have to be used on a piece of flat hard ground which could be rather difficult to find. The amendments will enable the inspector to stop a transport at the Three Ways and have him go to Tennant Creek to be put over the weighbridge. This would also offer some protection to operators if the roads are in poor condition which happens quite often within the Northern Territory. It could possibly prevent the operator himself from being bogged. As a result of being bogged, he could hold up the transports that are following.

**Mr POLLOCK:** In my electorate, a weighbridge is to be built at Kulgera. The Victory Downs turn-off is more than 16 kilometres south of Kulgera but it is within the 30 kilometres proposed in the amendment to the bill. Thirty kilometres is not a great distance and I think that the value to Territory people will far outweigh and disadvantages which the transport operators will incur by being taken to the weighbridge. After all, the inspectors usually have pretty good grounds for asking the drivers to go to the weighbridges. We see many cases where overloaded vehicles do much damage to our roads and this takes a considerable amount of time and expense to rectify.

New clause agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

## CROWN LANDS BILL

(Serial 35)

**Mr KENTISH:** For quite a few years, there has been considerable conflict in the provisions of the Crown Lands Ordinance relating to stocking in the Northern Territory. One of the areas of conflict which goes back quite a long time, particularly in the southern areas of the Northern Territory, relates to drought conditions where the lessee has the minimum quantity of stock. There have been certain emergency provisions in times of drought to enable him to decrease his herd below the minimum covenant requirements.

The requirements of the Soil Conservation Council may also conflict with the minimum carrying conditions on a lease. The Soil Conservation Council is fairly active in the Northern Territory and from time to time it comes to their notice that some of the lands of the Northern Territory may be deteriorating due to overstocking in certain areas. They may find that they should recommend that a certain area of a lease should be rested for a period of time or that stocking be reduced over a certain area for a period of time. This may be something to do with the run of four seasons or the nature of the country involved.

This bill is an attempt to get away from this conflict between ordinance requirements and to stabilise the situation. I support the bill.

**Mr MacFARLANE:** I support the bill, but I draw attention to the shortcomings of this legislation which would necessarily have been hasty and ill-prepared. I refer back to the

select committee held last year of which the Majority Leader was chairman and on which the honourable member for Arnhem and myself also served. We made some recommendations and I would like the Majority Leader to indicate whether he intends to bring in any legislation which would have some bearing on bills such as this. This is all right as far as it goes but it deals mainly with soil conservation and I don't think that is enough at this stage.

**Mr WITHNALL:** I support the principle but I think there may be some work required to tidy it up. The proposals in clause 4 are directed towards giving the Administrator power to vary the covenant in a lease relating to stock and this power is proposed to be given by agreement with the lessee or without such agreement. I don't know if there are many circumstances in which the agreement will not be there but I do not accept that this is necessary because there are greedy lessees who are likely perhaps to obstruct any proposal that the minimum number of stock be reduced. The section, however, is drafted from the point of view of soil conservation not from the point of view of the pastoralist and it may very well be necessary to give the lessee the right to apply for a variation of covenant in the lease so that the initial action may be taken by him.

There is a further defect in that it does not make any provision for the Registrar-General to be notified of the agreement so that persons who are searching the lease in the Registrar-General's office are likely to be under the impression that they have to provide a certain minimum stocking on the land whereas in fact the variation has already been made. This latter comment can also be made with respect to the proposed section 68M which deals with the surrender of town lands. A lease of town lands may be totally surrendered and then the surrender is marked on the title but I am not quite sure whether there is provision in the ordinance—I am speaking off the cuff at the moment in this respect—that the Registrar-General should note the variation of the lease. This is a new section and I would have thought that a subsection providing that the Registrar-General should note the surrender of part of the lease was necessary so that persons searching the title again could be aware that the area of land under the lease had been reduced.

Similarly this comment may be made with respect to the new section 74G where part of

the lease is to be surrendered. Some specific provision is necessary so that the public at large, by searching in the register, may be able to ascertain that the area of land covered by the lease has not been reduced. These are the only comments I have to make with respect to the proposal brought in by the honourable member for Victoria River.

**Dr LETTS:** I thank the honourable members for their comments which have been particularly constructive in this case. Members will recall that, at the outset, I said that this bill was government sponsored. As it originally stood, it was an effort to tidy up an inconsistency between the soil conservation legislation and the crown lands legislation in the Northern Territory which had been evident for some 10 years or so.

The points made by the honourable member for Elsey are well taken but the select committee last year did investigate certain aspects of land administration and legislation and did make some further recommendations and draw to light some further faults in the Crown Lands Ordinance that need rectification. Following further approaches from the government through the Department of Northern Territory, I foreshadow that an effort may be made in the committee stages through further amendment to take another step along the road suggested by the honourable member for Elsey.

Also at the committee stages, I hope that I will be able to pick up a number of deficiencies that were commented on by the honourable member for Port Darwin. For example, he referred particularly to a variation of the stocking covenant and suggested that provision might be made for the lessee to request a variation of the stocking covenant and for this to be approved by the Administrator. At the moment, while the lessee on a pastoral lease can ask for a variation of a covenant in most things, he cannot ask for a variation on stocking. Stocking is probably one of the most fundamental covenants both in terms of assuring productivity of leasehold land but also of securing the necessary conservation of the land. The present law does not provide for such variations to be sought by the lessee and I think the suggestion that has been made by the honourable member for Port Darwin is an admirable one. This particular question has been taken care of and built into the other matters relating to the Soil Conservation Ordinance.

The requirement for the Registrar-General to be notified of variations and for these variations to be noted on the lease instrument is also intended to be brought out in the committee stages through further amendments. Some of the recommendations of the select committee from last year on the Crown Lands Ordinance are being taken care of by legislative change. The object is to shorten the tremendous time which the whole process seems to take. The average time is anything up to 18 months or 2 years. Administratively, we have been able to short circuit a portion of this time by arranging for the Administrator to delegate some of his authority to the chairman of the Land Board so that applications can go back to the chairman instead of to the Administrator. At the same time, there will be other amendments proposed which will have the effect of further shortening the time—an amendment by which the statutory period of 28 days to call a meeting of the Land Board can be reduced if the circumstances are agreeable to the members of the board. If the board can meet within a shorter period without interfering with the interests of the applicant or the public or the board itself, it will be possible under an amendment to further shorten the administrative time required.

Whilst moving in those directions which are all part of the same area of operation of the legislation, I foreshadow that I will be seeking to improve the flexibility of the operations of the Land Board by asking for an increase in the size of the total membership so that quorums can more easily be constituted from various parts of the Territory and people can be called in who have local knowledge of a particular area. I will be proposing that we have some greater size with a view to greater flexibility in the operation of the board and I think that members will also recognise that we now have an anachronism in the Land Board. Some years ago we put a provision into the Crown Lands Ordinance whereby the Director of Social Welfare as he was then called became a member of the Land Board because that board was charged with the responsibility of dealing with Aboriginal land matters. With the advent of the Woodward Report and the legislation about to be introduced in Canberra, a land commission and various other ways of dealing with this situation will be implemented. There is certainly no need in the future for the Director of Social Welfare to automatically be a member of the Northern Territory Land Board so the

appropriate change to bring us up to the modern situation will be sought when we get to the committee stage.

I have had all these amendments drawn up and they have been circulated today so that members will have a chance to have a good look at them. If the Assembly is agreeable to this bill being passed at the second reading level, it will be my intention to then seek postponement of the committee stage to a later time so any further consideration of those new amendments may be made. I did take the opportunity to show them to several members during the course of last week so that they would not be caught unawares and have a chance to decide whether they would be prepared to see the matter make further progress during these sittings. I think they are fairly straight-forward. All the proposals are in conformity with the previous recommendations of this legislature and the select committee reports. I will take into account the remarks of the honourable member for Port Darwin and re-examine the amendments which I have had drafted to make sure that they do in fact meet his requirements.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

### MOTION

#### Possible transfer of Secretariat of Department of Northern Australia

**Dr LETTS (by leave):** I move that this Assembly is of the opinion that any decisions to transfer the Secretariat of the Department of Northern Australia out of the Northern Territory at this time would be contrary to the best interests of the Territory and Australia in that it would—

- (a) depart from the concept of regionalisation and decentralisation which has been supported by the government;
- (b) represent a backward step in the political and administrative evolution of the Territory;
- (c) recreate difficulties of remote administration;
- (d) cut across the program for the development of executive authority within the Northern Territory envisaged in the Joint Parliamentary Committee report.

In view of the discrete nature of the Department's function and the fact that the major part of its operation will be the administration

of the Northern Territory, the centralisation of the headquarters in the Northern Territory is the most logical and convenient arrangement.

Therefore the Assembly requests the Prime Minister and the Minister for Northern Australia to give full consideration to these views and to use their best efforts to resist such a move and that the Assembly appoint Mr Speaker to personally convey the terms of this resolution to the Prime Minister, the Minister for Northern Australia and such other Ministers as are available and to confer with them thereon.

I make no apology for moving this motion without notice this afternoon. I believe it is a matter of the greatest urgency and those people who wish to speak can do so without a great deal of preparation because we all know the sad history so very well. Of all the weird and traumatic things that have happened to the Northern Territory in 1975, this proposal to move the headquarters of the Department of Northern Australia out of the place surely ranks high as one of the weirdest and one of the most serious things that could happen to the Northern Territory this year.

Looking at the terms of the actual motion, I refer first to the departure from the concept of regionalisation and decentralisation which has been supported by the government. We know that the government has followed on from the previous government in looking for regional growth centres. This concept has already been started in places like Albury and Wodonga. In very recent weeks, we have seen the Prime Minister himself charging a working party, under the Royal Commission on the Australian Public Service headed by Dr Coombs, with responsibility of looking at greater delegation of administrative authority to a number of important regions throughout Australia. Places like Alice Springs and Townsville have been considered in relation to this move which was a clear expression of the Australian government in wishing to achieve some meaningful decentralisation and delegation of administrative authority. For the first time, we had a Department of the Northern Territory, now Northern Australia, headquartered in the region where it is to serve. I find this new concept to be wholly inconsistent with other initiatives that the government has taken.

Secondly, it represents a backward step in the political and administrative evolution of

the Territory. One of the actions which I believe was quite commendable on the part of the present government was the establishment of a special department for the Northern Territory centred within the Territory with a permanent head. This was the first time in history that that has been done. We are only just starting to get used to it. While it is general knowledge that I have not always seen eye to eye with that permanent head and some of his senior staff, I believe it has been a great advantage both to them and to us to have them located here. It is surely a backward step to take it away 2,000 miles before the benefits of the move of 2 years ago can even be felt.

Part (c) of the motion concerns difficulties of remote administration. Nobody here knows more clearly than I do, except perhaps the honourable member for Port Darwin, just what those difficulties of remote administration are. In fact, everybody knows that part of the reason for my resignation from the Commonwealth Public Service back in 1970 was my discontent with the difficulties which are experienced in trying to get anything done under a system of remote administration. It would horrify everybody who has to be served by the public service and people within the public service to go back to that kind of situation.

Finally, this proposal seems to cut clean across the long and valuable deliberations resulting in the recommendations of the Joint Parliamentary Committee on the Northern Territory. I remind members of certain sections of that report. On page 68 paragraph 113 "consultation and co-ordination" states: "The evidence before the committee stresses the need for continual and close consultation and co-ordination of effort between the national and Territory executive on a wide range of matters of interest to both parties. The Committee wishes to formally record and stress its views that without close and responsible co-operation between the national and Territory executive this experiment in self government in the Northern Territory is doomed before it even takes its bow. The Committee recommends that one Australian government minister have the executive responsibility for all state type functions here and that the administration be invested in one Australian government department and the establishment of a committee between that

department and the minister and the Assembly in order to bring this new system into being".

Close co-ordination and co-operation is the main theme which the Joint Committee stressed throughout its report and it restresses it in its second report. Practically and logically, the only way that we are going to achieve the analysis of detail and the programming of what has to be done here is by our being able to sit down with the senior officers of the department from time to time to hammer some of these things out because the minister is not going to be available from day to day.

It has been said to me by one or two people within this Assembly that the only basis on which they would support a moving of this department headquarters anywhere else would be if it was clearly understood and laid down irrevocably that the place of the Department would be taken by the faster development of the local executive and the transfer of local executive authority to create an administration in the place of what was being removed and to appoint the officers who are here in those jobs into that administration. This is most unlikely to happen with any speed. Until it does happen, we want that Department to stay right here. The Speaker is going down to represent the whole Assembly. He is neutral as far as we are concerned and he can present our case in person. We hope that he will be listened to.

**Mrs LAWRIE:** I support the motion entirely and I agree with the Majority Leader that it would be one of the most retrograde steps taken in Australia to transfer out of the Northern Territory the administrative structure on which we do rely—the private sector as well as the public sector. I think that it would destroy Darwin more quickly and more brutally than Tracy attempted to do. We would be faced with a worse situation than we had a few years ago when we had control from Canberra—at least that was two-way control. What we are being faced with now is the option of a three-way struggle in Queensland, Canberra and Darwin. It is worse than a Canberra/Darwin straight out fight. It would fail of its own momentum; we would be struggling forever to gain that lost ground.

I agree that the Speaker shall present our views on this. The Speaker is representing the views of the Assembly and, more clearly than

ever before in a debate such as this, the Assembly is representing the views of the people of the Northern Territory. There have been debates and emissaries to Canberra before, but surely there has never been such a clearly defined issue whether control of the Territory is to remain within the Territory or whether it is to be shifted.

I also realise that if the public service sector was moved interstate, our hopes of constitutional development would fade, wilt and die—at least for the next 5 years. Isn't it silly to think of shifting the Department when Western Australia and Queensland, the other northern areas of Australia, will dictate how their northern areas will be developed and at what pace. They are not going to listen to the Australian government in the sense that we do because we are an Australian government responsibility. The department has a clear responsibility to stay here to consult continually with the elected representatives of this place and to proceed with an orderly changeover of responsibilities from the Australian Public Service to the Northern Territory Public Service. Neither Queensland nor Western Australia has to negotiate with the government to that degree. On logic alone, putting aside the rights of the Territory, the headquarters of the Department of Northern Australia must remain in the Territory.

Mr WITHNALL: I support the motion. For a very long time the Northern Territory has been a political football. In the last 30 years, we have been governed in turn by the Department of the Interior, the Department of Territories, the Department of the Interior, the Department of the Northern Territory and only now do we see a glimmer of light that there may be some responsible government in the Northern Territory. We are now presented—allegedly because of the cyclone in Darwin—with the dismemberment even of the government of the Northern Territory which was set up by the Commonwealth. Already numbers of people have been transferred to Brisbane and I suggest that the transfer to Brisbane was not entirely motivated by the Northern Territory cyclone. In support of that, I will quote an answer that I received to question number 200 in which I asked whether the staff of the Education Department were likely to be transferred to Brisbane.

The question wasn't answered and that is quite normal these days. The question was: "Is it a fact that a decision is being made to

transfer the accounting and salaries staff of the Department of Education to Brisbane?". There was no answer to that question at all. The answer I did get was: "Following discussions with staff 3 adult education programmers and 3 members of the curriculum and research branch did move from Darwin to Brisbane in early May. They were prepared to move there. The transfer was arranged because for some time the curriculum and research branch which provides an advisory service to teachers has been trying to gain a viable staff and establishment in order to continue the meaningful curricula for use in the schools of the Northern Territory". I do suggest that it is quite clear that that decision was taken because somebody wanted part of the education staff to be located in Brisbane. We are being dismembered. Any suggestion that the headquarters of the Northern Territory should be shifted from its present headquarters in Darwin must be retrograde.

It was with some gratitude that we heard the Prime Minister announce that the Department of the Northern Territory would be centred in the Northern Territory. The paragraph of this motion that I want to particularly refer to is the one which says that "In view of the fact that the major part of the Department's operation will be in the Northern Territory, the centralisation of headquarters in the Northern Territory is the most logical and convenient arrangement". It is logical and convenient because the biggest job is in the Northern Territory because it has to deal with the Kimberley area of Western Australia and northern Queensland with whom we have direct dealings. Consequently because the major part of the task is here and because it is central to both the northern parts of Western Australia and Queensland, this is the logical place in which to put the department.

Apart from that, residents of the Territory would be rather angry if they found that they no longer had somebody in Darwin to whom they could say "Listen, you did this. Why?". It has been our complaint for many years that we have never been able to get at somebody who made a decision and say: "Why did you do it?". It would have cost you an air fare to Canberra to do it. The department now operates here and any citizen can go to the office and say "I want to see Mr Smith. He has made a decision that affects me and I want to know why". If the headquarters of this department is changed from Darwin to some other place in Australia, he must get himself a

fare to one of these other centres before he can see somebody who made the decision.

All government must be rational, regional and municipal. We have just started to get regional government. The first sign of it was the putting of the Department in the Northern Territory. That was the first step towards regional government because the people who were doing the actual administration were here. If we are going to lose that, it is not only a retrograde step but something that will cost the government dearly when it comes to the polls in the Northern Territory.

**Mr TAMBLING:** It is unfortunate that the Australian government seems to always take a very high handed and arbitrary manner in dealing with the Northern Territory. It does not seem to want to relate to what the people want or what the desires of the people who live in the Northern Territory are. This afternoon I have had the opportunity to speak to spokesmen of the Public Service Associations. When I spoke to Bill West of the Administrative and Clerical Officers Association, his immediate reaction was one of a bit of surprise; his words were: "Absolutely disastrous". Heather Sedgewick of the Australian Public Service Association was even more horrified and she said; "It would be the end of Darwin. The people of Darwin have enough to cope with at this time. What is this going to do? It will wreck the city".

It appears that these decisions are continually being made without consulting the unions or the particular interested groups. We have had the fiasco in a number of areas where the Australian government has taken this high-handed attitude at a very early date. A move such as this would do a heck of a lot to the planning that has already been done by the Darwin Reconstruction Commission and, whilst we might be critical of many of the aspects of that planning, at least we have been able to influence it up to date quite substantially. We are now aware of what their first stage of the housing reconstruction program is. What is going to happen if this goes on? Are we suddenly going to get a group of planners running around saying, "Look, the mathematics game is different again. We have to halve those estimates; we have to halve all of that program?". Would we be reneging again on the financial responsibility for the cost of rebuilding Darwin?

The Prime Minister, the Deputy Prime Minister, the Minister for the Northern Territory and every other Australian minister who has visited Darwin since that cyclone has pledged that Darwin will be rebuilt for the people of Darwin. Are they just words? Aren't we really looking to a time when we must consider the families that are here, the people whose lives are already adjusting to major sociological problems? At least let them be here where they want to remain because this is what they have indicated time and time again. The people of Darwin are crying out for confidence and stability and a move such as this will in no way assist this.

**Mr POLLOCK:** I wish to say a few words on behalf of some of those members of the Assembly whose areas are outside of Darwin, because this move affects the whole of the Northern Territory. I would like to endorse the remarks of the previous speakers. I am sure that the people of the Territory as a whole condemn any move to move the headquarters of the Department of Northern Australia out of the Northern Territory.

Motion agreed to.

#### **FIREARMS BILL (Serial 34)**

**Mr POLLOCK:** I rise not to oppose the principle of this bill but to question the method. The purpose behind the bill is to extend the list of firearms which are not to be classified as high-powered firearms. I have no objection to the exclusion of the firearms proposed from the restrictions imposed on high-powered firearms, but at present there is a regulation-making power to enable regulations to be made describing those firearms which are deemed not to be high-powered firearms. Regulations have been made under this power. This bill proposes to list those firearms in a schedule to the ordinance and to add also the additional firearms proposed. There is one omission from that list. I propose to move an amendment to insert the .310 rifle. The bill proposes that firearms which are deemed not to be high-powered firearms may be included either in the schedule to the ordinance or in the regulations.

I question the need to insert this provision in the ordinance. It seems quite appropriate that the ordinance should empower the making of a regulation listing the firearms deemed not to be high-powered firearms. I see no reason why the list should now be included in

the ordinance. Whilst I did not intend to make an issue at this point, I would ask the sponsor why the present pattern of the legislation should be changed and whether it would not be simpler and more appropriate purely to seek the amendment of the regulation to include the additional firearms. I repeat that I am not opposed to the inclusion of these additional firearms.

Secondly, I also seriously question the appropriateness of the method chosen by the sponsor. If this bill passes in its present form, future amendments to the list of firearms deemed not to be high-powered firearms can be made by listing them in the schedule or in the regulation. As far as I am concerned, this would be nonsense. It could lead to nothing but confusion. If the power is important enough for the inclusion in the ordinance, well and good, but then there would be no grounds for a similar power in the regulation. If the power is not that important, then the bill should be rejected and the amendment sought for the regulation.

I remind members that this is not an overused power. This was inserted in the regulations 13 years ago. The proposition in this bill is the first time an amendment to the list has been sought.

**Mr Withnall:** Oh, come on! There have been many amendments sought and all amendments used.

**Mr POLLOCK:** I will be interested to hear the sponsor's reasons for the actions he proposes in the bill. I foreshadow that if the bill proceeds to committee, I will be proposing amendments to include the .310 firearms, to remove from clause (3) reference to the regulations and to remove from the ordinance regulation-making power (ca) which empowers listing of the regulations required for firearms deemed to be not high-powered firearms. My purpose will be to ensure that if this matter is to be dealt with in the ordinance, it is dealt with only in the ordinance and not confused by being dealt with in similar terms in the regulations.

Debate adjourned.

## NUDITY BILL

(Serial 38)

**Mr DONDAS:** I rise to support the bill and I shall endeavour to make my speech short as I do not wish to traverse the same ground as previous speakers. I do feel, however, that the bill in its present form fails to provide an

appeals clause for the citizens who wish to object to the location of a proposed free area.

I propose to frame an amendment which should satisfy some of the other members who expressed concern that the public may not be informed enough about a proposed free area. My amendment would cover this shortcoming and it will also assist the Administrator's Council in its final decision in selecting a free area which will be acceptable to other members of the community.

**Mr KENTISH:** I rise to oppose this bill now known as the Nudity Bill. It was previously introduced as a Free Beach Bill. During the buildup of advertisements concerning this bill, there have been a number of deceptions practiced in the presentation of the concept. It has been called a sun club; actually it is a nude club, not a sun club. Secondly, it is called a free beach. We have had one free beach at Lameroo and that was so free that only certain people frequented the area. Finally, the council closed it down but it was fairly free down there. There we have another deception. It is not a free beach at all; it is in effect a beach which is secluded or shut off from the use of the better class of public or people who don't like this sort of thing. It is lost really to the general public and it is not free any more.

We were told in advertisements and propaganda that the public were clamouring for this free beach. Again, it is a deception. I find that very few of the public are clamouring for this beach. People that I have asked have more or less shrugged their shoulders and said, "We don't want a bar of it but if some other nut wants it, let them go ahead with it as long as they keep out of our way in a secluded spot". It is far from being a majority of public who would be supporting this bill, and very definitely so in my electorate.

We are told that it is a move of progress and enlightenment. I would refute that as being a matter of deception. It is an enlightenment that existed perhaps 1 to 2 thousand years ago back in the dark ages. It is definitely a retrograde step which would take our civilisation back centuries. It is a refutation of the refinement, culture and dignity that has been achieved over a good many years of Christian principle and living. I would not regard this as a bill that would promote rot and decay in our civilization but we wouldn't be the first civilization that has rotted and decayed in this world. Most of us can remember civilizations

that have come and gone in the past and some that are on their way out at present. I don't think that this bill would cause that sort of thing, but it is a signpost for it. It is a signpost of the stage we have reached that a bill like this is possible. It is a signpost of a further stage of permissiveness in our society and civilization.

In dealing with this bill, we are dealing with people who have an obsession to be stark naked. Under other circumstances, people that are possessed with this obsession to cast off their clothes are generally arrested and put away for a while till they get themselves straightened out up top. Here, this obsession will be legalised and people who find that they have to run about stark naked will in a certain area be legalised; in the past they were incarcerated. Whether this is enlightenment or nor, I am not quite sure but I still think it is a bit retrograde.

At the present time, the requirement on our beaches is very light indeed. In fact, it amazes me that people should want any change in the requirement. A minimum that is recognised as being reasonable attire for a woman is the top and bottom of a bikini set and, as far as a man is concerned, he gets by if he wears half a bikini set, providing it is the right half. Why anyone should want to wear less than this in order to feel free and untrammelled is just beyond my imagination. In the propaganda that has preceded this, we are told what a wonderful thing it will be and that families will swim together on the beach in nude happiness; frolic together on the sand in nudeness. The success of this is dependent on 2,000 years of Christian restraint, morality and principle. In depending on this Christian morality to make this nudity a restrained and successful venture, it is likely to be a mistletoe that will destroy the tree that it is depending upon.

I have been in my electorate of Arnhem for 38 years and I have seen plenty of nudity there, particularly in the early days. It ceases to be a thing that shocks me very greatly, but I quickly became aware that these people without Christian background of restraint had run into great difficulties with their nudity. The nudity was enforced because they had no access to clothing. They were a people with a very strict breeding rule amongst themselves and a rather amazing system of marriage relationships. Even modern professors could not improve on the system but this system was threatened by nudity amongst them. For incest, they had the penalty of death in certain

circumstances. Once a girl had just reached puberty, she would have to walk several chains around her brother and must no longer talk to him or hand him his food or have anything to do with him. Daughters were not allowed to speak to their fathers any more and sons were not allowed to talk to their mothers. All these things applied when I first went amongst the people. Because of Christian influence amongst them and the advent of clothing, the harshness of these old laws among the Aborigines is being softened now. I mentioned this to illustrate the point that nudity in a society such as we have would be dependent on a background of Christian influence to keep it on the rails.

I might mention that the people in my electorate, particularly the Aboriginal people, are horrified at the suggestion of public nudity where anyone may enter one of these free beach areas. Furthermore, they will be restricted to swimming in the dry season simply because of the impracticability of getting mixed up with sea wasps or sting jelly fish. There is a real medical threat here because of the fact that sterilization occurs in males once they come in contact with these sea wasps. The male is sterilized quite often by this contact and, if anyone wanted to undergo sterilization, I would advise him to contact a doctor rather than a sea wasp because it is far less painful.

We are told that an area will be cordoned off and will have markings so that the general public may not wander unawares into such an area. The general public will be able to wander into such an area of their own volition so it is in fact still a public place. The bill applies throughout the whole of the Northern Territory. There is nothing to prevent these people indulging their obsession in a private place but here we have the situation where it will be indulged in a public area. I have wondered a little about what area may be chosen and if it is in an area that is under the control of a town council. It seems to me that such areas are not under the control of the Legislative Assembly but rather under the control of a city council. I just wonder whether we are not getting off our beat by legislating about things that may be outside our control. After many years of wondering who was to deal with the situation at Lameroo Beach, finally it was the city council that had to fix the situation. We may be legislating for something that is outside our control. However, I guess that thought will be given to that.

Supposing that this bill becomes law in the Northern Territory, and things are pointing very much that way, a beach head will be leased to a sun club which is in fact a nude club and they will establish themselves there. Everyone who has lived in Darwin any length of time knows what happens when a ski club or a bowling club or a sailing club gets a beach head. School children can tell you what is the next step. If you have a beach head and a club you must have a club house. It is a matter of logic and history that after you have a beach head and a club house you must have a liquor licence. If any one can tell me any club that doesn't have a liquor licence, I would be interested to know. Thus, you have a free beach, a club house, a liquor licence and nudity. This is a wonderful mixture. We are told that people will come by the thousands to see this demonstration but I am not at all optimistic that it will enhance the reputation of Darwin or any other area in the Territory where it may apply. I am very doubtful whether members have given full thought to this situation of the proliferation of privileges—the beach, the club house, the liquor licence.

**Mrs Lawrie:** It is not in the bill; there is no liquor arrangement.

**Mr KENTISH:** Clause 6(1) states: "A person in the waters or in the view of a free area shall not behave in a manner that is sexually lewd or obscene". What about in the club house? I think that we are really stupid to legislate to a position like this; we will become a laughing stock in the community.

We are told that this is going to be an idealistic family frolic where mum, dad and teenage boys and girls will frolic together naked on the beach. My mother and father have gone now but I thank God that I don't have any happy memories of frolicking naked with my mother and father. Other members may like to think of such things as the years go by but I am glad that I am not burdened with memories such as that. This is idealism. Most of the people that have given any opinion would be supporting this as a matter of tolerance. "We don't want to be in it ourselves, but let them do what they like". How tolerant do we get? Where does this tolerance go? Where does it end? I think that we should take a second look at this tolerance and retain some of the dignity and decency and some of the culture that we have built up over the centuries. This tolerance is a thing that has no end; it becomes a habit. We may expect before this year is through that we will have in this

chamber a bill introducing homosexuality. Will we be tolerant with that too? We may have a bill that will introduce euthanasia. Will we be tolerant with that too? These are all enlightenments as civilization progresses and becomes better.

Just recently I noticed where a judge in a London court recommended that rape should be treated much more lightly. It may very soon be recommended that in the circumstances of a free beach rape should not be taken as a criminal offence at all, that it is just the delightful way of nature expressing itself. Thus the situation of permissiveness grows and tolerance becomes a disease rather than a virtue.

A few weeks ago a woman doctor or professor from overseas came to Australia and made some statements before she left. I took particular notice of one of the statements. She was talking about women's liberation and respect for women. It is perhaps a contradictory thing that as women's liberation progresses, respect for women deteriorates. It is rather remarkable. This woman remarked: "Any deterioration in the position and respect of women is mainly generated by women themselves". It is a thought that is worth remembering.

In opposing this bill, I would say that it is not too late for members to give a little more thought to this bill. They should think about the things that they may be generating in letting this business loose in our Northern Territory communities.

**Mr ROBERTSON:** I have been entirely unable to bring myself to support this bill. I might point out to members that I personally have no ingrained objections to this type of conduct by people. I am unable to bring myself to support the bill purely on the grounds that I have been unable to find any evidence in my electorate, including the absent Speaker's electorate, of any interest or any desire to see this thing whatsoever. If you projected into our area the figures that are apparent in Darwin of people that are actually interested in having this legislation passed, you would come up with 4 or 5 in the entire town.

I realise that democracy is supposed to go out of its way in the interest of minorities but I cannot believe that that sort of democracy was ever intended for this sort of minority. It is absolutely extraordinary that we should be sitting here passing legislation which may be

the wish of some one hundred people. I am unable to quote accurate figures on Darwin and I don't think anyone else here can. I would also ask how many honourable members have actually gone out into their electorates, knocked on doors and said "What do you want in respect of this?". I got a great blast from my colleague over there when I addressed this house in an application to have this matter stood over. I have gone to the electorate with this one in conjunction with another large survey. I just cannot conceive any other piece of legislation having such little interest in the electorate.

The honourable member for Arnhem pointed out that supporters of this bill may support it not because of what the electorate has indicated to them as being the proper course of action but rather it may be a matter of tolerance. Perhaps they may be trying to seem young in outlook because it is very progressive to be revisers of society. I am not personally or violently opposed to this sort of thing although I think that what the honourable member for Arnhem said has some definite merit. I tend to be extremely nervous when legislators seek to overthrow long standing standards. That is basically what it amounts to.

I found a complete lack of interest in this thing. In fact, the average person laughed at me. They thought it was a joke and a couple said "Well, if that is all you people have got to do up there, I don't think I will vote for you again". That is the dead set truth. I cannot bring myself to support this bill.

**Mrs LAWRIE:** The member for Gillen said that because there was not a lot of interest in his electorate, he would not vote for the bill. I would have preferred him to have discussed the merits of the bill rather than the lack of response he got from his electorate. I wonder if he also bothered to ask the people if they had any reason to deny others the use of such an area. There is a significant amount of support for free areas but both the previous speakers spoke as though this was something new. It is new in the Territory; it is not new in Australia and it is certainly not new in the world. Greece, which is an ultra orthodox Christian country has a free area. Yugoslavia has had one for years. You will say Yugoslavia is a communist country—but it is also a fairly deeply religious country. They have a famous nude beach which they publicise world wide. It is well run and is a tourist

attraction. Tourism is the third biggest industry in the Territory, yet when I mention tourism, now I become a laughing stock. I do believe that this will assist the tourist industry for a couple of obvious reasons. One is climate; when it is winter down south, it is beautiful weather here and in the Katherine area and southern people will come up.

Mr Deputy Speaker, you yourself spoke against the bill and it did appear to me that you were assuming that areas were going to be declared willy-nilly without the local feeling being tested. That is not the intention of the bill either, but if a significant number wish to have a nude area and if there is land available, I can't see why they should not have it. The Administrator's Council in making such a declaration will take into account its relative isolation so they would not be giving them the main street of Katherine. They may well choose an outlying part of Katherine which would cause no nuisance to anybody. If they wanted that, they would put forward a reasonable case and the Administrator's Council surely would consider it on its merits. At the moment, there is no process by which any such area can be considered other than the granting of a special purpose lease which I think is cumbersome. I believe that the present legislation handles the whole concept of free areas in a far better manner.

I thank the honourable members who have supported the legislation. In fact, I thank all members for the consideration that they have given it. I am surprised that a couple of members have spoken against it in the way they did.

The Assembly divided:

Ayes 12	Noes 5
Mrs Andrew	Mr Kentish
Mr Ballantyne	Mr MacFarlane
Mr Dondas	Mr Robertson
Mr Everingham	Mr Tungutalum
Mrs Lawrie	Mr Vale
Mr Letts	
Mr Perron	
Mr Ryan	
Mr Steele	
Mr Tambling	
Mr Tuxworth	
Mr Withnall	

Bill read a second time.

Committee stage to be taken later.

### ADJOURNMENT DEBATE

**Dr LETTS:** Mr Deputy Speaker, I move that the Assembly do now adjourn.

**Mr RYAN:** I seem to be consistently rising to speak in the adjournment debate concerning strike action that seems to take place in this city of ours with regular monotony. We once again have a strike situation in Darwin. This one is a little different in that the strike itself is being brought about by various benefits that have been given to the public sector as a result of the cyclone. The unions decided that they also would like to share in these benefits and, to achieve these ends, they have called a general strike. This is quite an unusual situation because the government has said that it will not pay these benefits to the private sector. The unions have called a general strike against the private sector; the government is not really affected by the strike. It appears that the unions are saying to the government "If you don't give us these allowances, we are going to shoot ourselves", and this is virtually what they are doing. They are achieving absolutely nothing except maybe the loss of wages to their members and some other people in the community who have gone out in sympathy with them. This strike does not appear to have the support that the union organisers claim it has. There has been some mention of 8,000 people out of work—this is absolute rubbish. It would be very doubtful whether there are a thousand people out of work.

I agree that there are iniquities created by the giving of these special benefits and R and R fares to the public sector. However, there are many special benefits that are given to the public sector from time to time and, if the unions took the attitude that every time special benefits were given to the public sector they would go on strike, I think we wouldn't have a private sector any more. They would be on strike all the time.

Darwin has been subjected to a fairly traumatic 6 months and I can only see the continuation of these strikes as making the situation worse. The unions appear to have worked themselves into a corner; I don't know whether these guys really know what they are doing. They should know by now that they have no hope of achieving what they want. They know that it is useless to try to get the private sector to pay the R and R fare and 2 weeks holiday because, if this happened, the private sector would only raise their prices to

cover this and the people who would be affected are the unions who up to date have lost well in excess of a week's wages. In fact, it is most probably working towards a fortnight's wages which is what they are looking for. If the benefits are granted, they may just finish up equal to what they would have had if they had just kept working without affecting the reconstruction of Darwin. We were discussing the movement of the headquarters of the Department of North Australia and I wonder if the unionists realise that this strike could influence the decisions that are being made in Canberra. It certainly wouldn't be in the unionists' best interests to see the Department of Northern Australia transferred out of the Northern Territory.

There is also a possibility that with the reconstruction of Darwin, the unions are trying to build up a bit of strength because with the advent of large construction companies coming into the Northern Territory for the reconstruction the unions, if they could get more members and more power, could hold Darwin to ransom at any time they liked. I don't think that they will be successful because the reason that these people are coming up here is to try to earn some money and we all know that you can't earn money while you are on strike. I think that the union organisers in this particular case have shown inexperience; they are supposed to know what the industrial scene is all about. The experience that I have had, which was on the same side of the fence that they are on at the moment, is that I have never witnessed a strike that has been conducted in this way.

I can only hope that when they meet again next Friday the rank and file of the unions not only see reason but the organisers of the strike ask them to go back to work. They are not going to win. The government is not under any pressure whatsoever. Darwin is under pressure and for this reason the continuation of the strike is completely and utterly wrong.

**Mr WITHNALL:** Following upon the remarks made by the honourable member for Transport, I suggest that this strike is a very serious mistake. That does not mean that I do not believe in strike action. I do believe in strike action; I think there are many occasions in which it is necessary and, wisely used, it is not only a useful weapon for the working people to obtain better conditions or better wages, but also a useful sociological device whereby the community becomes better

resolved in its relationships between the employer and the employee. However, I am afraid that I don't approve of a strike which is not directed towards an agreement for wages or conditions but directed to forcing the government to make a gift.

This is the whole difference between most strikes and this one and the one that needs to be emphasised. The strike seeks to force the government to provide workers with a fare to some part of Australia plus \$300 for expenses. It is therefore a strike which is right outside the usual realm of industrial relationships and certainly outside the realms of industrial practices. I say that it is a strike which of necessity cannot and will not succeed. There are many people around this town who accept that and realise it because the strike is not supported by most employees in Darwin. It is supported only by what I might call the militant persons in each union. I wonder whether or not a secret ballot might have created a different result this morning.

I am most concerned at this demand that the people of Darwin and the people of Darwin only are going to be held up to the point of deprivation of goods and services because the strikers may possibly think that this holding up of the people of Darwin will force the government to make this gift. I think that the decision on the part of the Commonwealth Government to grant two R and R fares after the first one was the greatest and silliest mistake the Public Service Board of the government or any department of the government has ever made in its life. It provided an opportunity for this sort of demand. It was something that the people of the public service did not want and something that most of them will not take any advantage of in view of the experience they had with the first one. It is doing us a lot of harm and this is where I think it is particularly disastrous over the broad opinion of the people of Australia—everyone of us in Darwin is branded with this strike; we want two R and R fares. Everybody in the private sector wants them and everybody in the private sector is prepared to strike to get them. We have been discredited as a whole by this strike and it is a great pity that the unions have taken this action.

I understand the origin of it. When the ridiculous decision was made by the Commonwealth Government to give these 2 extra fares, the application for a flow-on was inevitable. It is also inevitable that it won't succeed. The unions have given warning of the

fact that if conditions are applied to the public sector, they ought to think about what ought to be applied to the private sector as well. If the strike has done anything, it has done that and maybe that has been something to the good. However, I suggest that we have lost so much by it that the unions have some cause to be sorry for the action they have taken.

**Miss ANDREW:** I am totally fed up with the glaring inadequacy, the bureaucratic bumbles, the unfeeling and unsympathetic treatment and total lack of concern for education in the Northern Territory. Once again a new school term has started. Schools throughout the Territory are without school teachers and some of them are closed down. Not all of these are closed down for lack of facilities. Schools in Alice Springs, Katherine, Tennant Creek and Darwin are inadequately staffed and are just getting by. It is interesting to note that only 7,240 children were enrolled and attending schools in Darwin on Friday. It was expected that the figure would be around the 9,000 mark. What does this indicate? It indicates a department which is run dictatorially by Canberra which is totally unaware of the problems which exist in the Territory or the type of education which our children need and want.

Getting back to the isolated schools situation, why are these schools just sitting idle, rotting away or generally being vandalised? They are there largely because the missionary zeal that sent people to these schools initially has died. People go there and they require adequate financial remuneration because of the difficulties under which they would live. The government are handing out money willy-nilly to many Aboriginal causes. Why aren't they handing out something to the educational sector? Why aren't these people supplied with radios so that they have some form of communication? Why don't they have a car or some form of 4-wheel drive transport so that they can go to the nearest centre and at least discuss their problems and get supplies? None of these things exist on many of these outpost settlements. The expenditure on buildings and maintenance is just atrocious. Many government contractors won't go back to some of these settlement areas because their debts are so long in being paid. Maintenance is almost impossible to be done.

How then can this situation be remedied? In terms of staffing facilities, why not have contracts? It works in every other department of the private enterprise sector so why not in

the government? A contract for 2 years to go to 1 or 2 isolated areas teaching children would provide continuity and it would provide an adequate education because the teacher would be put under the same restrictions and examinations that other teachers throughout the Territory are.

Getting back to all schools in general, what about their recruiting schemes? It is totally inadequate and totally outdated. Each day thousands and thousands of dollars are spent on advertising schemes such as Medibank. Why not a bit on advertising the Territory? Fourteen teachers have been collected to come to the Territory and Canberra clapped their hands with glee. Fourteen teachers will hardly fill a space in the Top End. Why not organise a sound public relations drive throughout Australia and send people around to attract members of the teaching profession who would be willing to come to the Northern Territory. The most important part of this campaign, however, would be realism. Instead of telling people that we are supplied willy-nilly with houses in Tennant Creek and Alice Springs, etc, tell them that there is a possibility that they may have to leave their family behind. Tell them that there is a possibility that they will have to live in a motel for up to 6 months. If they come knowing the situation, then the complaints would be less and the morale considerably higher. Why not provide a housing officer? The housing situation in the Territory is atrocious in any department but in education it is unbelievable. The honourable member for Barkly has some people residing in his district in motels; money is being expended on a totally wasted project.

The most important aspect of all this is the fact that there is no community or northern involvement. If there was involvement our ideas on education might seep through to the gods in our fair ACT. On July 8 an education advisory committee, after being announced in March, is finally going to have its first meeting. We all wait with baited breath to see what this will bring. If Canberra doesn't soon start taking some notice, they are going to find themselves with very few children here to educate and very few voters to vote for them.

**Mr TUXWORTH:** I rise on this occasion to set the records straight on the press statement that was made in the last 24 hours about me. It was reputed that I was knocking the government because they hadn't established a mail run on the Barkly Tablelands. The

original press release that I put out was to the effect that I had asked the government to reconsider the installation of the mail run on the Barkly Tablelands after it had ceased. It had ceased not by intent, but by default simply because the airline operating the mail run to the Barkly Tablelands and the 1,500 in the area was forced into a position of having to stop the 1 weekly service because their subsidy had been cut. It is unfortunate that this is one of the byproducts of losing the mail service and perhaps the economics of flying a plane around the Barkly Tablelands for the amount of mail involved was questionable.

However, the proposal I put to the minister representing the Post Office was simply that some form of mail run be established. It was not beneath our dignity 100 years ago to have a man deliver mail on horseback with a pack-horse behind and I don't think that it should be below dignity to have it delivered in a vehicle today if the department or the Post Office can't afford to hire an aeroplane.

The effect of Connair withdrawing their mail run has resulted in some 39 stations, not including Brunette, Walhallow and Alexandria which are owned by multinationals and fend for themselves, being without a mail run. The people living in these areas, from school teachers to housewives to school children no longer have the facilities available to shop. Their mail order shopping facility has ceased and they are forced to buy all their goods when they can afford to go to town.

School children in these areas have relied for many years on correspondence. The unfortunate thing about the Barkly is that the majority of the stations are well outside the School of the Air radius. Consequently, when the mail doesn't come and the assignments for correspondence don't come, the children cease to have any education. One station proprietor who had 7 children to educate was forced to take the May holidays in April in the hope that the mail would come and they would be able to continue their lessons at a later date.

We have the further problems of people who are on unemployment benefits and pensions being unable to get their cheques on a regular basis. The problem is two-fold. The first is that the people just register to get onto the unemployment benefit and they wait 6 weeks for their first cheque. If they are unlucky enough to miss out on timing the mail

run correctly, they can go for 12 weeks before they get their first cheque. If by any chance they miss the second or the third mail run, they can get up to \$1,000 worth of social security unemployment cheques in one hit. The managers and administrators on the stations are alarmed at the amount of money that is coming in in one hit. On one station alone the proprietor was forced to carry the unemployed Aboriginals living in the camp to the tune of \$6,000 worth of stores. If anybody in Darwin walked into a shop to get credit and told the shopkeeper that he had \$1,000 worth of social security cheques coming, he would be thrown out. But the government expects everybody on the tablelands to carry these people and no one really knows who is getting cheques and who is not. In one instance, a gentleman on Alexandria got his cheque after waiting 6 weeks but he was only unemployed for 2. By the time the letter got back to Social Security to tell them not to send the cheque, the man had started receiving cheques and is still receiving cheques for \$55 a week. The management is in the unfortunate position of having to tell the man that he wasn't entitled to any of them. He doesn't understand that and he is going to expect to collect his \$55 a week for ever. It is not doing a great deal to create goodwill amongst the people.

The present situation is that station owners are driving up to 800 kilometres in a round trip to collect their mail; some do this on a fortnightly basis but others can't afford to do it on a 2 monthly basis. I think it is an unreasonable approach by the Postmaster-General and a scandal that a department that accepts 14 cents in a contract to deliver a letter anywhere within Australia takes a letter to the nearest point of convenience and makes everybody come and get it.

The rest of the government departments are not without blame in this whole performance. Aboriginal Affairs, Social Security, the Department of Health, the Education Department, the Police Department, the Animal Industry Branch, the Department of Housing and Construction and the Department of Northern Territory all have hundreds of employees in the tableland doing one function or another. None of them want to contribute anything to delivering mail to their employees. A lot of people don't do the work they should be doing because they are not getting mail. They are sitting around, but they all expect the manager or the proprietor to

drive to Mount Isa or to Tennant Creek whenever he can to pick up the mail for the government employees. If he left it behind because he wasn't getting paid to do it, the department would be most upset. The Postmaster-General has opened his heart to the world and he has offered Tennant Air who tried to start a mail run to the Barkly Tablelands the princely sum of \$60 a month to run a plane around an area of 63,000 sq miles and make 40 mail drops. You can't run a car in Darwin for that price. How do they expect a man to fly an aeroplane around an area of 63,000 sq miles for \$60 a month?

I have made 3 approaches to Senator Bishop on 3 different occasions about one of the problems faced by these people. There is absolutely nothing forthcoming from the Senator except to say 'Don't call me, I'll call you.' I think that the problems or the suspicions aired earlier by speakers concerning the removal of the Department of NT to Canberra are well founded. This is the sort of attitude that already exists in country areas and it is a disgrace for me to have to say that the government have no intention of doing anything about it.

**Mr KENTISH:** I would like to support 2 of the previous speakers who have spoken already. The member for Sanderson has spoken about education disabilities, particularly in the outback, and she was telling the Assembly today some of the things which I mentioned a couple of months ago. I would thank the member for Sanderson for getting something done about the Oenpelli School during the wet season. She must have spoken very strongly to someone. They couldn't get through by road to Oenpelli because of the East Alligator River but they flew a DC3 out with carpenters and repair kits. Now that the road is open contractors are out there and flooring is being put in schools and staff accommodation. But that is only one place and, while that place is being repaired, Roper people are complaining and other schools are going to pieces in the Territory and staff are being utterly discouraged. One of the biggest things that school staff have to fight in all parts of the coast is the effects of alcohol on the school children. Not directly. Indirectly. Sometimes directly.

I support the remarks of the member for Barkly. Things are in a very parlous condition in the outback. I have to admit that when I first came to the Territory in 1938, I had to wait 5 months for mail at Milingimbi from

December 1938 to May 1939. That is a long time ago and we expect things to be a bit better than that now; we didn't complain then because nothing better was available. Having seen much better things and much better service, we don't expect that it will progress backwards but rather that it will improve. There is cause for complaint in this direction.

I am doubtful if the government will be very impressed to hear about our complaints. They have many other things to think about. I have here a copy of the "North Queensland Register" of 10 May but this was in all the national papers: "The Prime Minister calls on all nations, particularly Australia, to reconstruct Indo-China". I could hardly believe it when I saw it. He is wanting us to help the communist conquerors to put things straight after the war is over in Indo-China. He apparently is completely unaware of the situation on his front doorstep in Australia. Unfortunately it is impossible to tell the Prime Minister because you can't get a word in the paper about this sort of thing; you can write letters, but they won't get published. I have tried that. Unless some of his 1,100 PR men wake the Prime Minister up to facts, he won't know anything about this until there is another election. It is a pity that we couldn't tell him sooner about the way things are going in the outback away from George Street and Pitt Street and the centre of Canberra. We can't reach him. You can't get any of this sort of thing in the newspaper and it is very doubtful if our feeble squeakings in the Council here will ever reach him.

Mr Whitlam would like all the nations to help reconstruct Vietnam—pour in money and materials. I am afraid that I couldn't agree with that myself. Why should we reconstruct the country? The North Vietnamese won the war and it has generally always been the privilege of the conquerors to do the reconstruction, not the losers. We would expect that Russia, China and North Vietnam would put in heavily on any reconstruction and help that is needed. Mr Whitlam has a job to do at home. He has a country that appears to be nearly bankrupt. The economy is in a bad way; there is plenty of money about, but it is not worth much now and there is unemployment everywhere. Perhaps Mr Whitlam would be among the very few gullible people in Australia who would think that any help we sent to North Vietnam would help the persons in remote areas of South Vietnam. Perhaps he is among the few gullible people

who would think that any help with machinery or other things that we sent to Hanoi would not be helping further communist aggression. Perhaps he doesn't know that there is still a large majority of Australians who are not in favour of helping further communist aggression.

To get back to our own Northern Territory, we have heard something about education and the shocking mess that communications are in. Even in Darwin, you get a letter a week old now. Communications have never been worse despite technical advances. Once you get away from the capital cities, plane services are deteriorating that fast it is not funny.

The Northern Territory has had 5 substantial businesses: tourism, the pastoral business, mining, fishing and government business. They are talking of moving the government business out of the Territory. The tourist business has been practically smashed for this season with the government bungling and stupid regulations. It may recover in the few months ahead, but it has been practically smashed, particularly the bus business. It is doubtful if it will pick up this year yet there has been no sound reason for this whatever. It has happened on the advice of some hidden bureaucrat who does not have to come forward and give his reasons as an elected person would have to do.

Pastoral business is related to meat prices, but not altogether. The pastoral business was dealt some heavy blows even before the meat prices subsided. There are still things that the government could do for the pastoral industry; whatever they do is nearly always too little or too late. We have places like Alexandria Downs that used to employ over 80 people and they would have less than 10 employed now. It is just enough to keep the windmills going and that is about all. This unemployment is hitting more than the big pastoralists, it is hitting the worker. Hundreds are unemployed.

Mining companies are bankrupted. They are folding up or they haven't got permits to continue with their mining. They can't get a decision on whether they are allowed to mine their minerals or not. They can't sit around indefinitely, year after year; they have been waiting for 2 years now for a decision and they still can't get it. Thus, mining has been ruined by governmental interference.

Fishing is another industry of the Territory. I am not going to tell you that the prawns are

hiding because of political reasons; it is just one of the quirks of fate that the prawns are hard to find at the moment. However, fishing is in a bad way. In the latest "Northern Star" from Mount Isa, I see that Karumba is folding up. The only ones who not leaving are those who are too broke to leave or cannot move for

other reasons. Karumba was a town founded on prawning.

I would suggest to Mr Whitlam that he stop calling on Australia and other nations to reconstruct Indo-China and do a bit of reconstruction and building up here before it is too late.

Motion agreed to; the Assembly adjourned.

Wednesday 18 June 1975

MOTION

**Brucellosis and tuberculosis—Industries Assistance Commission Report**

Dr LETTS: I table a report on bovine brucellosis and tuberculosis slaughter compensation published recently by the Industries Assistance Commission. I regret that I have not sufficient copies of this report to circulate to everybody but we have a couple of spare copies other than this one which will be made available to anyone who is particularly interested in this matter.

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

Leave granted.

Debate adjourned.

STATEMENT

**Australian Constitutional Convention**

Dr LETTS (by leave): Last Wednesday, 11 June, the honourable member for Port Darwin and I attended a meeting of the Constitutional Convention Executive in Brisbane. Members will know that this meeting had been postponed from the week before. In addition to the states delegates to the executive, representatives were present from the Federal Parliament, including the Prime Minister. They were not actually official delegates from the Federal Parliament as that body has not yet reconstituted its official delegation but following negotiations between the executive and the Prime Minister and Opposition leaders we are hopeful that the Australian Parliament will appoint a new delegation in the near future.

The main purposes of this executive meeting were to fix a date for the next full session of the Australian Constitutional Convention and to consider a draft agenda. The Prime Minister was anxious to have certain items included in this agenda and this resulted in a certain amount of horsetrading taking place. Some honourable members will be aware that Mr Justice Ward, when he was the honourable member for Ludmilla in the former Legislative Council, was a member of the Executive of the Constitutional Convention and also a member of one of the standing committees—Standing Committee B which was particularly concerned with areas of the Constitution affecting territories and the Northern Territory. They also know that this committee was particularly active in its work.

Indeed, some 6 items, several of them composite items affecting the Northern Territory's place in the constitution, had been the subject of recommendations by Standing Committee B. In the course of the horse-trading which took place, the danger arose of our items being stood aside. This danger was averted with the help of state delegates and the items which particularly concern us are still listed on the agenda for the next full meeting of the convention so I believe that our attendance was worth while. The most likely date for the next full meeting of the Australian Constitutional Convention is the third week in September 1975. It will take place in Melbourne.

**DINGO DESTRUCTION BILL**

(Serial 39)

Bill presented and read a first time.

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

This is a very simple amendment to existing legislation designed to correct a defect which has become quite annoying in a number of centres in the Territory and I believe this defect has worked against the effective operation of the Dingo Destruction Ordinance.

The ordinance provides for a payment for each dingo killed and in order to receive payment a person shall deliver the scalp to a prescribed authority. This authority receives and destroys the scalps and provides to the person concerned a certificate on which each payment is made. Section 14 of the ordinance provides however that a prescribed authority shall consist of any justice of the peace and a member of the police force in the Territory acting together. In practice, dingoes are often killed in the remoter parts of the Territory and the scalps delivered to the nearest police station, generally a one-man post. Unless there is a justice of the peace in the vicinity to constitute with the policemen the prescribed authority, no action can be taken on those scalps. In fact justices of the peace are not too common in the remoter parts of the Territory. This means that dingo scalps, not the most pleasant of objects, must be held until a justice of the peace arrives in the area. Apart from any unpleasantness associated with the holding of dingo scalps for an indefinite period no payment may be made to the person until the prescribed authority is constituted and prepares a certificate on which payment is made. Delays of weeks and often months are not uncommon as a result of this

requirement and the person claiming for the scalps is not able to receive payment for that time.

I have not been able to ascertain fully the reason behind this provision. It would seem to stem from a distrust of the police. It may have been assumed that a policeman by himself would receive and certify for scalps and instead of destroying them have them delivered to another police station and so get an extra payment. Indeed, I have some recollection of a case many years ago in South Australia. It was alleged that this happened and this gave rise at the time to the requirement of having a justice of the peace present. I believe that we can repose more trust in our police force than the present ordinance suggests. If an individual police officer is of a dishonest nature, I suggest he would have better and less unpleasant methods of indulging this tendency to dishonesty. I would also expect that the discipline and administration of the police force would ensure that such an officer did not finish up in a position of trust and responsibility.

I am proposing this bill therefore to enable a member of the police force to be a prescribed authority. All reference to justices of the peace will be omitted. The result, if this bill is accepted, will be that a person who has killed dingoes may take the scalps to any police station and the police officer at the station may take the scalps and destroy them and give the person a certificate on which payment will be made. It will remove the need for storage of dingo scalps for an indefinite period until a justice of the peace is available and it will enable a person who has killed dingoes to receive early payment for the scalps.

I am aware that there is in many circles a view that the present Dingo Destruction Ordinance is not very effective anyway, because the level of bonus was fixed some 30 or 35 years ago and has not moved in that time. There are also views in other circles that the dingo may have been blackened in some areas to a greater extent than was warranted and some research is still going on in this line. It is not my proposal to interfere at this stage with the level of dingo scalp payments. The fact is that dingoes are still being killed. They are still being trapped, shot, poisoned and brought in for bonus payments. Indeed, it is a small but probably useful reward in some areas for station workers who are off duty at times, particularly Aboriginal workers, to get

some additional source of finance while at the same time making a useful contribution to pest control in the Northern Territory.

We have got ourselves into a curious situation with this ordinance due to the change in policy with regard to the appointment of justices of the peace along with certain other things. I have had many representations from the Victoria River district about this particular problem, not being able to get destruction of the scalps and not being able to get payment because no justices of the peace are in the area and because of this there is a lack of interest in people doing what little they might otherwise do in the control of dingoes. I have made representations to the Commissioner of Police about the appointment of responsible people as justices of the peace in this area and the reply that has come back from the Commissioner is that it is contrary to the policy of the Attorney-General's department and the police force to go ahead appointing more justices of the peace in the Northern Territory. They are trying to get away from the justices system and would be quite happy to appoint these people as commissioners of affidavit. Of course, that is quite useless as far as this particular ordinance is concerned and if that is to be the policy then I believe that is a double reason why the requirement for a justice of the peace should be removed.

I would only say further in support of this legislation that the matter was brought to the notice of the Cattle Producers Council at its last meeting in Alice Springs some weeks ago. This body represents all the producer organisations in the Northern Territory. I did discuss my intention with them and they supported the idea which is now contained in this bill.

Debate adjourned.

## HOUSING BILL

(Serial 40)

Bill presented and read a first time.

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

Section 13B of the Housing Ordinance prevents a person who has purchased a dwelling from the Housing Commission from disposing of it for a period of 5 years without offering it to the commission. Acceptance of the offer by the commission probably constitutes a contract compelling the person to sell it at the offered price which is approved by that section. The price the commission must pay is the current value of the dwelling plus the

price paid for the right to the lease at the time of the original purchase. No consideration is given to the rise in land values. In respect of a house purchased before 1971 when there was no charge for the land, the commission's purchase price would contain no component for the land. The commission does wish to have the opportunity to repurchase such houses and appreciates that this provision makes owners reluctant to offer dwellings back to the commission. The commission appreciates that the owner ought to be able to get a fair market price for the dwelling and the land.

Clause 3 of the bill amends the provision relating to the purchase price to provide that the commission shall pay current values for the dwelling and for the right to the lease. That is a more equitable position and would make resale to the commission a more attractive proposition. The present provisions of section 15 of the ordinance make the commission responsible for the maintenance of commission dwellings and equipment except for such repairs and maintenance of a minor nature as the commission specifies in a tenancy agreement. This means the tenant's responsibility is limited to minor matters and then only if specified in the tenancy agreement. A tenant can be careless or wantonly destructive but if the damage is minor and specified in the agreement, the commission is responsible. However, maintenance costs are a component of commission rents so the final cost of repairs and maintenance to damage done by tenants is borne by other tenants. I do not know the reason why this approach to tenant responsibility was chosen in the ordinance. It is quite unfair to saddle other tenants with a rental component for repairs of damage caused by careless or destructive tenants.

Clause 4 of the bill proposes the establishment of a traditional landlord-tenant relationship regarding maintenance. While allowing for fair wear and tear, it makes the tenant responsible for maintaining the dwelling in the condition it was when he entered into tenancy.

Section 26(3) of the ordinance empowers the commission to give priority accommodation to needy persons but, as expressed, a pre-requisite condition is that the person must first have been displaced by a process of law—that is, evicted from other premises. No matter how needy, the commission cannot assist in other cases. Eviction should be only one of the factors to consider; need should be the criterion. Clause 5 amends this provision to

empower the commission to give priority to any eligible person and an eligible person is defined as a person having limited means who has an urgent need for housing.

Finally, section 33E of the ordinance enables the commission to act as the agent of a person in arranging for the construction and purchase of housing. The persons referred to are those in paragraph (c) of section 33A. This section talks of approved persons which are: (a) the Commonwealth, (b) a statutory authority, (c) certain business undertakings. In its present form, section 33E restricts the commission's activities on an agency basis to those on behalf of business undertakings. There seems to be no valid reason why the commission should not also be able to act on behalf of the Commonwealth or of statutory authorities and the amendment proposed by clause 6 would extend the powers of the commission in this field to all approved persons. The amendments proposed will improve the operation of the Housing Commission and assist it to work more effectively.

Debate adjourned.

## LICENSING BILL

(Serial 41)

Bill presented and read a first time.

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

It will be recalled that the Assembly passed a licensing ordinance earlier this year which gave power to a licensing magistrate to suspend a licence when circumstances made it impossible for the licensee to carry on his business in licensed premises. This provision was made to cover the circumstances arising from Cyclone Tracy and, if it had not been made, licences would have had to be cancelled at the sittings of the Licensing Court last March. When the problem was appreciated, legislation was hurriedly drafted, presented and passed through the Assembly so that it could become law in time for proceedings of the Licensing Court in March. The legislation was effective and it did enable the court to suspend licences that otherwise would have been cancelled. There was not time however for the close examination of the provisions and it was realised that some later tidying up would be necessary.

The provisions have now been examined and this bill results from that examination. It amends section 46 relating to licences generally and section 94 relating to club licences. It

provides that the licence does not expire nor does it require renewal during the period of suspension when the licensee may not sell liquor from those premises during the period of suspension—if he does so he will be treated as an unlicensed person—and that the licensee's fees will be the normal fees based on actual sales, but these become payable when premises are restored and business may be resumed. The bill removes doubts as to the effect of section 46(1A) and 94(2) on suspended licences. Both licensees and the Licensing Court will better understand the provisions.

Debate adjourned.

### PORTS BILL

(Serial 42)

Bill presented and read a first time.

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

The Port Authority has considerable responsibility for operations in the Darwin harbour. It is empowered to issue licences, authorities etc. without which it is an offence to use various types of craft in the harbour. Honourable members will be aware that the Small Craft Bylaws recently brought into operation extend the range of the Port Authority's powers. However, as the ordinance stands, there is no appeal against a decision of the Port Authority. If the Port Authority refuse to grant a licence or authority, that is the end of it. The Port Authority itself recognised that this was an undesirable situation and it proposed the making of a bylaw to give a right of appeal against a decision of the Port Authority. Bylaws, however, were not considered to be the correct method of introduction of this important right into the legislation. Accordingly, this bill was drafted to achieve that end.

This is the sole purpose of the bill. It provides a method of appeal by an aggrieved person against a decision of the Port Authority to a magistrate and empowers the magistrate to make such an order as he considers appropriate in that decision.

I would like at this point to foreshadow a slight amendment to the bill during the committee stage to extend the time as stated in section 29A from 14 days to 28 days. I am sure honourable members will agree that this is an important right to be included in the legislation.

Debate adjourned.

### MOTION

#### Northern Territory Fire Service Inquiry Report

Mr RYAN: The report into the Northern Territory Fire Service which took place last year was undertaken by Mr Jack Meeve who was at one time the Deputy Chief Fire Officer of NSW. As such, this gentleman has had a lot of experience in the running of fire services and I found him to be a person who could relate his experiences very clearly. The report was undertaken following a report by the Northern Territory Chief Fire Officer which was prepared some months before the Meeve report. In the early stages of his report, Mr Meeve comments upon the report made by the Chief Fire Officer. I would like to say at this point that the Chief Fire Officer, when he made his report, was unaware there would be a further report undertaken by a person from interstate and I don't know whether this would have affected his report. It put Mr Meeve in an unfortunate position of having to tear apart or comment on the Chief Fire Officer's report. This possibly did put the Chief Fire Officer in an embarrassing position as it did Mr Meeve. However, the report was undertaken.

I will not attempt to cover all aspects of this report; it is quite a lengthy report and no doubt other members will be wanting to make comments about it at a later date. It is very readable and it is laid out in a very orderly fashion. I would make comment on some of the aspects as I see them in the report. The fire service in the Northern Territory has operated under difficulty over the last few years; it has been plagued with industrial problems. The operations themselves are carried out through the control of the Department of the Northern Territory and I am of the opinion that the department is not particularly interested in the Northern Territory Fire Service and this of course has made it very difficult for the operations of the fire service. They find it difficult to operate satisfactorily because the people in final control do not appear to have much interest in the operations of the fire service.

Getting onto some of the comments made by Mr Meeve, early in the report he made a statement that the Nightcliff Fire Station was most probably one of the most controversial aspects of the inquiry, and he goes on to say that the Nightcliff Fire Station was not needed because the Casuarina Fire Station is

in close enough proximity—I'm getting a look from the honourable member for Nightcliff—and it would be unnecessary to continue the Nightcliff Fire Station. Whether this is right, I am not in a position to say; it would require further research. Certainly at this time, taking into account the situation left following the cyclone, I feel that the retention of Nightcliff for the time being is certainly a wise move.

A little further on, he refers to the fire service at Nhulunbuy. He agrees that the fire service should be set up in Nhulunbuy similar to other country areas in the Northern Territory. I agree with him on this point but it certainly should be established so that Nhulunbuy would be included in the Northern Territory Fire Service. I am sure my colleague from Nhulunbuy would agree with that.

Mr Meeve refers to the recall system. In my opinion, the reference to the recall system is the most controversial part of the report, particularly in view of the possibility that the Northern Territory Assembly could be responsible for the fire service at an early stage of the executive power handover. It is obvious that the recall system is a very great contributing factor to the cost of running the fire service in the Northern Territory. It appears to me, and also to the Chief Fire Officer, that the amount of money spent on this recall system has to be seen to be believed. I will just refer to a section where Mr Meeve has quoted figures: "It is to the point to mention that in the period from 1.7.73 to 30.6.74 of the 114 personnel in the service no less than 37 grossed more income than the chief fire officer at \$9,981; 3 grossed more than \$14,000, the highest being \$16,762; 3 grossed between \$13,000 and \$14,000; 8 grossed between \$12,000 and \$13,000; 10 between \$11,000 and \$12,000; 13 between \$10,000 and \$11,000; 39 grossed less than \$10,000. Thirty-eight members had served less than 12 months in the service". You can see from this that to be employed as a fireman is a rather well-paid job under the system used in the Northern Territory.

At one time 3 recalls were instigated in a period of approximately 40 minutes. This meant that of the people involved in the recall—working from memory, I haven't made a note of it here—7 responded to the first call and signed on. That gave them 2 hours overtime each at double time. On the second time, the same 7 returned—I might add that none of these officers went out on a fire—and reported to the station. At 10 pm the

recall men were dismissed but at 10.04 pm another call was registered and the same set of men again reported to the station on recall. At 10.25 pm the recall men were again dismissed. At 10.30 pm a further call was received to which 8 men responded, the same 7 plus another 1. At 10.55 pm the recall men were dismissed. In the 40 minutes between 9.50 and 10.30 pm the same 7 recall men appeared on 3 separate occasions for a few minutes each time and presumably became eligible for a minimum of 2 hours overtime at double time on each occasion. The recall system appears to be more of a benevolent society for the firemen involved. While the recall system certainly appears to be something that has to be looked at very soon, there could possibly be some alternatives to the recall system to make sure that the rates of pay of the firemen are adequate for them to operate in Darwin.

Alice Springs rated a very high report from Mr Meeve. I have also visited Alice Springs and the standard down there is no doubt exceptional. The place is very neat and tidy and morale seems to be fairly high amongst the firemen down there. He mentioned also that there is no justification for a second fire station in Alice Springs. This could possibly bring some comment from members who come from that area. I have no comment to offer at this point as to whether Mr Meeve's remarks are in fact justified or whether some further research is necessary to establish whether a second fire station is needed in Alice Springs.

We also have a reference to the cost of false alarms. Mr Meeve commented that there was a high incidence of false alarms in the Territory. He doesn't say what is the source of the false alarms but in discussions we had with the Chief Fire Officer, Mr Meeve and members of the Department of the Northern Territory, it was established that most of the false alarms occurred in government buildings. The cost is being escalated by some 40 alarm systems in government buildings. This is certainly another area we would have to pay particular attention to when and if the Northern Territory Fire Service becomes our responsibility.

Generally speaking, Mr Meeve was not unduly critical of the state of the equipment of the fire service. However, during discussions it was established that there is a need for more attention to be given to the maintenance of the equipment that the fire service uses. Once

again, I feel it is something which occurs due to the tie-up with the Department of the Northern Territory and the rather vague connections that take place between the fire service and the department.

While on the subject of equipment, I would like to refer to the purchase just after Christmas of a new appliance for Darwin. This was in the form of a turntable ladder. You all no doubt have seen it being used round the city. At the time of discussions with Mr Meeve, he was most critical of the Fire Department's decision to purchase the turntable ladder. His arguments were that it was a specialised piece of equipment which would not be utilised fully in a town such as Darwin. We do have our share of high-rise buildings; however, he did not think that it would be utilised sufficiently. It was pointed out by the Chief Fire Officer that the turntable ladder was modified by adding a tank and a pump which would enable it to go to various fires as a first-call unit. Mr Meeve was also critical of this action. However, at the time we had to decide whether or not to take delivery of this unit and it was agreed that another unit was needed for Darwin so the decision was taken that the turntable ladder should be delivered. I feel that we made the right decision. The unit is not as big or as bulky as Mr Meeve indicated and the addition of the pump and the tank does make that unit more usable. We have in fact now more of a utility unit which can be used in more fires and we have added safety if a fire does occur in some of our high-rise buildings. Mr Meeve commented at the time that he would have liked to have been able to spend more time in Darwin to carry out safety inspections on the high rise buildings in Darwin to check if safety provisions had been incorporated in the construction of these buildings. Unfortunately, it was not in his terms of reference and time did not allow him to have a look. But we do have a unit now which is capable of reaching the top of the Travelodge.

Industrial relations have been a bugbear of the fire service for as long as I have been in Darwin. They have had numerous strikes for various reasons and possibly some of them have been justified. Mr Meeve points out a couple of obvious faults in the system as far as the firemen's organisation is concerned. I will refer to one comment: "It is indeed astounding that an association which is unincorporated and not registered under the Conciliation and Arbitration Act, which is completely

informal, should be in a position to direct its members not to submit adverse reports, to direct officers not to report breaches of discipline which it is their duty to report, or to refuse to work with officers who will not join the association even though the officers concerned are members of another union". It does go on in further detail. Another problem with industrial relations is that the officers do not have a separate organisation so we have the unbelievable situation of the officers and the bosses all in the one union. This conjures up all sorts of funny situations in one's mind when one considers what the situation normally is between bosses and workers. So one of the early changes should be to form an officers' association, and certainly this was agreed upon by all the people concerned, the Chief Fire Officer, Mr Meeve and myself, for what it was worth.

In discussing the deployment of the stations, Mr Meeve made mention that Daly Street Station is ill-placed because it has a dead side. As you all know, 100 yds from the station you are on Lameroo beach. They do have an occasional fire down there but this is normally under controlled circumstances so it is not absolutely necessary that the fire station be adjacent to Lameroo Beach and the suggestion has been made that the Daly Street Station should be shifted to an area around Parap Road. In that area this would give the main centre a wider cover and Daly Street could be retained for training purposes. The argument as to whether Nightcliff should be retained is tied up in that situation and, as I said before, the situation out at Nightcliff would have to be reviewed in the light of the fire danger from debris after the cyclone.

The structure of the fire service currently is that we have a fire chief who is responsible for the complete operation of the fire service. He reports to an assistant secretary of the Department of Northern Australia and this is where the breakdown occurs in my opinion in the whole running of the fire service. In the proposals made by Mr Meeve, he has said that in his opinion if the fire service were run on proper lines it would be controlled by a director who would report to the Executive Member concerned. The director would have under him 2 divisions: one would be the operations division of the fire service which would be controlled by the chief fire officer; the other would be an administration division. This is in line with the set-up which is used in the southern states. They don't necessarily use

a director. I think they use a commission which is made up of various members of the community, insurance companies etc, who have an interest in fires or the stopping thereof.

Mr Meeve made some interesting statements regarding volunteers. Having come from NSW, he was of the opinion that the Northern Territory could use more volunteers in its fire service. I agree with him that if you can get good volunteers it certainly makes the fire service a lot cheaper to run and there is a lot less supervision required. However, I don't think it would be possible to get sufficient numbers, particularly in Darwin, to operate a volunteer force of any size and I think, as you go down the track finishing up at Alice Springs, the possibilities increase for volunteers. However, there would have to be a lot of work done to investigate the subject of volunteers. I don't agree with Mr Meeve that we could make provisions for a very large contingent of volunteers. If it could be achieved, it certainly would be beneficial to the operation and the cost. We have to remember, however, that the object of a fire service is to put out fires and make sure the safety of the people is looked after. We don't want to save too much money at the expense of not having a satisfactory fire service. Mr Meeve supported the Chief Fire Officer's contention that fire districts be established in various country areas to enable more control of fires in remote areas. This was an area of complete agreement.

The report does tend to be critical of the Chief Fire Officer of the Northern Territory. I sympathise with the Chief Fire Officer because he has had to work under a system that has not supported him in a number of cases. There is reference to a lack of discipline, a lack of corrective action, and these points are all pertinent. I think one of the reasons that discipline is lacking is that the Chief Fire Officer has not been given the support that he needs as the man responsible for the running of the fire service. I certainly would hope that when the fire service becomes an operation of the Northern Territory Public Service and is in fact controlled by the Executive Member, there would be support for the Chief Fire Officer in establishing more discipline because this would make the fire service more efficient and would, I feel sure, result in the members of the fire service being much happier in their duties.

The report is a very comprehensive one. It is well written. I do not support the report completely but I do feel that it would be a most useful document when the time comes that we have to run the Northern Territory Fire Service from this Assembly. I commend the report.

**Mr TUXWORTH:** I would like to speak about the assertions and assumptions made by Mr Meeve on the operation of the fire brigade in Tennant Creek. Overall, it is a very good report and I think the man has been as impartial as possible but I do feel that he has given some false impressions about Tennant Creek, particularly in relation to the staffing of the station. We currently have a fire station with 3 permanent officers who are to be assisted by 10 part-time firemen. Unfortunately, due to our circumstances in Tennant Creek, we very rarely have more than 3 part-time firemen on the staff and the reason for this is a social one, a very simple one: Tennant Creek is an industrial town and people come there to work, make money and play. A man working in the mines 6 or 7 days a week, and working shift work, has little interest in taking another job in the fire brigade which will take him away from home 3 nights a week and one day a week for a return of 50c an hour. The unfortunate part about this is that our town is industrial and it is unlikely to change in its composition in the near future. I think it would be folly for the fire brigade to adopt at any time the principle that Mr Meeve has espoused. The reason he is promoting this is to save money. He claims that the brigade could save \$48,000 a year by returning to 1 permanent officer and having 10 firemen who would be paid as it says here: "They would not function under the present auxiliary system involving part-time residence on the station. They would be equipped with uniform and paid on the scale of, say, \$10 per month retainer, \$4 for the first hour of fire attendance and \$2 each succeeding half hour, \$3 for each two-hour drill and two drills each month. Special allowances could be paid for pump operation, driving qualifications and breathing apparatus qualifications". Mr Meeve goes on to say that recruitment would be selective, and he is dead right; he would have to take whomever he got.

This is the weakness inherent in the report in that country stations are different entirely in their composition to Darwin and Alice Springs where you have the more stable population that works a more leisurely week.

The fire brigade realised many years ago in Tennant Creek that it could not operate as a fire station with one permanent officer being responsible 24 hours a day 7 days a week and also being in command of 10 men who worked a casual 3 night a week roster basis. For this reason they have pushed ahead and put into Tennant Creek 2 additional professional fire fighters. This has the added advantage of giving more professional cover at a fire, should there be one. The other advantage is that it gives the professional men an opportunity to get out of the place and have some recreation in Alice Springs or Darwin or wherever they like to go. Invariably, any man promoted or pushed to Tennant Creek in a job such as a doctor's or a fireman's, in which he is responsible 24 hours a day, 7 days a week, always leaves the departments in a position of being unable to replace him for any rest and recreation leave. As a result, he becomes discontented and leaves.

The volunteer proposal is unlikely to succeed. Lots of people are uninterested. They don't have the additional time to offer the service on the present basis of operation. The attitude of Mr Meeve in advocating that the brigade take these steps to save \$48,000 a year could result in being penny-wise and pound-foolish because we could get to a stage where we finish up without any cover. Although we have only 66 calls a year, it only needs one call to a fire involving half a million dollars and the whole economics of the thing becomes out of proportion and futile.

One other aspect that has already been raised by the Executive Member for Transport and Industry is in relation to a town's responsibility towards bushfires and how far this would extend. At present this is not defined closely enough. When I was a part-time fireman, we weren't allowed to go outside the town boundary to go to a fire and, as a result of this, when the fire creeps up to the town boundary with a great blaze in the middle of the night, the moment it hits the boundary it is all stops out to put the thing out before it burns the town down. It seems to be rather an extraordinary approach. I think we could arrive at a more rational approach to fighting bushfires approaching towns.

I have one last comment on the retention of volunteer staff or part-time, low-paid staff in the brigade. Every brigade in the Territory has a problem in that the pay cheques for the part-time firemen are always late. We have 3

part-timers in Tennant Creek at the moment and we are shortly going to reduce to 2 for the very simple reason that one of them has not received a pay cheque since February and we are now in June. The man can't really see why he should be bothered with it if he is not going to be paid. If the internal affairs of the brigade on the administrative side can be cleaned up as well as the fire-fighting side, the report will have been a very worthy effort.

Debate adjourned.

## MOTION

### House Committee report—construction of a new parliament house

**Miss ANDREW:** I speak as a member of the House Committee in presenting this report. The majority of the report is given over to the selection of a site which differs from the one previously selected by the Legislative Council. This has arisen largely because of the greater availability of land by virtue of Cyclone Tracy, which brought good things as well as bad. The House Committee organised a tour about a fortnight ago of each site which had been brought to the attention of Mr Speaker and the House Committee. These sites included Bullocky Point; East Point, the one previously selected by the Legislative Council; Knuckey Street, the one favoured by an advising architect from the Department of Housing and Construction; the present site; and the site generally favoured by members of this Assembly—Larrakeyah Point. The House Committee have recommended in this report that the site at Larrakeyah be presented to the Darwin Reconstruction Commission as the one on which the new parliament house will be built. I think we all agree with the total inadequacy of this present building. It was inadequate before the cyclone and in its current state of repair the building is totally inadequate.

At the conclusion of this report, a small reference is made to the actual parliament as it would stand. It has been decided to continue the Legislative Council recommendation that a uni-cameral parliament of 40 members will be kept in mind when the plans are drawn up. These plans will probably be presented this year or early next year. This, however, depends on the Darwin Reconstruction Commission timetables, amongst other things.

One interesting situation that has arisen from the selection of the site at Larrakeyah is

the indication by the Aboriginal sector of their interest in Larrakeyah Point. This does not preclude, or at the moment it does not seem to preclude, the parliament house being built there because the Northern Land Council have indicated to one of the members of the House Committee their willingness to cooperate in discussions to incorporate an Aboriginal open space area on this point.

I trust all members will see the advantages of Larrakeyah as being a site in keeping with the concept of a parliament as well as its accessibility to general office space. I commend the report.

**Mrs LAWRIE:** In consideration of the latest report from the House Committee, I make two comments. I agree with the choice of Larrakeyah rather than East Point. I think that East Point was totally unsuitable for many reasons, but that appears to have faded into the distance. I do have reservations about Larrakeyah. I believe that a parliament house should be in the very centre of the city and I don't think of Larrakeyah as being in that light. However, the main point of my comment is that members could discuss and nauseam the various alternatives and, whilst I think the present members of this Assembly have a right to express their opinion, I feel even more definitely that the people of the Northern Territory should have a right to express their opinion. We do not have a mandate extending beyond 3 years.

The siting of a parliament house is extremely significant. I would hope that when this report is forwarded to the Reconstruction Commission—and I am not speaking against the recommendation as such—the Reconstruction Commission will advertise widely plans of that site and all other available alternative sites, together with comments from engineers and architects on the way in which changes to that area of land would need to be effected for the Parliament House to be built. This should be publicly displayed for at least a month, preferably longer—after all we have waited 10 years now for a decision. After having had those considerations, the report should come back to this Assembly and again be studied. I do not admit that we have the right to determine ultimately the site without the closest consultation with the people. I do not believe, even though we are elected to represent our particular areas, that we can take it upon ourselves, without further public participation, to try and decide where the Parliament House should be. We are only

expressing an opinion that the present proposed site is preferable to the last site. In my own opinion, it is still not the best site but I want to hear the public's view. I want to hear it put by the Reconstruction Commission in the best possible way, with drawings, sketches and details—some details from engineers and architects—as to how that site will be affected.

**Mr POLLOCK:** I would like to say a few words on the subject. Not being involved on the House Committee, I would like to thank the House Committee for its invitation a few weeks ago to accompany it on an inspection of sites and also to express disappointment that other members did not go with it; I was the only non-member of the House Committee who went. We went to Larrakeyah and to East Point. I am very much in favour of the Larrakeyah site. I think it is the site that generally offers great potential for a landscaped structure and one thing and another that will do the Territory proud, and I favour it considerably over the East Point site.

Another site is in the town area in Knuckey Street. I am quite pleased with that site too. However, I believe there is a cottage there which has significance for the background and history of Darwin and there is some strong move to retain it. It kills that site as being a viable alternative.

Larrakeyah does look the best site for the Assembly and I support that site.

Debate adjourned.

## MOTION

### First report of the Cyclone Relief Trust Fund

**Mr EVERINGHAM:** Honourable members will recall that on 2 January 1975 a bill was introduced in this house in relation to the establishment of a Cyclone Relief Fund Trust and that bill was passed through this house on that day. Honourable members will also be aware that up until the present time assent has not been granted to that ordinance. We are all well aware of a subsequent amalgamation of a trust created by the Minister for Northern Australia and a trust created by this Legislative Assembly and the Corporation of the City of Darwin. When it became obvious that there was to be no assent granted to the ordinance, these 2 boards of trustees were amalgamated and when they were fused they took over the administration of the large amount of money that had been collected throughout Australia, through the spontaneous generosity of the people of this country and,

indeed, further afield, in England and the United States and New Zealand and some of the Pacific Islands. This generosity was quite extraordinary and it was estimated at the outset that about \$14m had been donated, the bulk of it in Australia. A lot of this was disbursed very early in the piece as direct aid and relief to Darwin evacuees on their arrival in southern cities and towns. In fact, in some places the bulk of the money collected was disbursed in immediate relief—when I say immediate I mean over a period of several weeks following the cyclone—many of these people having been uprooted from their homes and surroundings with little more than the clothes they stood up in. They were in dire need and this money was used speedily and to great effect at that time.

In any event, the two trusts were fused and a deed of trust was promulgated which was signed by the various members of the trust and the terms of the trust I paraphrase as follows: "Firstly, to give money from the trust fund to persons in such amount or amounts and subject to such condition or conditions as the trustees deem fit; secondly, to lend money; thirdly, to invest money; fourthly, to accept from the public payment of other moneys; fifthly, to open and maintain a bank account; sixthly, to delegate to such persons as the trustees by resolution to appoint sub-committees of the trust." This deed of trust was executed by the Minister for Northern Australia as Chairman; His Honour the Administrator as Deputy Chairman; the then Mayor of the Corporation of the City of Darwin, Alderman Harold Brennan; myself as delegate of this Assembly; Mr John McDonnell; Alderman Ella Stack; the Catholic Bishop of Darwin, Bishop O'Loughlin; Mr Frank Trainer, a representative of the Red Cross Society; the Reverend Graham Bence, a representative of the United Church; Mr Ted Robinson, a representative of the Darwin Welfare Group; Captain Alan Walker, representing the Salvation Army; Mr Alec Fong Lim, a resident of Darwin of long standing and respect; and Bennie Valadian, a representative of Aboriginal members of the community.

One would have imagined that this very representative body of trustees would have legally proceeded to lay down various rules and regulations for the disbursement of these relief funds and that is exactly what they did proceed to do. The situation was somewhat

complicated because some of the money collected had been paid out directly in southern cities and other amounts were paid to other relief agencies such as the Salvation Army, the Red Cross and service clubs such as Rotary and Lions. But the monies that came through to the trust—and this did cause some heart-burning—eventually amounted to about \$7m. Out of this, immediate bereavement payments were made to dependants of the persons who died as the result of the cyclone and I would emphasise that payments were made only to dependants and not relatives or next of kin simply because they were relatives or next of kin. Then, as the urgent situation abated somewhat, consideration was given, as people were coming back to Darwin in increasing numbers, to a re-establishment grant on a non-means-test basis. Members, I am sure, will recall the publicity given to this \$200 re-establishment grant. There was also money sent to the Department of Social Security in southern centres which has acted as the agent of the trust for the disbursement of monies to persons in need in the south.

There has been a means test imposed on payment of the money to persons in need. Obviously, if they are earning \$20,000 a year, it is hard to imagine their need, but if they can establish need, well and good. Basically the means test has been something in the order of a person earning \$150 a week or so. Persons earning over and above that amount find it rather difficult to obtain assistance from the trust on a basis of need. There are various deductions and the means test is a rather complicated system which I won't go into now.

As far as I can see, this trust has been as successful as it could have been under the circumstances. It is always difficult where money is being given away to satisfy everyone. I can assure honourable members that the trust has always been sensitive to public opinion and where it has been obvious that the trust has made errors—and I admit quite frankly that the trustees have in my view from time to time made errors—we have attempted to correct them as quickly as possible. In addition, one must take into account the fact that the trust is operating over the whole of Australia and it is very difficult to coordinate all efforts at all times. It appears from information I have received that in some centres money has been more freely available than in others. Immediately this comes to the attention of the trust, directions are given for the position to be investigated and the trust has at all times

attempted to standardise the situation. The trust has paid to the Department of Social Security the sum of \$1,700,000 for disbursement for Darwin evacuees in the south since approximately the month of March and it is unlikely that any further monies will be paid to southern centres at this stage. I should say that a part of that money, approximately \$100,000, was paid to the office of the Minister for the Northern Australia in Mackay—he was to coordinate the payments to evacuees in North Queensland.

The situation has been taken advantage of by some persons who have made false declarations and at the outset there were problems with the claim forms which were drawn up rather hastily. Now, where it can be established that a false declaration has been made, action will be taken. It is impossible, though, to thoroughly police such a scheme that relies very largely for its success on the honesty of the community. If the trust were to attempt fully to investigate every application it receives, then it would never get around to disbursing its funds. In fact, investigation of these applications—I think over 10,000 have been received—would occupy the entire resources of the Northern Territory Police Force for over 12 months. When you consider that a lot of them are from southern cities, you can see that the task is beyond human ingenuity to pursue. The trust has accepted most applications on face value, although where it has been obvious there have been mis-statements, inquiries have been made.

The trust has built up its pay-out to in excess of \$50,000 a day because I can assure honourable members that none of the trustees desires to retain his office for a moment longer than can possibly be helped. When you realise that the \$50,000 is divided into \$200 lots, then obviously quite a lot of work is being done daily by the staff attached to the trust.

I have mentioned previously that a lot of the money received by appeals in the south was paid into funds other than our trust fund and it seems to me that the organisers of appeals to aid victims of natural disasters could well take heed of the lessons learned in Queensland in relation to the cyclones and floods they have had there. On this occasion, the State Premier said that there would be only one fund in Queensland, that it would be his fund and he would pay all the money to an officially recognised fund in the Northern Territory. But in all the other states, of course,

the money went here, there and everywhere and I am quite sure that some of it is still hanging around the ridges somewhere, and some of it may well have gone to places where it should not have gone.

In all the circumstances, I consider that the staff of the trust have worked well and diligently. There have been occasions when members of the public have complained of their treatment at the hands of trust staff but, when you are handling the number of people that these people are looking after, it is inevitable that there will be complaints, particularly where people ask for money and are refused it. It is unlikely that they are going to be happy when they are refused. I consider that, in all the circumstances, the executive officer of the trust and his staff have performed a reasonable job and I commend this report to honourable members.

Debate adjourned.

## MOTION

### Freehold Land Inquiry Report

**Mr WITHNALL:** The Nimmo inquiry was one that I personally welcomed because I had been concerned with the former member for Victoria River, Mr Harold Brennan, in endeavouring to meet the situation which had been created by persons who had tried to get behind the Town Planning Ordinance insofar as it related to freehold land subdivision. Unfortunately, at the time when Tiger Brennan brought in his bill, the situation was serious and the plight of the persons who had paid money to subdividers was very real and some action ought then to have been taken. Because of the terms of section 19 of the Town Planning Ordinance, however, taking action on the subdivisions that had been undertaken was a very difficult matter. Consequently, Mr Brennan and I directed our attention to trying to find some legislative means of combating the problems which had arisen. Eventually, after Tiger had not stood for re-election to the Legislative Council, I produced some amendments, not out of my own head but in consultation with officers of the Lands Branch, which we thought then might be able to cope with the situation. Subsequent examination of these amendments revealed that they were difficult to implement. They did not provide a safeguard to subdividers and to persons who were purchasing from subdividers fully, and as a result, I accepted the proposition that the amendments which were passed ought not to be assented to. They were

not assented to and I accepted that they should not have been assented to.

In the situation which existed then, it was quite obvious that there was no easy legislative way out of the mess into which everybody had got and I welcomed the proposal put forward by the honourable member for Victoria River that there should be an independent inquiry in which a lot more evidence could be obtained than we were able to obtain ourselves and that that inquiry should be conducted by somebody who would have an understanding of the general situation of land laws in Australia and who would be able to provide a solution if there was a real solution to provide. Mr Justice Nimmo in his report has recognised the fact that you can't go back. As the honourable member for Victoria River has said, you can't scoop up spilt milk. You can't go back, and therefore the problem is to sort out the existing mess and to make sure it doesn't happen again. I think the recommendations which Mr Justice Nimmo has made in his report are directed towards that end and are therefore quite acceptable to me.

I would have thought that we might have had from His Honour Mr Justice Nimmo some more specific statements about the direction in which future laws could go but it is certainly true that he would not have had any drafting skills nor indeed, since he is a judge of the Supreme Court, would he have had any great administrative experience. But I had hoped that, from the witnesses who attended that inquiry, some sort of instruction might have come as to the direction in which new laws could go. As it is, the report does give some hints as to what sort of law should be made but it is far from being specific. I don't want to criticise the report but I think perhaps we could have had some better indication of the direction which future laws should take.

I do support the motion and I support the report and I add to those of other members my thanks to Mr Justice Nimmo for his thorough investigation of the matter, for his attempt, not only to tell us what the trouble was and how to cure it but his attempt to ensure that the difficulties in particular subdivisions were fixed up without there being need to pass a special law about the subject. In this, he has done a very great public service and I think at least 2 subdivisions—and they are major subdivisions—are likely to be fixed up in accordance with his recommendations without resort to any law in the Northern Territory. I commend the motion and the report.

**Mr TAMBLING:** I move that the debate be adjourned.

In so doing I would like to indicate that I am having continuing discussions in this matter with officers of the Lands Branch and hope to bring forward more positive statements in the next few sitting days.

Debate adjourned.

## MOTION

### Resolution of the Senate—Northern Territory (Stabilisation of Land Prices) Bill 1975

**Dr LETTS:** I seek leave of the Assembly to amend the terms of the motion which I moved yesterday in the form: "That the communication from the Minister and the resolution of the Senate be noted and this Assembly endorse and commend the Senate's action in referring the matter of legislation on the stabilisation of land prices to the Assembly".

Leave granted.

**Dr LETTS:** In moving the original motion as printed on the notice paper yesterday, immediately after the tabling of the communication from the Minister and the Senate, I was remiss in not extending to the Senate the courtesy of expressing appreciation for the action they had taken.

I now move that the communication to the Minister and the resolution to the Senate be noted and this Assembly endorses and commends the Senate's action in referring the matter of legislation on the stabilisation of land prices to the Assembly.

I do this in real appreciation of the action of the Senate for this is an historic occasion. To my knowledge, it is the first occasion on which this particular type of action has been taken by the Senate, and I have in mind that the Territory and this Assembly has had a number of occasions to be thankful for the support of the Senate in recent months. I say at the outset that the honourable member for Port Darwin and I have been in consultation over this matter on the form of reply and reaction which might be suggested to the Assembly and I believe that as a result of these consultations further amendments will be proposed. I understand they have now been circulated and hope that some of my remarks will also have relevance to those amendments yet to come and thereby save time in having to speak to the amendments too.

My remarks will be virtually in 4 stages. I wish to touch on the bill itself and its purposes as introduced into the Federal Parliament; secondly, on the remarks of the Minister for Northern Australia who supported this bill and remarks by the Senators in opposition to it; thirdly, I would like to give my views on the bill; and finally, to add some suggestions on the course of action which it is appropriate for us to follow.

First, the bill and its purposes, I could best illustrate these by a direct reference to the second reading speech of the Minister for Northern Australia in presenting the bill. The Minister said in November last year: "The purpose of this bill is to provide legislative authority to stabilise the prices of land in the Northern Territory required, or likely to be required, in connection with urban development. This process is regarded as an important aspect of large-scale acquisition by government for urban development and is designed to prevent speculative rises in the market value of land held in private ownership". He went on to explain broadly the provisions of the bill and said:

The bill provides for the declaration initially of an investigation area in which persons authorised by the Minister may carry out investigations on private land to determine its suitability for urban development. The period of investigation may be any time up to a maximum of two years. When investigations are complete, the bill provides that the Minister may declare a development area in which all lands may be the subject of acquisition under the Lands Acquisition Act in the specified period, not exceeding 10 years. Provision is made for the Registrar-General for the Northern Territory to note on all titles affected a declaration of a development area. This will have the effect of drawing to the attention of those purchasing land that the land may be acquired by the government for urban development.

The bill also contains provisions which restrict development of the land; that is, new buildings or major improvements except where authorised by the Minister or any major change in the use of the land from that use applying at the date of declaration of the development area. This is designed to curtail attempts for speculative reasons to improve the land or to put it to optimum use because of the declared urban development. In the case of financial hardship occurring, there is a provision which permits the Minister to take appropriate action for the acquisition of the land under the Lands Acquisition Act. In any development area where the government moves to acquire property under the Lands Acquisition Act, the provisions of that act will in effect be modified so as to provide for compensation to be paid on a basis which will have regard to—

1. the base value or market value of the land at the date of declaration of the investigation area;
2. a value increase factor determined by the Valuer-General;

3. any additional improvements approved by the Minister added since the date of declaration of the development area.

The value factor or factors which will allow for normal increase, increases or decreases in the value of land will be fixed by the Valuer-General having regard to information available and be set out in the form of a determination and lodged with the Minister. This percentage increase or decrease will be notified to the owner by the Minister and be accepted in a court or arbitration determination as the adjustment to be made to the base value at declaration by reason of the time lapse until the acquisition date.

Those are the significant parts of the Minister's second-reading speech in explaining the purpose and the content of this bill and in justice and fairness to him I use his words direct from his second-reading speech.

I then go on to refer to certain remarks made by the Minister in support of the bill, a further explanation of the bill and to the remarks made by Senators who spoke in opposition to it. Amongst the key remarks which the Minister made in speaking to the bill, I have singled out a couple. The first of these applies to the modification to the Land Acquisition Act as it would apply in the Northern Territory if this Land Prices Stabilization Bill took effect. The Minister said that because the provisions of this new legislation modify some of the provisions of the Land Acquisition Act which applies throughout Australia, it is not considered appropriate that modifications should be brought in by way of the Northern Territory ordinance but rather that they should be brought in by way of a federal act through parliament as companion legislation to the Land Acquisition Act itself.

There is a further comment from his second-reading speech which I think is very significant for a lot of people in the Northern Territory although this matter has been discussed here before. As an expression of intention as to the sort of area in which this Land Price Stabilization Bill might apply, the Minister went on to say that the area of greatest interest in the Northern Territory is the general area within a radius of about 96.5 kilometres of Darwin in which there is a fairly large number of undeveloped and unused freehold blocks granted about 100 years ago. Bear in mind the thought of a radius of 96.5 kilometres in which this land prices freeze legislation scheme might apply. I don't know how good my arithmetic converted instantaneously into geography is, but he is talking about what we used to call a 60-mile radius and from the Darwin Post Office that takes us down below the township of Adelaide River.

**Mr Withnall:** All freehold land!

**Dr LETTS:** So much for the Minister in support of his case. Let us see then what the Senate said in the process of defeating this bill and the reasons that they gave for so doing. The first and principal speaker on the matter for the Opposition was Senator Durack, whom we also know in connection with the Darwin Reconstruction Act. We know that he is a very capable, thoughtful, earnest and sincere man. I have extracted several of his pertinent comments. He says in relation to the bill: "Once an area of land has been declared under the act by the Minister to be a development area, then the whole control of that land is vested in that Minister who virtually has an absolute discretion. That land may remain for 10 years in the private ownership in which it now resides and the government may in fact never require it for its own urban development proposals. That means that over this whole period of 10 years a dead, cold hand is placed upon that land and the utilisation of that land by the private owners. The owners have rights which I believe this parliament should accord them and indeed which the Constitution itself accords to all residents of states; namely, that if a government wants to acquire their land it is to be acquired on just terms." Quoting further from Senator Durack: "Therefore, this is a situation where there is an absolute discretion, firstly in the Minister to control development and secondly in the Valuer-General to indicate what increases in value there would have been in respect of that land compared with other land which had not been affected by the development area. These provisions create a fundamental erosion of the right of the private land owner to be compensated on just terms for any acquisition of land by the government. These are the major objections which the Opposition has to this bill".

He goes on with a further major objection a little later: "Our major objection to this legislation is that the determination of land prices in the Northern Territory should be one of the new powers which should be transferred to the new Legislative Assembly of the Northern Territory. The government has seen fit to set up a Legislative Assembly in the Northern Territory. The Joint Committee on the Northern Territory, which is comprised of members from both Houses of Parliament, has indicated that matters of urban development and town planning should be matters for that Assembly. Therefore we do not believe that

this is a matter which should be decided by this parliament".

Having looked at the Minister's views and some of his reasons and looked at the Senator's reasons for opposition, I tender my own views. First of all, a suggestion which has been made quite widely and with which I have a lot of sympathy myself is that the situation of producing land price stabilization legislation should never have arisen. The ideal situation would have been that sufficient land was available so that the normal market and allocation processes could take place without undue inflation and without speculation. That is of course the ideal arrangement and a lot of people would contend that such legislation really has no place in a well-organised society and a well-organised administration. The need for this legislation, it could be said, has arisen through a fault of the central government in the first place in failing to meet its commitments and foreshadow its commitments. That remark applies to the previous central government as much or more so than to the present central government which has only had to date a limited term of office. Nobody in the central government and in administration in the Northern Territory has ever looked forward far enough to keep pace with land demand in Darwin, in Alice Springs and in most other centres of the Northern Territory. They have always proceeded too cautiously in terms of resources and finance needed to do this job. They have never had enough faith in the rate of development of the Northern Territory.

Be that as it may, we are not confronted with a land shortage which is likely, in spite of the best will and the best efforts in the world, to remain with us for some time. If there is to be legislation for price stabilisation and price control in land, then my view is that this surely is a local matter just as much as price control in other fields; and rent control in the Northern Territory is also a matter which has been accepted in the past to be a matter for this legislature.

My second objection on this matter is the patent injustice of placing Northern Territorians wherever this legislation could have effect—and that could be throughout the Territory—at a further disadvantage compared with other Australian citizens. We already suffer a number of disadvantages, as everybody here knows and has heard often enough. Now we are going to have the Land Acquisition Act made to apply differently in the

Northern Territory to anywhere else and the forms of appeal which other people in the states are entitled to are going to be arbitrarily denied to the people of the Northern Territory under this kind of legislation. So we have injustice in terms of the changes made and the effects of the Land Acquisition Act and we have injustice in the whole sense of a remote minister based 2,000 miles away, and possibly a remote administration, deciding entirely in his own right, without advice of any sort from local people, just what will be an investigation area, what will be a declared area, and putting the boot over it, putting the freeze on it for up to 10 years, and in that time interfering with developments in the way of life of people living in that area, having the final decision of what people can do by way of development entirely in his own hands in Canberra. There are very basic grounds for objection to this legislation and I think that most Territorians would agree with me on that point.

What should be our course of action? The motion from the Senate throws back into our court consideration of this bill, for us to make suggestions as to what should be the appropriate course of action in relation to it. We have to look at this in 2 stages. First of all, we must pay the Senate and the government the courtesy of a quick reaction, and a quick reaction cannot mean, in terms of the communication tabled yesterday, a detailed analysis of this legislation and a detailed prescription for correcting the situation or putting up alternative legislation. But our first reaction, which must go forward quickly, should deal with the things we see wrong in principle with the course of action which the Federal Government proposes and the principles we feel might be looked at by ourselves in terms of the Senate resolution. Then I suggest that this Assembly should go forward, having established its first reaction and communicated that back to the Federal Parliament, at greater length and in more detail to make a studied analysis of these matters and provide further considered detailed views. With that in mind, I foreshadow a later and further amendment which will set up machinery in the form of a select committee to achieve this more detailed, more studied analysis.

**Mr WITHNALL:** I move that the motion be amended by adding the following words:

(2) That the following answer be made:

The Assembly criticises the Northern Territory (Stabilization of Land Prices) Bill 1975 on the following grounds:

- (a) the stabilization of land prices in the Northern Territory is a regional and not a national concern and is not a proper subject for legislation in the national parliament;
  - (b) the Lands Acquisition Act 1955 already contains sufficient authority for the investigation of land when it is to be acquired and clause 8 of the bill is therefore otiose;
  - (c) an unwarranted interference with the right of a person to enjoy the use of his land could occur for many years if clauses 9 and 10 of the bill become law;
  - (d) clauses 12 and 13 completely remove the safeguard to the landholder presently contained in the Lands Acquisition Act 1955, that on acquisition he will be paid just terms. Compensation is proposed by the bill to be paid in accordance with the certificate of the Valuer-General which is to be final and conclusive and beyond appeal to any court or authority.
- (3) The Assembly undertakes to examine the matter of securing the stabilization of land prices through legislation complementary to the Lands Acquisition Act 1955 after consultation with the ministers and departments concerned.

When I refer to ministers and departments I am referring to ministers and departments of the Australian Government.

I propose to speak both to the amendment and to the motion.

When I first read the bill, I was astounded, first of all, that the Minister for the Northern Territory, who had previously expressed his intention to exercise his office after consultation with people in the Northern Territory, had so far gone back from that promise as to introduce a bill which achieved a complete turnover of the usual laws relating to land and land acquisition in the Northern Territory, without any consultation whatsoever with any person in the Northern Territory so far as I am aware. There may indeed have been some type of consultation with some of his departmental officers but I don't know and nor can I ascertain the name of any person in the Northern Territory who was consulted on the terms of this bill.

The bill is an insult to this Assembly because it takes over a matter which is completely a regional concern. The stabilization of land prices and the stabilization of prices of goods are both equally local matters. They are matters of local concern and should be matters of local legislation. For the Federal Government to legislate in this way is not only an insult to this Assembly but it is an obvious and naked proposal to take power away from

this Assembly and exercise it through the Federal Parliament. Since the present government has been in power, we have seen the government taking steps of this sort to achieve in the Northern Territory objects which it would like to achieve everywhere, but because the states stand in the way of the present government in the achievement of those ends in the states the only place they can do it is in the Northern Territory. They propose to do it here come hell or high water, to ride over everybody's concern in the Northern Territory and to ride over this Legislative Assembly.

I utterly condemn the introduction into the Federal Parliament of a bill to achieve an object which ought to be left to regional control, which ought to be left to the people who are here and not to the people who are elected in Victoria, NSW, Queensland, South Australia and Western Australia. They have no concern with the laws to be applied to the Northern Territory, and to legislate in the way the Commonwealth Government proposes to do with this bill is entirely wrong and improper.

Coming to the bill itself, my astonishment is greater than ever when I consider the terms of it. Section 8 proposes that officers to be appointed by the Minister will have power to come and investigate land, make holes, make measurements, to walk through your house and measure it up, to measure your land and see what bores you have, and to see what arrangements you have on your boundary, what your fences are and generally to do everything they can to determine whether or not the land is going to be suitable for urban use. Well, they have that power now; it is contained in the Lands Acquisition Act and I wonder why the terms of the Lands Acquisition Act cannot apply in the Northern Territory just in the same way as it applies in the rest of Australia. Why do we have to have some special provision here for investigation? Is not the power of investigation in the Lands Acquisition Act quite sufficient? I suggest to honourable members that the proposal about investigation contained in clause 8 of the bill is completely unnecessary and otiose.

Apart from saying that land can be investigated—during which time of course you have to sit down and do nothing with it and that investigation may take 12 months or more—you then may receive a notice under sections 9 and 10 to the effect that the land is subject to development. That means that for a

period of up to 10 years you can't do a damn thing with your land unless somebody says you can. For a period of up to 10 years, you can sit there and if you want to erect a shed, if you want to erect a house, if you want even to dig some sand out of the soil, you are prohibited by law from doing it. You own the land but you don't own all the rights to the land because this development notice is going to make you, in effect, a visitor on your own land. You can stay there but you can't do anything. You can build a shed or an extension or an alteration to your house up to \$4,000, but there are lots of other things prohibited. If you want to build something worth \$4,500, you have to go cap-in-hand to the Minister. Let us guess how long it will take you to do that—I can quote you figures on this—to get any decision about doing something with a piece of land in the Northern Territory if you have to go through a federal department. I know one case that took 3½ years. I know many cases in which it has taken more than 12 months. That's a great concession, isn't it? If you want to do something with land which is subject to one of these development notices, then you have to go to the Minister himself, through all the departments, and probably not only the Department of Northern Australia but probably also the Department of Property and Services. You have to go through all these people before you can build a shed or a house worth more than \$4,000. That's good fun. We have been over-governed for years, and now we are going to be "super over-governed". That's exactly what this means.

Not only that, a development order may be revoked after the end of 9 years and you have been sitting there for 9 years waiting to do something with your land; you have been prohibited from doing it and at the end of 9 years now at last you can do something, but what about the 9 years of your life you have wasted sitting there waiting? Is there any compensation for that? Oh, no! Oh, indeed, no; there is no compensation at all for that. You can sit there and maybe lose the opportunity to develop a thriving business just because somebody says, "I might want it; maybe some day I will want it within 10 years". And at the end of 9 years, they can say, "Sorry, we don't want it at all", and you have wasted 9 years of your life; you have wasted 9 years' use of that land. Isn't that a piece of nonsense?

Even if acquisition does occur, then we come to the question of what you are going to

be paid for you land, and of course this is the whole intention of the bill; to make sure the Commonwealth Government does not have to pay much for the land, to make sure they can limit the price they will have to pay to as low a price as they possibly can. This is an attitude of government which can't be wholly condemned because I do not go along with speculation in land and I believe that speculation of land ought to be controlled so that a piece of land which may be acquired for urban development does not have to be acquired at a very high price. But, so far in this Northern Territory we do enjoy a guarantee which is contained in the Lands Acquisition Act, that if land is acquired here it will be acquired on just terms. If you examine this bill, you will find that the bill proposes that just terms will never apply in the Northern Territory so far as acquisition of land which is subject to a development order is concerned.

The honourable member for Victoria River and I had a conference in Brisbane only last week at which the question of the extension of the constitutional guarantee of just terms for acquisition came up and we had some difficulty in persuading the Commonwealth representatives that this ought to be on the agenda for the 1975 conference in Melbourne in September. When you consider the terms of this bill, the reasons for our difficulty are quite obvious because the bill says in effect—and I'll challenge anybody to deny what I'm saying—that, where land is acquired by the Commonwealth and the land has been subject to a development order, the price to be paid to the Commonwealth will be the price which the Valuer-General assesses. There is no appeal; there is no possibility of referring it to any other person or body. The price to be paid for the land is the price which the Valuer-General says, and it is said in the bill to be final and conclusive; it shall not be challenged, appealed against, reviewed, squashed or called into question in any court or in any arbitration under the Land Acquisition Act. We have lost our right to just terms. The Lands Acquisition Act, which was our only security for just terms for acquisition of land, is gone. Finally, just to make sure, the determination is not to be subject to prohibition, mandamus or injunctions in any court on any account. What does that mean unless it means that when land is acquired which is subject to a development order under this bill you must get exactly what they want you to get? You can't go to a court and say, "Look,

this is unjust". Even if it is only 5 cents, even if it is the most outrageous proposition, you can't go to a court and say "Look, this is unjust, will you please assess the compensation". Oh, no! You get what the Valuer-General says and he is an officer in the Taxation department here at the moment—you must remember that—and what the Valuer-General says is the last possible word. You can't complain about the acquisition, you can't complain about the price; you sit down and take it, and this after 9 years of deprivation of your land.

Is it any wonder that the gentlemen in the Senate looked at this bill askance and said that they would not accept the terms of it? Is it any wonder they referred it back to some people in the Northern Territory who understood what the local conditions were like, who could understand just how to deal with the situation? Like the honourable member for Victoria River, I commend the Senate for its attention to the detail of this bill and for its action in preserving what I think is one of the fundamental rights that ought to be enjoyed by every person in Australia, that they should not have any property taken from them, except under just terms. There is a guarantee in the American constitution. Unfortunately, the guarantee in the Australian constitution doesn't extend to the Northern Territory; it extends only to the states.

The final proposal I have put in the amendment which I have proposed is that this Assembly undertake to examine the matter of securing stabilisation of land prices through legislation complementary to the Lands Acquisition Act 1955. What I have said so far has been a detailed, and I think justified criticism of the provisions of the Commonwealth bill. What I am saying now is that I am recognising, as the Commonwealth Government recognises, that some legislation should be introduced to control land prices where land might be acquired by the Commonwealth. There is no way in the world that I would agree to the outrageous provisions of the bill in question, but I think some legislation may be necessary. Consequently, I propose that this Assembly undertake to consider the matter and to consult with Commonwealth departments concerning the dovetailing of local legislation with the Lands Acquisition Act. I think this is the least we can do. I understand the honourable member for Victoria River is proposing a further amendment to refer this question to a select committee. I am quite

happy to accept any such proposal but I am adamant that the bill which was introduced is both unjust and unnecessary and I am adamant that legislation on this subject must be legislation passed by this Assembly, by the people who were elected for the purpose and for the people who elected them.

**Members:** Hear, hear!

**Dr LETTS:** I move a further amendment as circulated:

(4) That a select committee comprising Mr Withnall, Mr Everingham, Mr Tambling and Dr Letts be appointed to inquire into the matter of providing legislation to secure land price stabilisation complementary to the Lands Acquisition Act 1955.

This is merely a means of providing the machinery to do what the honourable member for Port Darwin intended in his amendment. My reason for the composition of the committee is this: I have included in it the executive members who have particular responsibilities in relation to this type of matter—namely, the Executive Member for Finance and Law, because this is a matter which has legal implications and financial implications in acquisition under the Lands Acquisition Act; the Executive Member for Community Development, because this is land which is possibly intended for use as urban land in the future; I have put myself on it because at the moment it is rural land; and, finally, the honourable member for Port Darwin because of his considerable and valuable experience in both land and valuation matters and in drafting and handling legislation.

**Mrs LAWRIE:** I am now going to speak to 3 different proposals which have landed on my desk this afternoon. The first one was the Majority Leader's motion that the communication from the Minister and the resolution of the Senate be noted and that the Assembly endorse and commend the Senate's action in referring the matter of legislation on the stabilization of land prices to the Assembly. On that particular issue, I am in complete agreement. However, I may differ perhaps from the previous speakers. I believe strongly not just that some legislation may be necessary but that some land price stabilization scheme is necessary. It is overdue. We should have had it in the past 20 years. The community of Australia as a whole pays dearly for lack of such legislation. I think the honourable member for Port Darwin mentioned that he was against pure land speculation. I am totally opposed to that form of making money because one is exploiting a community which

must have land—I am talking about residential land on which to live. I have no quarrel at all with people using the land for pastoral and agricultural purposes, but when people are able to buy up land on the outskirts of the city because they happen to have the money and all the knowhow to see which way development is spreading, when a person can sit on that land until an entire community is held to ransom and that person, without having lifted a finger, reaps a fortune, then I say we all suffer.

This has happened in a minor way quite recently in Darwin. There was some compulsory acquisition and a lot of people affected by that compulsory acquisition went through agony. They still are. They should never have been acquired in the way they were. They were small landholders, people who had retired to live on a few acres. They were not speculators. Unfortunately, there were other people who did not fit into that nice category but were indeed speculating; they took their money and went. This particular acquisition becomes blacker when one realises that more than a third of that land cannot be used for the purpose for which it was acquired. I wonder who advised the Minister on that acquisition? I am talking, of course, about the 32-sq-mile area. We find that we have paid millions of dollars for land that can't be used. It is for this reason that I am thoroughly committed to a policy which endorses a land stabilization price scheme.

We have an amendment from the honourable member for Port Darwin which is quite specific, saying we criticise the Northern Territory (Stabilization of Land Prices) Bill on the specified grounds. He insists that the matter is a regional, not a national concern and is not a proper subject for legislation in the national parliament. I agree with part of that but not entirely. It is a matter of national concern but any legislation—this is what I believe he is saying—should be introduced here. I think that for any Australian government not to have taken notice of the speculation which has occurred in Darwin and the way in which the community will pay for it, and not attempted to rectify it would have been a serious omission on that government's part. But a more proper course would have been for the Minister to have consulted with the relevant members of this Assembly on the preparation of draft legislation to be introduced here, debated and either passed, amended or rejected.

I would prefer not to discuss specifically the references to the Lands Acquisition Act and the interference with a person's right to enjoy the use of his land, but instead turn to the Majority Leader's further amendment for the setting up of the select committee. This proposal for a select committee has my complete and undivided support. This committee should investigate what has happened, not for the purposes of trying to rectify something that is past but to see what can happen if there is not proper control on the use of land. The committee, having reached its conclusions and made its deliberations, should report to the Assembly and immediate communication should be established between the Assembly and the appropriate minister to have proper legislation introduced.

I hope I have made my attitude clear. I do believe there must be some legislation. I also happen to believe it should be introduced in this place and that the Minister for the Northern Territory should be involved in discussions on the way in which this might be done. Accordingly, I will support all the amendments.

**Mr TUXWORTH:** I support both the motion and the amendments, not because I am involved with the development or acquisition of private land around Darwin for urban use but because I feel there are some terrible anomalies in our method of distributing land in the Northern Territory. The proposal by the Majority Leader to set up a select committee will be a move in the right direction to overcome some of these anomalies.

I think it is the basic desire of this government and of any government to try to provide the people that it represents with reasonably cheap land on which to build their homes. I don't think it is an unreasonable desire for the people to expect to be able to acquire land at a price which they can afford. In the Northern Territory, the government owns or has owned most of the urban land at some time or other. It subdivides its own land and it sells this land off at auction without any competition. There is no one else in the market with whom it has to compete. Yet, ironically, urban land in the Northern Territory is the dearest in this country. Alice Springs and Darwin residential blocks are sold at prices that are not comparable with any other town of their size in Australia. In Alice Springs, it is not unusual for people to pay between \$3,000 and \$6,000 for a residential block, and the prices are even double that in Darwin on occasions, and there

is no doubt that this is well outside the scope of the man on wages.

If the government has the land, if the government subdivides it, and if the government has the control over the distribution, why then is it that this land is so dear when we have no competition in the system? We have nobody ripping off; we don't have the real estate developers in the southern end of the Territory ripping off as is claimed is going to happen here, and I will agree that it is always a possibility. I put it that the method of distribution of urban land in the Northern Territory is the most archaic in Australia as well as the most useless. It serves no one any real purpose compared with the methods used in the states. The cost of subdividing a block of land in Darwin, Tennant Creek, Alice Springs or Katherine is approximately \$3,000, or it was in the last financial year. The same ¼-acre block in Darwin would average about \$6,000 at auction. In Alice Springs it would be \$4,000 and in Tennant Creek and Katherine it would be \$3,000. I hardly think it is equitable that the people in Darwin are supporting out of all proportion the land being purchased in other parts of the Territory.

I have no doubt, from my experience with people in Lands Branch and Town Planning, that they have a desire, when they come to auction, to make money for the government to cover the cost of subdivision operations. It has even been put to me by the auctioneer in Tennant Creek from time to time that they would not be holding another auction for at least 12 to 18 months because the land was too dear. The government can't have its cake and eat it. If it wants to get a reasonable price for the subdivision of land and the cost of putting it on the market, then it should get out of the auction business because it is not going to do it on its present course. If it wants to stay in the auction business, then it has to get on with releasing the land in the way in which the public wants to use it. That is more important than what it gets for it as I would understand the situation at the moment.

The acquisition of private land or freehold land in the area around Darwin as far as I can see would be futile. It doesn't matter a tinker's cuss if the Minister acquires the land for nothing, and it doesn't matter if his fairy godmother subdivides it for nothing, if it is going to be dribbled onto the market at the auctions at the rate it is coming on now, it will always cost the peasants a fortune. This is the crux of the problem and it does not matter

how many stabilization bills they put through this house or any other house, it will not have the slightest effect on the cost of a house block of land in this Territory until the supply meets the demand. I think the appointment of the select committee is a good idea because it might get back to the basic problem that we have been confronted with for 20 years.

**Mr EVERINGHAM:** I rise to support the motion of the Majority Leader and his amendments as well as the amendment of the honourable member for Port Darwin. There is very little that the honourable member for Port Darwin has left me to say in relation to the legal aspects of this bill and I support his comments entirely. In relation to the comments of the honourable member for Nightcliff, I can only say that I too am opposed to land speculation but in this country there should be no possibility of speculation, where there is so much land available, were there a sound and progressive government planning and development policy with recourse to acquisition where necessary. This policy could well overcome the dribbling of blocks onto the market that my colleague, the Executive Member for Resource Development, spoke of. Indeed, there will be no price stabilization until land becomes readily available. If the government cannot handle all the land development, surely then it should put out plans and development whereby private individuals owning land can develop their land with some degree of certainty as to where they are heading. Under the existing legislation in the Territory, it is certainly very hard to do this; planning in the Territory for overall subdivisional purposes is non-existent. The piece of legislation that has been referred to us by the Australian Senate is another example of the belief by the powers that be in Canberra that legislation can be a panacea for previous procrastinations. The only real remedy is speedy overall planning and development.

The bill itself can freeze land for up to 10 years pursuant to the powers proposed to be conferred by clause 8. I can't see any justification for such a long time. Were the Australian government to persist with the legislation, I could at the very outside see justification for a maximum term of not more than 3 years and this would have to be renewable on certain conditions and possibly have to be tabled. Notices such as these should be tabled in this Assembly so that they could be disallowed in

terms similar to the disallowance in the federal houses of acquisition notices under the Lands Acquisition Act of 1955.

Section 10 provides restrictions in using the land for the purpose for which it may have been used for years. If, for instance, someone had been using the land as a grazing property or dairy farm and it became part of a developmental programme, this activity would grind to a halt unless the approval of the Minister was obtained.

Section 11 provides that the Minister may acquire the land if he sees that the owner may have suffered financial hardship or would, if the land were not acquired by Australia forthwith, be likely to suffer financial hardship. But this leaves a great deal of discretion to the Minister and there is absolutely no compulsion on him to acquire the land. The owner could ask the Minister to acquire it but he may decide not to and he may leave that person sitting on a limb for up to 10 years.

Section 12 deals with the value factor and that of course is one of the greatest potential sources of contention in the act; we have already been told that the right of appeal has been taken away entirely. I wonder if this may perhaps be the result of so much squealing and appealing as the result of the 32-square-mile acquisition. There have been so many aggrieved persons there as a result of some of the valuations of the Valuer-General that the government may have decided that in future the people of the Northern Territory are going to like or lump the Valuer-General. My view is that the provisions of the Land Acquisition Act should not be deviated from one iota and this Assembly must insist that there be absolutely no taking away from the rights that citizens of the Territory have under that act.

The whole piece of legislation is abhorrent to me; it springs from a desire to overcome, by trampling on the rights of the few, the successive years of neglect of land policy by Territory administration. I support the motion and the amendments.

**Mr KENTISH:** I support the motion and the amendments. I reject absolutely the right of the Federal Government to legislate on local land matters. This is an action taken in complete contempt of the will and the right of the local people in the Territory. People who have been issued with leases, people who own freehold land are now going to be told that

for 10 years they will have no rights whatsoever over their land except the right to reside there. They will be squatters on their own land and this monstrous proposition would apply for an area up to 70 miles by road out of Darwin. In other parts of the world, you might be crossing the borders of another couple of states or several independent republics in this distance, but here it is just the suburban area of Darwin for 70 miles. It is a monstrous proposition, incredible and nonsensical.

I admit that since I have lived in the Territory, which hasn't been all that long—38 years—never to my memory has land administration been adequately or sensibly dealt with in the Territory. It is always at least 10 years behind in what it should be doing, sometimes 20 years behind. This present attempt by the Federal Government in Canberra to tie up vast areas of land so far out of town is an unbelievable act of arrogance. It is a denial of the normal rights that people enjoy in other parts of the continent and it is just incredible that people of the Northern Territory, particularly the top end of the Northern Territory, should be chosen as guinea pigs for this inhuman experiment with land. Any idea that it may finally deliver land to people is fairly hard to believe when we see so much bungling going on.

I am inclined to think that if the government in Canberra forgot worrying about land prices for a while and thought more about inflation they might arrive at the same end but to better effect. I know very well that in the last 2 years blocks of land 20 miles out of Darwin have doubled in price. They haven't really; at the same time, they have doubled in price the dollar has halved in value. In effect, they are the same price as they were 2 years ago, but where you paid \$10,000 2 years ago you pay \$20,000 now. The value of the dollar has altered rather than the value of the land. I think the government may have lost sight of this matter and may be panicking somewhat about it but they are doing very little about stabilizing the value of the dollar; they are more intent on stabilization of the value of land, which is a peculiar situation.

I agree that action should be taken to prevent home builders having to pay extortionate prices for a building block. I don't only agree with this but I am prepared to put my pocket where my tongue is. Some years ago, I subdivided at Berrimah an area of 10 acres which I had no particular use for. I subdivided it into

10 ½-acre blocks which received a covenant for light industry and residential purposes. I refused to sell any of these blocks for more than \$1,000 but I sold them to people whom I thought genuinely wanted to settle and build. I thought this was good citizenship; it is just that I am prepared to support a principle with my pocket. To my dismay, soon after I had sold one of these to a genuine builder who wept that he had nowhere to build his home, he turned round and sold it for \$3,000. This taught me a lesson, but I did not regret what I had done. I mention that to indicate that I am genuine in this respect, that I would like to see home builders in Darwin get their land at a reasonable price.

I agree that action should be taken to keep building prices at a right level but the method taken in the bill currently before us is nothing but stupid and disastrous in its effect; it is a most complicated and dangerous method of fiddling with land. We have seen one of these nasty experiments already in the 32-mile subdivision, which has turned out to be one of the most disastrous and ill-conceived ideas we have ever had sprung on us from the southern regions of Australia. The bill is a complete abrogation of the rights of landholders and in the long run it will help no one at all. If the government continues with its present policies in the Darwin area, it may be as easy to get a block of land in Darwin as it is in Borroloola; maybe the prices won't be much different. They will simply empty the Territory. People will only stand so much. They are getting out of the place now because the government is bungling and fiddling and fooling about—indisiveness and all that sort of thing. The population will be reduced so much that we might get a block of land for nothing some day but it won't be any credit to the Federal Government.

I support the motion and the amendment and I think that it would not be too difficult to come up with something sensible to handle this land situation.

Amendments to the amendment agreed to.

Amendment, as amended, agreed to.

Motion, as amended, agreed to.

## LEAVE OF ABSENCE

### Member for Alice Springs

**Mr STEELE:** I seek leave of absence for the honourable member for Alice Springs for today and tomorrow.

**Mrs LAWRIE:** I speak in support of the motion, believing that all members of the Assembly all feel, as I do, that while Assembly business takes precedence one has to bear in mind that Mr Speaker is absent on the business of the Assembly. It is by resolution of this Assembly that Mr Speaker is not with us and I support the motion.

Motion agreed to.

### ANSWER TO QUESTIONS

**Dr LETTS (by leave):** I refer to two questions asked by the honourable member for Nightcliff concerning appointments to the Northern Territory Parole Board. I said that I would endeavour to get an answer for her during this sitting. By way of an interim answer, I am able to advise that this matter has been considered by the Administrator's Council and some decisions were reached before Christmas although the matter was not completely finalised. The honourable member will appreciate that certain circumstances have changed in the interim, including the availability of certain people. I understand further that there are now some inter-departmental questions to be resolved. I regret that I am unable to supply a more detailed answer at this stage and I will probably not be able to do much better during this sittings. For that reason, I would ask the honourable member to place her question on notice to enable me to obtain all the information she requires from sources into which I do not have direct entry.

### CROWN LANDS BILL

#### (Serial 35)

#### In Committee:

Clauses 1 and 2 agreed to.

**Dr LETTS:** I move that a new clause 2A be inserted after clause 2. I have already given some reasons for this amendment in foreshadowing it during the second reading stage. The proposal in brief is to increase the panel of members of the Land Board from 7 to 10 persons. The proposed increase is one of the measures suggested in the Rural Land Select Committee's report last year as one of the ways of helping to speed up the Land Board's processes. As things stand at the moment, the Land Board at times has difficulties in obtaining quorums from the members scattered around the Northern Territory and on such occasions there is delay in arranging meetings. The second part of the amendment deals with the omission of the Director of

Social Welfare from section 9 (3) of the principal Ordinance. This is no longer appropriate since that officer was relieved of the functional responsibilities of Aboriginal Welfare upon the creation of the Department of Aboriginal Affairs. By increasing the size of the panel, it could be open for the appointment of an officer of that department or a member of an Aboriginal Land Council if necessary.

**Mrs LAWRIE:** I accept this with one small query. I ask the Majority Leader if paragraph (b) has been discussed with the relevant Australian Government departments. I believe that what he is doing is appropriate but I would like some reassurance that it has been discussed and the bill will not come back to us from the Governor-General with suggested amendments simply for lack of discussion.

**Dr LETTS:** I am happy to give the assurance to the honourable member for Nightcliff that virtually all of the amendments including this second batch which we are now going to look at, have originated from the Department of the Northern Territory and from the Lands Branch of that department after consideration of the select committee's report and after discussion with other departments concerned. In this case, in paragraph (b), we now have a misnomer on our hands in that the person who is Director of Welfare has not got the responsibility for Aboriginal Affairs as was originally intended and we have to approach it in a different way anyhow.

Clause 3:

**Dr LETTS:** I have an amendment to clause 3: 'Omit from clause 3 Soil Conservation Ordinance and substitute Soil Conservation and Control Ordinance'.

That substitutes the correct title for the incorrect title which was used before in the draft.

Amendment agreed to.

New clause 3A:

**Dr LETTS:** I move that new clause 3A be inserted.

This is the amendment which includes the words "stocking, improvements or developmental work" in that section whereby an application may be made for variations. This again is in line with the select committee's report which advocated greater flexibility in lease covenants so that a lessee could choose the best options open to him from year to year. If this was permitted without some form of control, it would be difficult to induce a

lessee to follow a stable development in his program. The amendment to section 37A will give the Administrator the power to vary stocking covenants and development and improvement covenants on pastoral leases upon the recommendation of the Land Board. The amendments in this new clause 3A will also eliminate the problem whereby the lessee is obliged to maintain certain improvements regardless of their age or level of usefulness.

The amendment to subsection (7) in the second part of the new clause is consequential upon the new provisions to be inserted by new clause 4A requiring registration of a variation in lease covenants by the Registrar-General.

New clause agreed to:

Clause 4:

**Dr LETTS:** I move a formal amendment to clause 4 as circulated. This is similar to that which has already been carried for clause 3.

Amendment agreed to.

Clause, as amended, agreed to.

New clauses 4A, 4B and 4C:

**Dr LETTS:** I move that new clauses 4A, 4B and 4C be inserted.

These are lengthy clauses and I ask the committee to accept them as circulated. Clause 4A inserts new section 39A into the principal ordinance so that any variation to the conditions of a pastoral lease approved by the Minister on the recommendation of the Land Board will be registered on the appropriate title.

Clause 4B amends section 65 of the principal ordinance to achieve the same effect in respect of agricultural leases as clause 3A will in respect of pastoral leases.

Clause 4C inserts new section 65AA into the principal ordinance so that any variation to conditions of agricultural leases will be registered on the appropriate title.

These amendments are the amendments which I believe were sought by the honourable member for Port Darwin yesterday in respect of registration of variation on lease titles. I believe that they do answer the questions that he raised yesterday.

New clauses agreed to.

Clauses 5, 6, 7 and 8 agreed to.

New clauses 9 and 10:

**Dr LETTS:** I move that new clauses 9 and 10 be inserted after clause 8.

Clause 9 amends a minor error in section 103(2c) of the principal ordinance and clause 10 is designed to preserve variations of conditions of pastoral and agricultural leases which have already been made and have not been registered on the titles.

New clauses agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

#### ADJOURNMENT DEBATE

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

**Mr POLLOCK:** Yesterday, the honourable member for Nhulunbuy asked me how many staff members had been appointed to the Yirrkala Medical Centre and for what period and when the official opening day of the centre would be announced. The Health Department has advised me that it is intended to transfer the existing staff at Yirrkala to the new medical centre. The present staff is 1 resident sister and 1 rural health sister who will be based at the centre; 5 Aboriginal assistants, 4 of whom are hospital assistants and 1 a health worker. At the moment, there is no intention to increase the staff. Present indications are that it will be possible to commence work at the centre on Monday 14 July 1975.

Yesterday during the adjournment debate and this morning during question time several matters arose which I would like to comment on. One of them was the Yirara College complex at Alice Springs which, it was mooted, might be falling down. This is in my electorate and I was there last week having a look at the structural work of this building. Basically, it is a 2-storey building. The dormitory blocks, fairly large buildings each of 2-stories, are connected by an overhead walkway. The section between these adjoining buildings is estimated to weigh about 20 tonnes. It is principally made of concrete and steel and is about 8 feet from the ground. With the construction nature of the building, several sections of that are now balancing on 1/64th of an inch, so these sections of concrete weighing about 3 tonnes could, it is said in some quarters, fall down at any stage. For a building which has only been constructed a couple of years it is rather disconcerting because now the Department of Education has to ask Treasury for money for the Works Department to repair a building which the Works

Department constructed only about 2 years ago.

It is quite disappointing to see the nature of this workmanship. It would appear that in the construction of the walkways there has been a breakdown in the design or a serious breakdown in the supervision of the construction. This is a building costing some millions of dollars. Many buildings could be constructed in the Darwin area in the forthcoming year of even greater value and it is hoped that this sort of thing will not be repeated here.

The general matter of education was raised yesterday, particularly school staffing. In my electorate there is a school at Maryvale cattle station which has a large Aboriginal community. There are some 40 children going to school there. At the end of last term, the teacher and his wife were transferred to Alice Springs, some 70 miles away. No replacements were made at the time and it was not until some pressure was applied on the department that a young lady was found to go down there and relieve for 3 weeks, until teaching staff could be found by Canberra. Canberra has been hoo-hahing and carrying on with all sorts of correspondence and so forth, but not getting down to the nitty-gritty of finding teachers for Maryvale. A teacher has now been found for Maryvale; they closed down the Mount Ebenezer school and transferred the teacher from there to Maryvale so they could keep that school going; Mount Ebenezer had fewer pupils than Maryvale. This is quite disturbing really.

Both these communities are Aboriginal. The Aboriginal children are not always the keenest to go to school, but when we get them to school and they are relatively keen to learn, their teaching program is disrupted by closings and openings of schools. I hope that the Education Department will take a further grip of the situation with regard to staff recruitment for the Territory with a view to keeping these rural schools open.

Another point mentioned yesterday was the mail service in the Barkly electorate, particularly on the Barkly Tablelands. That situation is common and not solely confined to the Barkly electorate. Mail services are deteriorating in the whole of Australia and particularly in the outback areas. Many areas in my electorate do not have a mail service at all; people living there have to go to town to collect the mail. The post office generally

seems reluctant to provide any great service to many rural areas.

The post office also operates the telecommunications operations throughout Australia and this is also going backwards, at least for the people in the centre. It is all very well in Darwin; they have new "mod cons", STD and so forth, but all they have in Alice Springs is an extended telephone number so that you have to dial twice as many numbers as before. Since the cyclone, instead of having 12 lines to Darwin from Alice Springs, I am advised that we only have 4 and, as the traffic is about double what it was, to try and get a telephone communication between the bottom end of the Territory and the top is just hopeless. Calls have to go through the Tennant Creek exchange so the calls take longer to get connected, the telephonists take longer to do their job and we spend longer waiting to get a line or get the exchange to answer. It is particularly annoying here in Darwin in the reverse direction but in Alice Springs to try and communicate with Darwin is becoming increasingly impossible. Apart from the difficulty of getting a line, when you do get a connection, you cannot hear. If you complain about it, it is just too bad.

I heard this morning that the Australian Broadcasting Commission had acquired some shortwave transmitting equipment which was supposed to be based here in Darwin to transmit the ABC programs to the outback areas of the Territory. We also heard that this equipment is not going to be installed in the interim; it is going to be used elsewhere. That does not altogether surprise me because I am not sure that some of the people in the outback want to hear the programs that have been broadcast lately. We have a deterioration in other services and some of the programs we have on the Territory network have also started to deteriorate.

**Mr Tuxworth:** You are talking about Norman Gunston.

**Mr POLLOCK:** No, he is on the other medium, not radio. He is bad enough.

Until just recently, there was pleasurable listening on Sunday mornings but now on Sunday mornings, when we had quite an entertaining rural-orientated program on the air until some reasonable hour in the morning, it switches off at a quarter past 8. We have the news, not much of it on Sunday mornings, usually the carnage which has happened on Saturday night. Then at 8.30 we have Rob

Collins raving along for some hour or so. Much later on in the morning we have some program called "Sunday Comics". I for one am not amused. It is quite an insult to the human intelligence most of the junk on the program. It is a matter of switching off and being forced out into the garden. In respect of radio programs, in Alice Springs we have had at least recently an ABC representative stationed there and I believe some plans are being formulated to have some programs emanate from Alice Springs. That will, I am sure, be quite an improvement. I repeat that the programs have generally been going backwards. The types of programs that Territory people have enjoyed over recent years—I thought it did improve in the last couple of years—all that good work has gone down the drain.

**Mr EVERINGHAM:** I raise this afternoon the topic of finance for home building. Finance for home building is very critical and topical in Darwin at the moment. The reason for this is the alteration in the building standards and the fact that the banks and the building societies—and I understand also the governmental lending authority, the Home Finance Trustee—are not prepared to advance money on security of improvements which do not measure up to the new building code. This is virtually operating as a freeze on people purchasing houses who cannot afford to do so without raising the wind from their bank or elsewhere. It is going to last for quite some time if something is not done about it because there won't be any appreciable quantities of new homes on the market for 2 or 3 years. Just because the places are built does not mean they are going to be for sale straight away. I am not being critical of the banks and the building societies for withholding finance because the banks have their duty to their shareholders; they are public companies, and the building societies have a duty to their shareholders also. They cannot virtually breach the law and give money away—as it amounts to—on a mortgage that may well be not worth the paper that it is written on except for the land component of the security.

There is, I think, a way of overcoming the problem, so that the banks and the building societies can safely do this. That is for an extension of the mortgage guarantee and insurance corporation scheme to cover the present situation in Darwin. People eventually, I am sure, will be required to upgrade

their houses to the standards of the new building code and, if there is any default in this, then any loss to the lending authority could be covered by the payment of a premium between now and that time by the bank or the insurance company; they can screw it out of the borrower on the Mortgage Guarantee Insurance Corporation. This requires urgent action. There is no doubt that banks and the building societies have taken a great deal of money in over the counter in Darwin since the cyclone because people have been receiving quite exceptional amounts of pay in some quarters and this money has gone into the banks or building institutions, but it has not come out in Darwin, because there has been no significant lending in this town since the cyclone.

Moving on to the general strike which is inconveniencing the people in this town, I must say that the inconvenience to my family is fairly minimal. I do sympathise with the strikers who have seen a privileged section of the community get the old golden apple and have reached out for it themselves and seen it snatched, after months of quibbling, from their lips. But I cannot see that their strike is doing themselves or anyone else any good and I would suggest that, whilst I do not think that public servants really wanted or were justified in getting R and R fares and disability allowances in the first place, that is over and there is no good crying about spilt milk. I cannot see any good coming out of this strike. Their only recourse, if they wish to persist in their claims, is to get on to the ACTU. Mr Hawke has the ear of the government. It is obvious that the Minister for the Northern Territory is unsympathetic to their claims and an approach through the ACTU to the Prime Minister would probably produce far more results for the unionists than any strike that merely inconveniences the Darwin community and makes us look to be, to the overall Australian community, a terribly selfish, self-centred type of citizen.

One other matter concerns fruit and vegetables and household lines in Darwin. I was doing some shopping for my wife the other day and I saw at last after several months that there was some fresh fruit and vegetables in the supermarket. For 5 or 6 months of this year, children in Darwin have been going without any quantities of fresh fruit and vegetables. This is because of our poor links with

the south including the closing of the Newcastle Waters causeway. The fruit and vegetables that have been available in the shops until very recently have been extremely expensive. In fact they are still very expensive and I am darned if I know how people on the basic wage afford them. This means that children up here are going without a properly balanced diet. The poor communications are purely the fault of the government in not having properly constructed roads available for transport. It would be nice if there was some local produce but there do not seem to be many people who grow it locally or, if they do, market it; we seem to get the bulk of it from the south. I suggest that one or two of the various Hercules aircraft which have stopped flying Embassy staff in and out of Phnom Penh and Vientiane and Saigon and "Ho Chi Minh City" and other places could perhaps airfreight some fresh produce into Darwin at times when communications have been cut and ensure that no freight component is added onto the cost of the fruit and vegetables.

**Mr Ryan:** That would be taking business away from Charlie's railroad.

**Mr EVERINGHAM:** Good old Charlie's railroad.

My final point concerns the problems of a number of constituents of mine who have been affected by the surge line and also the buffer zone along Rothdale and Trower roads. These people have got to the stage where arguing further with the Reconstruction Commission about the acquisition of their land is not going to really get them anywhere and they have got to face the fact that they are going to have to shift. This is going to be a very traumatic experience for them. This is a particularly harsh example of government policy and, although the policy is a well-meaning one, it is nevertheless harsh in its application. I consider that the government should be generous in its compensation and should act quickly to compensate these people, paying them in full before they have left their houses and permitting them to use their houses, or whatever they have on their blocks, where they now stand, until such time as they are re-established elsewhere. The Department of Services and Property should not be allowed to penny-pinch and quibble with these people to the degree that the people in the 32-mile acquisition area have experienced to their sorrow.

**Mr TUXWORTH:** I confirm the remarks made by the honourable member for Macdonnell about the ABC television programs. They certainly seem to have slipped in standard. I take particular exception to one Norman Gunston who has also been described as the second disaster to come out of Wollongong since 1970; the other one being R. F. X. Connor. Mr Gunston has a capacity in his shows to make reflections upon immigrants from one end of it to the other. He does it in the most disparaging way. A lot of immigrants live in my electorate; they come from all corners of the earth and they might come from humble beginnings and they might not speak very fluent English but they are not stupid and the feedback I get from these people is that they resent the man's program and the innuendo that goes with it. If the ABC has nothing else to put in this slot, perhaps it would be better off to shut down for the half-hour because it is a shocking waste of tax-payers' money to keep on running this show every Saturday or Sunday.

The next point concerns the continuing saga of strikes and unhappiness at the Tennant Creek area school. For the last 2 years, we seem to have stumbled from disaster to disaster, culminating today in another strike by teachers as a result of the department's incapacity to place sufficient staff in the school to cater for the children involved. We have over 650 children in the school and, while the numbers seem to be increasing all the time, the department certainly has not got the capacity to keep up by increasing the teachers. I find it most disturbing that this problem is compounded by the fact that it is almost impossible to get any contact with anybody with any authority in the Education Department. Today I have tried the director, I have tried the deputy director, I have tried the principal education adviser in Tennant Creek—all of whom are out. One is in Warrabi, one is in Melbourne and the other is out; they do not know where he is and when he will be in.

**Mr Ryan:** They are the greatest buck-passers out.

**Mr TUXWORTH:** None of us can stand it any more. Is it any wonder the Education Department is falling down administratively the way it is when there is never anybody in the office and there appears to be even fewer staff prepared to make a decision and put their heads on the block and stand up for what they have decided. We are in for a couple more years of pretty dismal education

standards and performance by the department until the public become so upset that they take sufficient action to have the matter rectified. Only the public and public dissatisfaction can do this.

**Mr STEELE:** I would like to give members a brief account of some of the on-going things as far as emergency services are concerned. I recently had the pleasure of going down to Mount Macedon for an emergency seminar. It was cold. In fact, it snowed. There were 12 or 13 departmental people down there, the idea being that we have to have on-going counter disaster planning as a fact of our life in Darwin. We are not likely to get another cyclone in the short term but if we should get another cyclone it would be best to be prepared for it. The other things are fires, earth tremors and these sorts of things.

The point this brings me to is the legislation. I do not think we would like to see the same type of emergency legislation as we have seen this year and we will all be very happy when the current term of this legislation we are living under now expires on 30 June. But it is probably a fact of life that some type of legislation has to be brought forward at some stage of the game in case we do have another disaster of the magnitude of Tracy. One of the problems we are faced with at this time is the apathy—perhaps I would not call it apathy—of the people concerned with counter disaster plans; I think they have a very low priority at this stage because the people concerned are that busy in the rebuilding of the town that counter disaster planning is taking a back seat at this time.

One of the things I mentioned to the seminar people—the other people were not very well in favour of this aspect—was that one of the greatest disasters that could ever hit Australia would be the introduction of foot and mouth disease through the north of Australia. Probably not too many had been concerned with this problem, but if foot and mouth disease hit this country when the pastoral industry is just about in its dying stages—

**Mr Tuxworth:** It would be a quick way to finish it off.

**Mr STEELE:** Foot and mouth disease would finish it off. There would be thousands of millions of dollars down the drain. If the disease entered through Darwin or somewhere like that, we would have thousands of men engaged in slaughtering, quarantine,

fencing, fighting rear-guard actions back from the desert. It would be of major economic consequence and one of the worst disasters that ever hit Australia.

In making some remarks about this matter to the people at the seminar, I suggested that this could be referred to the National Disasters Organisation on a national basis and some sort of policy formulated to make sure the guidelines would be used throughout Australia. I think the Animal Industry Branch produced a plan some 10 years ago which may not have been reviewed for some time and it is probably a good idea at this stage to review that particular plan, to get ready for a possible outbreak of foot and mouth disease.

**Mr TAMBLING:** In my capacity as Executive Member for Community Development, where I have responsibility for art and culture, I may have to undertake some form of art appreciation course for some of my colleagues. I cannot agree with their comments that the Norman Gunston show is so shocking or so damaging to the society in which we live. The Norman Gunston show is in my opinion a good comment on why people should not be so thin-skinned and why they should not be so humourless, and should look at the underlying causes of concern and corruption and social disease in this community. I think they are often reflected in subtle humour, good humour, and well-played humour such as does come across in my opinion in the Norman Gunston show.

**Mrs Lawrie:** Hear, hear!

**Mr Ryan:** If you live in Tennant Creek you lose your sense of humour.

**Mr TAMBLING:** I would like to direct the Assembly's attention to the matter of communication with the people of Darwin. When we talk about communication, we normally think of the media in the form of the press. For a long period of time, we have only had the ABC and the Northern Territory News. The Northern Territory News has always had a reputation of being a rough and rugged fighting newspaper and many people have often not liked its politics or the points of view that it has put across. But for some reason, it seems to have gone very soft in the last few weeks. Its comment, the extent of what comes across, the actual way in which it is reported, is very mild. Perhaps some understanding of this is given in this week's edition of the Northnews magazine where it is intimated that the Darwin Reconstruction Commission

may be considering appointing the Northern Territory News as its communication news outlet for the Darwin community.

I heard some time ago that there was consideration of a community newspaper being sponsored in Darwin and I think this would be ideal—a community service perhaps funded by the DRC, perhaps funded by the Department of the Northern Territory. This could present current issues to the people of Darwin with facts and figures but also allowing the citizens of Darwin to participate with criticism and comment in an unfettered way. We have seen a supplement in the Northern Territory News this year published for the Department of Social Security, and Northnews indicates that this has provided a subsidy to the News of \$100,000 for a period of 6

months. What is it now going to cost and, if the DRC is going to fund the Northern Territory News, is its newsworthiness really going to be reflected in this community? I would like to see the Northern Territory News respond to the challenge and take up the role of a full editorially responsible newspaper in this community. At the same time I would like to see a community newspaper with an editorial management committee derived from the various community groups in Darwin. I would like to see that as perhaps a Sunday issue once a fortnight whilst the issues of reconstruction and social rehabilitation are so terribly important in this community.

Motion agreed to; the Assembly adjourned.

Thursday 19 June 1975

**MOTION**

**First Report of Publications Committee**

**Mr POLLOCK:** I present the first report of the Publications Committee and move that the report be adopted.

This formal motion is necessary to give the documents published the protection of the Powers and Privileges Ordinance.

This is particularly necessary in the case of the report of the Consumer's Protection Council in which certain firms are named. The adoption of this report will provide that the Consumer's Council will not be liable because of matters contained in the annual report. I would draw attention to the concluding paragraph which expresses the concern of the committee at the large backlog of printing awaiting completion, in particular Hansard dated back to August 1974 and suggest that Mr Speaker take the matter up with the Government Printer as a matter of urgency.

Motion agreed to; report adopted.

**LEAVE OF ABSENCE**

**Member for Sanderson**

**Mr STEELE:** I seek leave of absence for the honourable member for Sanderson who is attending an International Women's Year Conference in Canberra at this time.

**Mrs LAWRIE:** Mr Deputy Speaker, I would like to draw attention of honourable members to a debate which took place on Thursday 7 February 1974 in the old Legislative Council. On that occasion leave of absence was sought for Dr Beare on a motion by Mr Finger. It was debated at some length, the 2 main people speaking being Mr Withnall and Dr Letts. Mr Withnall said and I quote from page 90 of that Hansard: "I regard the absence of Dr Beare today as being particularly undesirable in view of the concern of this Council over matters which were raised in connection with school transport on Tuesday". He then went on to mention Paul Hasluck's recommendation.

**Dr LETTS:** A point of order, Mr Speaker! I don't consider that this debate in the circumstances that applied in the old Legislative Council or in the case of Dr Beare is relevant to the motion which you have before the Chair.

**Mr DEPUTY SPEAKER:** There is no point of order.

**Mrs LAWRIE:** Dr Letts said on that occasion: "I would support the remarks of the honourable member for Port Darwin. Indeed, I can recall one occasion when he was recalled from a holiday trip out on the Cobourg Peninsular from a very remote area to serve as an official member of this Council despite carefully laid and quite expensive plans that he made for his holiday over a period of some months". He went on to say how the honourable member for Port Darwin had to travel 50 miles in an aluminium dinghy. He said "Such was his dedication to the cause of this Legislative Council, his courage and the general attitude of the government and of official members towards their duties to the Council in those days". I am sorry to see that those days seem to have passed. The honourable gentleman went on to say: "The honourable Mr Finger said that Dr Beare is absent from the Northern Territory on official business. This seems to be a completely insufficient and inadequate reason". He went on to mention: "We should have been told the nature of the official business". He went on at some length saying that this was setting a precedent which he deplored and that it could be extended to other departments. He was speaking of official members of the Council and of course we now have a fully elected Assembly. However, he was referring to people of administrative power in the Council and that is now translated to the executive members of this Assembly.

I have not opposed this motion for leave quite deliberately but I am seeking to know from the Majority Leader if his views have changed. Does he still hold the views which he expressed strongly in February 1974 that executive members should be present in the Assembly as a matter of first priority and that he would take it very ill indeed for them to be in any other place?

**Dr LETTS:** I think that the matter raised by the honourable member for Nightcliff has adequately been covered in question time. However, I would say that there are some distinct differences between the incident that she chose to illustrate and the case before us now. In the old Council, we had a number of absences of official members at that time. I remember the Director of Education being away on several occasions and also the Director of Health. Indeed, on some of those occasions, we were able to elicit that the leader of the official members didn't even know where these members were. Because of

that, it is quite a different situation. I know exactly where the executive member for Education and Consumer Affairs is. She sought my permission to engage in this activity.

In the case of the official members, there was no provision made for anybody else to take over their functions or carry out their duties or find out answers to questions. Under the new system in the Assembly with an embryo cabinet group to work in a cabinet style of government, I reiterate that what is happening here is quite normal practice in parliaments anywhere else because of the options which are open to delegate responsibilities to another executive member. If the honourable member for Education and Consumer Affairs had a heavy programme of matters which I considered she should have been personally responsible for before this Assembly, it would have been a different question. The only requirement for her presence here on this day would probably be in relation to questions and they could very well be received and handled by the other executive member to whom the responsibility has been delegated. Although I still reiterate that the prime place for any member of this Assembly is in this chamber, I say to the honourable member for Nightcliff that I envisage that there will be other instances in the future when members will be absent from this chamber on important matters and the necessary arrangements will be made to take care of their responsibilities.

**Mr WITHNALL:** I can't let the remarks of the honourable Majority Leader go unchallenged. I know and I suggest that he also knows that it is a parliamentary tradition that an executive member of a parliament will be present at all sittings of the parliament unless otherwise engaged on business of the house. Dr Patterson was recently refused a pair to come to Darwin even though he would have been engaged on the business of his ministry. I know of no parliament where it is not observed as a matter of course that all ministers are present in the house when it is sitting.

**Dr Letts:** What about Cairns being called back from overseas about 2 weeks ago? The house was sitting and he was called back to make up the numbers!

**Mr WITHNALL:** All ministers of the Crown are there unless they are engaged on a business of the parliament. That is a tradition which goes back for many hundreds of years.

Motion agreed to.

## STATEMENT

### Northern Territory Emblems

**Dr LETTS:** With the advent of the latest constitutional changes in the Territory the legislature has advanced to the stage where it may use a mace as the symbol of authority of the Speaker. The manufacture of these useful implements is a specialised task involving skilled craftsmen, taking quite a long time, and needs to be in conformity with certain traditions and conventions. One of the traditions is that the coat of arms or the official emblems of the state is included on the mace and, if a mace is to be constructed for the Assembly, it will be preferable for the design to be able to include on it the accepted emblems of the Territory.

Up to the present, there has not been an official group of accepted symbols for the Territory, except perhaps the flower emblem, Sturt's Desert Rose, which was recommended by the Administrator's Council some years ago.

As the determination of these matters is the prerogative of the government of the day in all democratic states, the executive members of this Assembly have accepted the responsibility for this action in the Territory. Should the Assembly, in the first instance, or the people of the Territory, in the final instance, disagree with this determination, that view will certainly prevail. Accordingly, I am pleased to announce that:

- (1) the floral emblem of the Territory is Sturt's desert rose (*Gossypium sturtianum*);
- (2) the bird emblem is the wedgetail eagle (*Aquila audax*);
- (3) the animal emblem is the Red Kangaroo (*Macropus rufus*); and
- (4) the colours are black, white and ochre.

It will be noted that these differ in only one instance from the emblems recommended in 1973 by a committee appointed by the Administrator's Council. The difference is in the selection of the red kangaroo as the animal emblem instead of the white-shouldered rock wallaby. That particular wallaby is a rare animal confined to a small area of Arnhem Land whereas the red kangaroo is much more widespread in its habitat.

Subject to the concurrence of the Assembly, it is the intention of the executive group to seek the assistance of the College of Heralds

in the designing of a coat of arms and eventually to bring down legislation providing for a flag. In the meantime, we hope to obtain the assistance of an artist in designing a suitable crest to be used on executive notepaper and I respectfully invite the Speaker of the Assembly to consider the design of a crest for use by the Assembly.

The badge which was awarded the prize in a competition some years ago and which might be described as an ochre sun surmounting black buffalo horns has not been adopted as we do not believe that it has been accepted by the people of the Territory and because we believe that the buffalo, as an imported animal, is ineligible for incorporation in a Territory badge.

### ANSWER TO QUESTION

**Mr POLLOCK:** Mr Deputy Speaker, I seek leave to answer a question which was asked yesterday without notice.

**Mr DEPUTY SPEAKER:** Is leave granted?

**Mr STEELE:** No.

Leave not granted.

### MOTION

#### House Committee Report—Construction of new Parliament House

**Dr LETTS:** Mr Deputy Speaker I wish to move an amendment to the motion moved yesterday by the executive member for Education and Consumer Services. I move that word 'noted' in the motion be omitted and 'adopted' substituted.

I am doing this because I think that some kind of majority view of this Assembly will advance the matter further. The thing that is required now is to find out whether we can secure a suitable block of land, whether we can obtain a place in the programme over the next 5 years for the reconstruction of Darwin, whether we can go ahead with the design of buildings appropriate to a selected site and whether we can induce the government of the day to provide money from the budget to enable the necessary design work and later construction work to go ahead. No government is going to agree to provide the funds or agree to seriously consider site proposals unless this Assembly has expressed a definite view. This is not to say that we have to be tied to a site which has the majority support and acceptance by the Assembly. Indeed, it may well be that the Reconstruction Commission

or whoever has control of this land may not go along with the proposal in the House Committee's Report. I think it is important that we do express it as a view of this Assembly. I realise that not everybody supports this particular site at this stage, but to indicate that it has a large measure of support will be important if we want this question of an Assembly to start going forward. Even if it is approved in principle now, it might take another 4 to 5 years before it is finally implemented.

**Mrs LAWRIE:** I oppose the amendment. I think that it would be sufficient at this stage for the Assembly to note the report and forward that recommendation to the Darwin Reconstruction Commission. I don't believe that the matter of the siting could or should be decided here and now in this house. I believe that noting is sufficient. By adoption of the report, it would appear that we have limited ourselves to Larrakeyah. While I am not going to say that any better site may be chosen by this Assembly, the public must have a large say in this.

Amendment agreed to.

Motion, as amended, agreed to.

### MOTION

#### Freehold Land Inquiry Report

**Mr TAMBLING:** Other members have already spoken at length to the Nimmo Report and commended it for its excellent presentation, the way in which the inquiry was conducted and the manner in which the recommendations have been implemented already by early action at the instigation of Mr Justice Nimmo. The Lands Branch has also accepted the report and I am informed by branch officers that they are quite prepared to accept the recommendations and to work with me in the implementation of legislation that will correct the abnormalities that have arisen in law so that all future dealings in this area are in the interests of people who have taken up land in these subdivisions. There will be need for continuing liaison between myself, the Lands Branch and, in the early stages, the Darwin Reconstruction Commission.

Mr Justice Nimmo referred to the necessity of a master plan for this particular area. I am aware that this is currently under preparation for presentation to the DRC at an early date. The plan was in fact being drawn up prior to the cyclone. The plan had reached an advanced stage with consultants working in

conjunction with the Lands Branch. Since the cyclone, the Darwin Reconstruction Commission has seen the necessity to add more emphasis to this. It has considered a first report and I know it has now called for a more detailed report for the master planning in the area involved. The Darwin Reconstruction Commission has charge of a radius area of some 40 kilometres. However, this freehold land area comprises a developmental pocket that goes out along the Stuart Highway and I know that this aspect is receiving priority in the planning. Hopefully, the plan will be gazetted by the Darwin Reconstruction Commission as a formal plan at an early date to assist the people in this area.

With regard to new legislation for the Town Planning Ordinance, it is the intention of the executive group to present in the course of this Assembly's life a major amendment to the Town Planning Ordinance. However, to do such an amendment will require considerable work with consultants and the Lands Branch and therefore it may take some 12 to 18 months before a complete review can be made of that ordinance. The Lands Branch through the delegation of authority that it had last year with the agency of the Cities Commission did engage a consultant to advise on a new Town Planning Ordinance. A first report has been tendered within the department, however, it is not completely satisfactory and again will require review and further work in light of what has happened since the cyclone.

My executive will therefore proceed in the short term to implement legislation as outlined in the Nimmo Report with relation to part 3 of the Town Planning Ordinance. It will also be very important to look carefully at other modern state legislation in this regard and the Real Property Act as these have important bearings on such legislation for the Northern Territory. Mr Justice Nimmo referred to the necessity for adequate sanctions for the enforcement on sale of allotments in the affected area. This requires close and continuing attention and I know the department has proceeded on these lines already.

Some discussion was mentioned both in the report and in the debate in this house that Mr Justice Nimmo had received the co-operation of the Skewes and McNab developers in bringing the subdivisions up to standard by early action. I understand that in regard to the McNab subdivision that a trustee has been

appointed. He is arranging finance to complete a subdivision that will fund the necessary improvement of facilities in the area. Subdivisional plans have been lodged which are currently under investigation by the Darwin Reconstruction Commission and the Lands Branch. It is hoped that they will be finalised at an early date.

In the Skewes Subdivision, I believe the position has not been satisfactorily resolved. The latest report of the Department of Housing and Construction has drawn the Lands Branch's attention to the fact that certain works have not yet been completed satisfactorily as we indicated in the tenor of the arrangements between Mr Justice Nimmo and that subdivider. However I am informed that officers of the Lands Branch will be inspecting the subdivision in the near future with the hope of finalising these matters and having an early completion date.

I am pleased to commend the report and to indicate that the executive will be proceeding with early legislation in this regard.

**Mr PERRON:** I can only commend the honourable Sir John Nimmo on the way in which he has handled the task given to him by the Administrator, particularly that section under the terms of reference relating to an equitable solution to the knot which purchasers and subdividers had got themselves into. The Nimmo recommendations include the preparation of a master plan covering the area outside Darwin, amendments to section 18 of the Town Planning Ordinance and changes to the powers of the Town Planning Board.

Before continuing briefly with each of these points, I must emphasise that any new legislation which is introduced must be framed to encourage the development of land and not to suppress it. New legislation must clearly set out the conditions to be met prior to obtaining the Administrator's approval for land subdivision or changes to leasing or zoning requirements. The dual approval procedure must be eliminated. The new Darwin Town Plan which is yet to be approved extends only to the Darwin Showground. What criteria the Reconstruction Commission is using to approve applications for repairs and new buildings in the area from Berrimah to the end of its jurisdiction is anyone's guess. Either they are stopping everyone from spending more than \$5,000 or they are blindly approving expensive cyclone-proof buildings which may

have to be acquired and demolished for roads and other public uses. Whereas Darwinites are beginning to learn whether they can remain on their land or have to leave, others within the 40 kilometre radius will have to wait for a new plan—goodness knows how long. Let us hope that, with assurances that the honourable member for Fannie Bay has given us, the Reconstruction Commission is proceeding with this as a matter of urgency.

In relation to the Town Planning Ordinance powers, I believe that new legislation should provide for the eventual transfer of authority to local town planning boards in each centre under the local government structure. Membership of the board will employ town planners from a Territory land authority. In recommendation 2 (b) Sir John Nimmo states: "There should be an absolute prohibition with the adequate sanctions for its enforcement on the sale of allotments in a subdivision before a plan of that subdivision has been registered by the Registrar-General". This is indeed a most desirable situation to obtain, but I think that the draftsmen will have difficulty finding words to stop foolish people for paying for promises—legal or not. It was paying for promises which led to the inquiry and I know for a fact that people are still doing it today in land deals. We know what they say about fools and their money. Perhaps persons wishing to subdivide land should offer their title as security and if works are not completed within a reasonable time without good reason then the work is completed for them and so much of the land as is necessary to cover costs is sold with the remainder reverting to the subdivider.

Two other sections in the Town Planning Ordinance need review. Section 38 should require a person seeking to change the zoning of his land to display a sign to that effect on the land as well as the notification given to the public newspapers. Section 39 lists permitted land uses in the second schedule. Although comprehensive, the land use schedule is confusing and restrictive. The system causes many unnecessary delays to applications under section 38A and is the cause of much of the frustration and discontent expressed by persons who seek zone changes. Fortunately, the Reconstruction Commission has adopted consent use zoning for their new Darwin town plan and with this will no doubt be included the new planning legislation when it is prepared and introduced into this Assembly. I commend the report.

**Mr KENTISH:** I rise also to commend Mr Justice Nimmo for producing such a report and such action. This situation of the illegal sale of freehold land with imaginary subdivisions on the eastern side of Darwin developed into a situation that had thwarted many authorities for quite number of years. It caused a great deal of worry to people who had paid out money for illegal subdivisions that could never hope to have a title.

I won't engage in repetition on these matters but there are two things that we should make a point of watching. We must ensure that the necessary amendments are made to the Lands Ordinance to ensure that this situation is not repeated. If illegal subdividers were subjected to a substantial fine, it would be a great deterrent. It also behoves us to see that there is no retreat on the matter of the machinery which has been set up by Mr Justice Nimmo to correct these mistakes that have already been made. Most of these matters are well in hand but it should be ensured that they are followed through to finality. I think that Mr Justice Nimmo has done a remarkable job here, much more than most people would have expected would be accomplished out of this murky situation.

Motion agreed to; report noted.

## MOTION

### First Report of the Cyclone Relief Trust Fund

**Mr RYAN:** The situation over the last few weeks regarding the deployment of funds from the trust has been criticised by many members of the community because of alleged inequities in the application for these funds. I do not intend to be over-critical because we were placed in a situation with this fund that nobody had had previous experience. I am sure that the trustees of the fund have acted in good faith in trying to achieve the best results from the money that was given freely to the people of Darwin.

Many people have complained to me that they have been unable to get extra payment because of the means test which has been applied to the fund. They complain that they know people who have been able to secure their extra money because either the means test wasn't applied or because they supplied information which is not correct. I am not attempting to blame the trustees but I think that it should be pointed out that the money that was given to the Trust Fund was given without a means test. The people who

donated the money, donated it to the people of Darwin.

If ever the same situation recurred, we may not find the same response from people down south in view of the arguing that has gone on for various reasons. I would hope that if it does occur again, money would be distributed on the basis of dividing it up among the population of the affected town. There would be some inequities but it should be pointed out that everybody lost property in the cyclone. You might also say that the people who had more had more to lose yet these people had little to gain as far as the Trust Fund was concerned. I would therefore hope that other places could benefit from our knowledge and avoid some of the pitfalls that we have come across during our administration of the Trust Fund.

**Mr BALLANTYNE:** I rise to speak about the reports tabled by the honourable member for Finance and Law and also to support the remarks of the honourable member for Transport and Secondary Industries. I am an outsider who watched from a distance and observed the functions of the Trust Fund. I think that the trust is to be complimented on the way in which it implemented the payments. Three million dollars has been paid out at this stage by voluntary workers. It was a big business job where they needed plenty of resources to make sure that the people who made claims were paid in the proper manner.

I would like to pay tribute to the trust. In early days, there were some problems with regard to the way that the money was collected but this was smoothed over when the trust combined with the one run by the Commonwealth under Dr Patterson. I would commend the idea of regular reports and suggest that the people who made donations over a thousand dollars should be given copies to show them where the money that they collected has gone. It is pretty hard to document the names of the people but I am sure that some of the bigger companies and some of the smaller ones would be pleased to receive a report.

I would also like to pay tribute to the people throughout Australia who gave freely of their time and money to raise this mammoth amount—about \$6.092 million. Some of the amounts are absolutely astronomical when you think that some people have given over \$250,000. It doesn't matter how much

was given because the cause is there. As an outsider, I pay tribute to those people.

Motion agreed to; report noted.

## MOTION

### Northern Territory Fire Service Inquiry Report

**Mr PERRON:** Whilst I have always been suspicious of southerners who come to the Territory and tell us what we are doing wrong, I cannot dismiss the incredible claims made in these reports. Even if one concedes that many details may be over-optimistic as suggested yesterday by the honourable member for Barkly, there is still something terribly wrong with the way that the Territory's fire service has been run.

To start with, the report claims that the national average cost of fire services is \$5 per head of population yet in the Territory it is \$22 per head of population. Mr Meeve also claims that simple roster changes in Darwin could save \$200,000 annually and changes in Katherine, Tennant Creek and Alice Springs would save another \$200,000 annually. Added to this, there is poorly maintained equipment, poorly maintained premises, poor discipline, low morale, wrongly located fire stations—I hope the DRC is notified of that one—abused call back system, salaries wrongly related to DCA firefighters, a position created and filled which has no legislative backing or recognition, union blackbans on 2 fire prevention officers, a union which is unregistered and unincorporated, a serious industrial relations situation, unsuitable protective clothing, ninety eight percent of false alarms are automatic alarm systems—the list goes on and on. Either the Meeve Report is a monstrous fabrication that should be thrown out or our fire service is a very serious abuse of public money. I believe the latter; I commend the report.

**Mr ROBERTSON:** I will confine my remarks as closely as I can to the way in which this will affect the operation of the Northern Territory Fire Service in the Alice Springs area. Before I commence, however, I would like to make the comment that the delay in this report becoming public is quite unacceptable. I realise that initially it was the property of the Minister and that it was the subject of some embargo while it was the property of the Administrator's Council. However, if I might refer here to my diary in which I enter all of my activities when I come to Darwin, I have a notation dated Tuesday 11 February

1975 that reads 'Check on whereabouts and if possible have tabled the Meeve Report on the NT Fire Service and send copy to Alice Springs'. That was on Tuesday 11 February. In future I would hope that reports of this nature are made available to the public in far more expeditious manner than this one has been. The fact that Mr Meeve came to Darwin to make this report has been known since last October and everyone in the fire service knew that it was likely to effect their entire livelihood.

On page 3 of the report, it states: 'It shall be the duty of the authority to take all practical measures for the prevention of fire and the saving of life and property in case of fire in any area, district, municipality or whatever to which the act or ordinance applies'. That is the basic consideration of the fire service. A great deal of detail has gone into this report in relation to cost although cost is of secondary importance to that principle. Of course, taxpayers funds are involved and it is not for us to squander them.

On page 4 Mr Meeve states: 'The conclusion was quickly reached that a time consuming in-depth study would not help the inquiry other than to consolidate the view already arrived at'. That disturbs me because it leads me to believe by implication that the conclusions themselves were easily arrived at and arrived at without an in-depth study. I really hope that that is not the position; I would probably doubt it considering that the report takes some 81 pages.

On page 3, the report refers specifically to a rate of 1 fire station for every 3 miles of urban area. Mr Meeve mentions further on in the report that he upholds the view of the Chief Fire Officer that a further fire station is not warranted in Alice Springs. If that principle is a correct one, then we do not at this stage need another fire station in Alice Springs.

On page 5, Mr Meeve deals with the recall system. Certainly, it seems to be incredible the way that this is operated. If we are to accept the re-organisation of the fire service in the terms that Mr Meeve suggests, the recall system will no longer be applicable. It is a very neat way of getting rid of it. However, I don't see that Mr Meeve's solution to it is at all acceptable to the people in the southern end. There must clearly be some sort of answer and I will try to deal with that later.

Page 7 deals with the disparity between volunteers and auxiliary other than permanent fire fighters. Clearly, if we do maintain these auxiliaries then some equity in payment must be maintained. However, I would not think that they are entitled to the same level of pay as the professional fire fighter. Proceeding to the section which deals with equipment, while he does not agree necessarily with the types of equipment being purchased, he agrees that there are suitable numbers of them being purchased. I am wondering how this leaves us in Alice Springs. We have received recently a new fire unit at a cost of \$116,000 and we are quite happy with that. I understand that there is a module in Darwin which was sent up here to have an acceptance test conducted on it. I would have thought that the competence of the Alice Springs station officer would have been quite good to check out a module fire fighting appliance. While we are on the subject of cost, that sort of thing is a waste of public money in my view.

**Mr Ryan:** It wouldn't happen if the Assembly was controlling it!

**Mr ROBERTSON:** I appreciate that.

Some parts of this report actually gave me some cause for amusement although they are not really funny. On page 12, we see a note in the first paragraph: 'There should not be any haste to dispose of superseded vehicles'. I would not have thought that there was a haste to dispose of superseded vehicles. In fact, I would think that any passerby some 2 years ago at the Alice Springs Fire Station would have thought that it was a museum.

Industrial relations is dealt with on page 13. From my own knowledge, I don't think that a very severe industrial relations problem exists in Alice Springs. I know that they have had 2 incidents of industrial action recently in Alice Springs in relation to pay. That is the normal union function. They were not interfering in the administration or telling the organisers of the fire service what they should or should not do; their grievance was in fact probably with Treasury and their own clerical staff. At the risk of incurring the wrath of the local fire people, I might inform the house that in fact they had not abandoned the town at all. What they were doing was just hiding and if anything happened they would have come out of their burrows. In other words, they were more giving the impression of being on strike than actually being on strike. I may incur their

wrath there because I will probably weaken the next bit of industrial action that they may indulge in.

Page 17 deals with discipline in respect of people accused of certain offences. If we are going to apply the normal system which operates in the police force where you do in fact suspend an officer who is under accusation then perhaps it has some merit. However, I am very reluctant to accept anything which seems to have a presumption of guilt and, before a person is in fact proven guilty or innocent, he ends up suffering.

This report deals very expansively with inefficiencies in the fire service and Mr Meeve's general dissatisfaction with it. I would like this recorded in Hansard: 'Special mention must be made of Alice Springs station. Notwithstanding their age, the 2 appliances are exceptional for their cleanliness and care and storage of equipment. So far as the station premises are concerned, there would be few, if any, fire stations elsewhere in Australia to match the standard of these premises. The paintwork on walls is immaculate, the windows are spotless and the floors possess a gloss throughout that is seldom seen on a small area, let alone the extensive floor area of these premises. The dress and deportment of the on-duty members was impressive. It is understood that the training at this station is no less thorough than the attention given to the care and maintenance of equipment and the premises'. That would probably be one of the greatest wrap-ups that I have ever heard from any expert in the field where such things as military-type disciplines are involved.

We might proceed straight to the question of re-organisation, particularly in the light of that statement. I don't think I need to really refer back to the report at all. Without referring back to the report itself, the proposition basically is that we will scrap all fulltime fire fighters from Alice Springs and ship them to Darwin. This recommendation immediately follows a statement in this report that it is one of the finest groups of fire fighters he has ever seen. His proposal is to have 17 to 18 auxiliary fire fighters, a station officer and 4 fire fighters. We don't even have another officer allocated to us. He suggests that the system of call-out doesn't work very well anyway because firemen tend to arrive at different times at the fire station. He is proposing that the whole of the Alice Springs operation should be based on volunteers or on auxiliaries who

are likewise scattered throughout the town and who are likewise going to arrive willy-nilly at all times. Some are going to hear the siren and some aren't and, in any event, the fire engine must wait until such time as it has sufficient complement to go and put out a fire.

This is what we see in respect of the Alice Springs area, an area which is now admitted by Mr Meeve to be one of the most efficient in the country. I reject this out of hand. I will not accept it. It has no regard for the persons involved at all. These have their homes built in Alice Springs; they are settled there; it is the place in which they have chosen to live. I don't think that they should be conscripted out unless they are promoted out and then only at their own free will. I find it difficult to commend some parts of the report.

**Mrs LAWRIE:** I am happy to speak on this report because it was largely as a result of some agitation that I aroused in this place that the fire brigade came under public scrutiny. Some parts of the report I will accept and some I won't. I think that the great deficiency in this report is that the honourable gentleman preparing it obviously knew a lot about fire brigades and fire services but knew literally nothing about the politics of the Northern Territory. Successive Chief Fire Officers in the Northern Territory have struggled against insuperable odds in the form of the Commonwealth Public Service. Honourable members will be aware that members of the Northern Territory Fire Brigade are Northern Territory public servants. The Chief Fire Officer is a Northern Territory public servant but, instead of having direct access to the Administrator which by ordinance is his right, the Chief Fire Officer has always had to go through a succession of public servants some with some administrative knowledge of fire brigades and some with absolutely no knowledge. This has been the situation in Darwin for the 16 years that I have lived here. They have had no access to the Administrator. Instead we have had Commonwealth public servants claiming to run the fire brigade with absolutely no knowledge at all. I don't think that Mr Meeve has paid sufficient attention to this because, in criticising the Chief Fire Officer, one has to take that very difficult fact into consideration.

The Chief Fire Officer does not normally have to accept any direction by any Commonwealth public servant. He can say to him "get lost"—which is a very polite way of putting it—"you can't direct me. I am in the NTPS".

That is a fact but another sad fact is that, unless he went through the various clerks in the Commonwealth Public Service, he didn't get any training procedures—he got nothing. The situation of the Northern Territory Fire Brigade 18 months ago was critical; the appliances were not functioning and half of them were off the road. I talk particularly about the Darwin situation because I won't pretend to talk about Alice Springs or Tennant Creek with any local knowledge.

The Darwin fire brigade situation was extremely poor. In fact, only one appliance at Nightcliff would work and, if it was raining, water would pour upon the face of the person driving the particular appliance. Mr Meeve makes mention of the fact that some of these appliances are in good repair. I believe that is a result of the agitation of former members of the Legislative Council. However, some of these fire engines date back 30 years. My concern is that the Northern Territory fire service should come under the executive responsibility at a member of this Assembly as soon as possible and that, at the time of takeover, the Commonwealth recognises the inherent difficulties in manning and equipment and makes adequate compensation for that. I believe that this report will be of assistance to the executive in any terms of takeover.

In regard to Meeve's criticism of the Chief Fire Officer, I believe he has no idea of the insuperable difficulties facing that officer. I would commend the honourable executive member to pursue this matter to see if in fact the Chief Fire Officer is still unable to get direct access to the people to whom he should be reporting.

With regard to Nightcliff Fire Station, Mr Meeve has recommended its closure. I won't accept that. He has mentioned that the distance between the fire stations is precisely 3 miles which is the fire service area. What he doesn't mention is the distance between Casuarina Fire Station and that part of Nightcliff and Ludmilla north that the Nightcliff Fire Station serves. Nightcliff has been the subject of intensive residential development since the original agricultural leases were allowed to be carved up into residential developments. It would be improper to suggest that Casuarina Fire Station could properly service the outlying areas of Nightcliff and of Ludmilla north. A fire appliance coming from Daly Street to serve Ludmilla north would have to traverse the busiest highway in Darwin. Winnellie Fire

Station, which serves an industrial area, should never be used to fight domestic fires in the Ludmilla north and Nightcliff areas. This is recognised fire practice of which I am sure the honourable executive member will be aware. One does not take a fire appliance from an industrial area to fight domestic fires. Casuarina and Daly Street cannot cope with all of the Nightcliff and Ludmilla north area. To get to the area concerned, they have to traverse the highways which have the highest traffic density. Unless it occurred on Sunday afternoon with everybody elsewhere, the fire appliance couldn't reach Ludmilla north and Nightcliff in time. I don't believe that the honourable gentleman has considered his recommendations through to the conclusion.

I am waiting for someone to say, "What about the insurance companies?" I believe that this is the only place in Australia where the insurance companies don't contribute to the cost of maintaining the local fire service. That has been mentioned by me several times. When the closure of Nightcliff was first mooted, I wrote to the Fire Underwriters Association advising them of the proposed closure and asking for their views because it is in their best interests of course to have an efficient fire service. With some dismay, I report to the honourable members that I have never received a reply. I believe the insurance companies have an ambivalent feeling toward the honourable member for Nightcliff. Firstly, she wants to keep the fire station open and they approve of that but, secondly, she keeps asking why they aren't putting into the kitty. They don't like me much for that. I can continue saying it and I draw it to the attention of the honourable executive officer responsible. This is the only urban place in Australia where the insurance companies are not contributing to the cost of the fire brigades.

Mr Meeve has made criticism of the way in which the brigade is structured and the way in which the recall system works. Whilst the recall system is probably not the most efficient and it is very costly, I disagree with any line of thought which says that any fire call whether it be a hoax or non-urgent must not be answered. The cost of life in the Territory is high when considering fires. I have seen 3 domestic fires. I have seen 3 houses demolished, 2 in Nightcliff and 1 in another suburb. Whilst one can't build a house and then burn it for the benefit of the honourable members, I think that it is a most dreadful experience. The old

houses designed by the Department of Housing and Construction went like that—in 3 minutes they were gone completely. One might argue that, with new construction, this problem may not be present. My point of view is that there will still be a large number of residences in Darwin not constructed of solid materials and with tar paper filling which was used as a method of insulation. I never begrudge expenditure on the police force or the fire brigade and I don't believe the public would begrudge it either. When you need a fire brigade, you really need them; there are no half measures.

**Dr Letts:** That is the only time we begrudge it!

**Mrs LAWRIE:** The public don't begrudge it. I believe that an efficient, well-trained fire service won't begrudge serving the community. I agree completely with the idea that officers of the Northern Territory fire brigade should travel to southern states to obtain the benefit and experience of fire brigades in other areas. The law doesn't stop at the Northern Territory borders. We have not had the benefit of excellent training; we have not had the benefit of emergency training that is part of the training in the capital cities. Speaking on behalf of Nightcliff, the people won't begrudge the expense.

I will close by saying, "What about the insurance companies?" They have done pretty well for a long while on our fire premiums. It is about time they ploughed a little of that money back into the NT fire service.

**Mr BALLANTYNE:** I rise to say a few words on the report. On reading the report, one would think that the present fire brigade system just doesn't exist as a proper fire brigade. Anyone can walk into any area and write his criticisms. If you look at the Chief Fire Officer's salary, it is true that his firemen are getting more than he is. This is not new; this happens every day of the week in every industry in Australia. The men put the hours in too and we must not forget that. I am not trying to knock the report in any way at all but I think that we must encourage the firemen a little bit more.

Some of the remarks made in the Assembly could in one way destroy a bit of the morale that is left now. This report might have some strong bearing on the future of the fire brigade. I notice that he never visited Nhulunbuy. Certainly, Nhulunbuy has a very modern fire brigade that is run by the company. We have

a fire chief there who has been in the fire brigade service and I am sure he is no different to the average fire chief in any system. The average wage of these volunteer people is 50 cents an hour. Certainly, they are not qualified but I would say that they must have some qualifications to be even interested in being in the fire service. We must give praise to these people rather than trying to knock them.

Certainly, the report is very good. It goes into a lot of detail and any person writing a report can do exactly the same thing in any industry or any organisation. They talk about the types of protective clothing. I don't think there has ever been a perfect uniform made that would help the fireman in distress. The point is that they are doing their duty at the present moment under the circumstances in which they have to work. They can make certain recommendations but it takes a lot of money. If we implemented a report like this, I don't know where we would get the money. If we buy a piece of equipment, we can't sell it next year because a new model comes out. We have to give it some usage. Some of these pieces of equipment don't get the usage but they are there to act as a safeguard to save lives and buildings. All I can say is that whoever follows up on this report should give consideration to the present system. It is not all that bad.

I would say that careful planning and gradual phasing in of new ideas can help to improve the fire service as it is today.

**Mr RYAN:** In closing the debate, I would like to compliment the other members of the Assembly for the obvious homework that they have done in preparing their statements on the report. I would like to take the opportunity to comment on a couple of points that I missed out on yesterday.

At no stage does Mr Meeve criticise the actual fire fighting capabilities of the Northern Territory fire services. He certainly did not have any criticism to offer there. He was quite happy with their actual fire fighting ability and this after all is the main reason they are in existence. I would also like to say that since Christmas there have been virtually no industrial problems with the fire service.

There is also the matter of the Department of Northern Territory's interest in the Northern Territory fire service. Because of the confusion that existed straight after the cyclone, the Chief Fire Officer was left fairly well to himself and he has in fact established some of

the provisions outlined in this report. For instance, he has established a structure similar to that suggested by Mr Meeve.

Getting back to the discipline side of things, the Department of Northern Territory has taken an interest in the fire service again now that they are back slightly in gear. There has been an incident recently concerning 2 firemen. The Chief Fire Officer was going to sack them for various breaches of discipline but the Department of Northern Territory over-ruled this decision. I intend to take this up with the Department of Northern Territory because this is exactly what is undermining authority in the Northern Territory fire services. There should be very prompt action taken to establish it as a Northern Territory public service department.

The honourable member for Nightcliff has raised the problems out in Nightcliff. The size of Nightcliff has been reduced somewhat by the surge line.

**Mrs Lawrie:** Very little!

**Mr RYAN:** The whole provision for Nightcliff will be considered in the long term and certainly a decision would be taken after a lot of discussions. We could do with a fire service at Millner. If a new headquarters was built it would be in close proximity to Ludmilla and it would handle the Ludmilla section from Stuart Park.

The last point is that insurance companies don't contribute to the running of the Northern Territory fire service. They also don't have any say in the running of it and this is something that is part of the operation down south where they have a board of commissioners running the fire service. Jack Meeve suggested a director rather than a board of commissioners whereas down south you have a board of commissioners who are representatives of insurance companies. They contribute but they also have a say in how the fire services are run.

**Mrs Lawrie:** The contributions are handy!

**Mr RYAN:** That is right. We would like the money of course.

Certainly there would have to be some alternative to the recall system to make sure that the fire fighting ability of the fire service is not affected.

Motion agreed to; report noted.

## MOTION

### Brucellosis and Tuberculosis—Industries Assistance Commission Report

**Dr LETTS:** I doubt whether other members will be prepared to go right through with this motion today or advance it very far because most of them only saw the report when it was tabled yesterday and there are insufficient copies yet available for everybody to have one. The reason why I wanted to speak on it is because there are certain actions arising out of this report which need to be taken by government. Representatives of the government would like reactions from industries, from legislature and any interested people on the report itself before the final details are worked out and implemented.

The only section of the report which I intend to deal with is the part relating to brucellosis. Both brucellosis and tuberculosis are widespread in Australia in livestock, particularly in cattle. They are both infectious to human beings and they both have a very important bearing on the long term future of the overseas meat trade. Both diseases have for some years been the subject of a national eradication campaign involving all the states and the Territory. The difference between the two very briefly is that, in the eradication campaign, tuberculosis has been the subject of an approved compensation scheme whereas brucellosis has not.

Speaking generally to this report, I think the most significant thing about it is that it does make a recommendation to the government for the adoption of a brucellosis compensation scheme as a handmaiden to the tuberculosis compensation scheme already in existence. For that reason alone, I welcome the report and I support that concept even though in matters of detail I find the report wanting in many places. I find that in places the report is rather long winded. It is rather academic in parts and it is also unclear in parts but I would certainly support the recommendation that it makes for a brucellosis compensation scheme. This would be to the benefit of the industry in the Northern Territory and throughout Australia provided the details as to how that compensation scheme will be implemented can be worked out satisfactorily and the views of industry and interested people are taken into account.

On page 41 of the report, there are two matters of interest. The first one is that the Industries Assistance Commission considers

that state legislation should be enacted which required co-operation by farmers in cases where such legislation does not exist already. I am not quite clear whether our present Stock Diseases Ordinance of the Northern Territory does contain sufficient powers to enable the enforcement of an approved eradication scheme to take place. It probably does. The thing that concerns me is that I would hope that the Government instrumentalities who are assisting in this scheme would not take this suggestion too literally and bring to bear strong arm tactics over the pastoral industry in the Northern Territory. It would not only be unnecessary but it would also be highly undesirable in the present economic state of the industry to attempt to force anybody to do more than he can economically do. That would defeat the whole purpose of the eradication campaign.

When I say it is unnecessary, I have in mind the pleuro-pneumonia campaign which was the first of the great national campaigns ranging from 1959 to 1974 and that was a campaign with which I was personally associated. Through all the years that that campaign operated in the Northern Territory, there was only one occasion that I can remember where the provisions of the Stock Diseases Ordinance had to be used to force somebody to do something. It was the co-operation between the department and the producer that was the highlight of the success of that campaign. That should be the method in which the present campaign on brucellosis and tuberculosis should be approached. If we try to force people under ordinances to do certain things, I am sure we will run into more trouble than if we do it by co-operative methods.

There is one mistake in this report which should be put in the record and that is on page 41 with reference to valuation for compensation. On page 40, there is reference to the valuation being the market value of the animal at the on-farm value as though it did not have the disease—if you can follow what that means. On page 41, the statement is made: 'In the commission's view all registered stud animals should be directly excluded rather than indirectly excluded by the imposition of the maximum value for compensation'. Taken on its face value what that statement means—and it is repeated in one or two other places through this report—is that stud animals would not only be not entitled to their stud value, but they would be entitled to no compensation at all. I think that the commission

has made a mistake here. Certainly, as it stands, it would be grossly unfair. There may be reason, why stud animals would not be paid the full stud value of a \$5,000 bull or a \$2,000 cow and I understand that industry representatives in fact did not press for that. However, there seems to be no reason why a stud bull should not at least attract the market value he would have had as a meat animal. The fact that he is a stud animal should not in itself debar him from at least attracting that meat market value which the effect of that particular recommendation would deny the animal. I think that that has to be rejected or interpreted in a more commonsense way.

The area that remains to be determined by somebody is just how the scheme is going to be financed and how the financial obligations are to be apportioned between government, the industry and the community. Once again I find myself in some disagreement with the view that is taken towards financing the scheme because they seem to have downgraded the justification for some public contribution towards the cost of this eradication scheme. As I mentioned earlier, these diseases are both contagious to human beings and they are both extremely serious when they are contracted by human beings. The commission's report refers to a number of brucellosis cases—74 reported or confirmed cases in 1973. The commission has not been able to gather any estimate of the number of confirmed and unconfirmed cases of human brucellosis occurring outside the industry but believes this to be relatively small. That is a completely unsubstantiated statement and one which I as a veterinarian am not prepared to accept in the way that it is put there.

I know that the number of confirmed diagnoses of brucellosis is relatively small throughout Australia but I also believe it is a generally held view that the disease is much more prevalent and widespread in the community than the actual diagnoses suggest. A number of cases that resemble serious influenza could in fact be brucellosis, particularly in dairying districts. Because this disease is important from the public health point of view and because it is important to the whole economy of Australia, I believe that the community should support a reasonable part of the cost of the eradication programme.

This report does tend to suggest that the cost should be thrown back on the industry itself. It suggests that the way that the compensation scheme would be financed would

be that the government would make an initial advance into a fund from which compensation for reactors would be drawn and paid back to the producer but this money would be recouped over the years by a levy on the beef and dairy cattle industry and that would be by far the most significant input into the fund. It further suggests that, while the money is being recouped, interest on the advances paid into the initial compensation fund should be charged to the producer. This is unfairly loading on one sector of the community a cost for a project which is going to be of overall benefit to the whole community. While I might agree that the industry which would possibly get the most benefit should certainly bear its fair share of the cost, to suggest that it bear virtually the whole of the cost is unfair. Similarly, when this present government loaded the cost of the meat inspection services throughout Australia against the industry itself by a levy and by a tax on the industry, it was being grossly unfair because surely meat inspection services are for the benefit of us all. Everbody who goes into a shop to buy wholesome meat has had the benefit of a meat inspection service.

Those are the thoughts that I wish to have placed in the record so that the government committee which is to further consider this report may have some reaction from somebody in the Northern Territory. I hope that other members, when they have had time to study the report further, will be able to add their views in time for them to be taken into consideration.

Debate adjourned.

### STATEMENT

#### Message from Mr Speaker Kilgariff

**Dr LETTS:** Mr Deputy Speaker, I seek leave to convey to the Assembly a message which I have received from Mr Speaker, and which he has asked me to convey to the members of this Assembly.

Leave granted.

**Dr LETTS:** At lunchtime I received a telephone call from Mr Speaker, a message was taken down and he asked me whether I would arrange to pass it on to honourable members. It is in the following terms:

According to the resolution of the Assembly appointing me to convey the terms of that resolution to the Prime Minister and the Minister for Northern Australia, I travelled to Canberra without delay and was able to reach the office of the Minister in Parliament House, Canberra early on Wednesday 18 June. Unfortunately the Minister

was engaged in his electorate at the time and it is only today that I have been able to contact him by telephone. As is well known, the Prime Minister is at present engaged in lengthy discussions with the premiers of the States and has been unable to afford me any time for discussions. He did however acknowledge my message conveying the text of the resolution and offered his apologies. He also suggested that I should take up the matter with Dr Patterson.

In the intervening time, I made contact with the Department of Northern Australia in Canberra and had extensive discussions with officers of that department. In speaking to the Minister by telephone this morning, I ascertained that he was concerned at the many rumours circulating about the formation of the new department. He indicated that he believed too much prominence had been given to the amalgamation by the press and radio. He is fully aware of the opinions expressed by the public service associations and other organisations in the community and he is now fully informed of the concern of the Assembly. He has further agreed that if it is necessary he will contact me in order that I may convey further information to the Assembly.

I regret that I am unable to report any achievement beyond what I have set out here, but I am heartened by the attitude of the Minister and the senior officers of the department and I am hopeful that the considerable publicity given to the Assembly's action in appointing me to come to Canberra may have some success.

Mr Speaker also mentioned to me the question of a further sitting to discuss the possible outcome of his visit to Canberra. If the outcome of this is successful, of course, this would not be necessary. On the other hand, if some question arises that the Assembly might need to further consider, he has asked me to forewarn members that there could be a possibility of such a meeting which he would possibly have to call at short notice.

### QUESTION WITHOUT NOTICE

**Mrs LAWRIE:** Mr Deputy Speaker, I seek leave to ask a question without notice of the Executive Member for Transport and Secondary Industries. This matter only came to my notice at lunchtime.

Leave granted.

**Mrs LAWRIE:** Is the Executive Member for Transport and Secondary Industries aware that men employed with the Department of Works as industrial employees, who are entitled to R and R fares but who are on strike out of sympathy with the private sector, cannot get the scheduled R and R fares for their wives and dependants? If he is not aware of this would he investigate the situation with some urgency as I believe further industrial unrest may follow?

I emphasise it is not their own fares which is concerning the men but those of the wives and dependent children.

**Mr RYAN:** I was not aware of this. I will make enquiries and find out exactly what is happening and convey that information to the honourable member for Nightcliff.

### ANSWERS TO QUESTIONS

**Mr RYAN:** While I am on my feet, Mr Deputy Speaker, I seek leave to answer several other questions.

Leave granted.

**Mr RYAN:** The first refers to the question from the member for Ludmilla about the road between Batchelor and Berrimah. There is a private contractor working between Batchelor and Noonamah. That section of road should be completed by the end of the year. The other section of road between Berrimah and Noonamah is being worked on by day labour of the Department of Housing and Construction and that should be completed by October. This will do away with the detours that exist on the road. There are some other areas which need repairs. I have been unable to get a date at which these are likely to be completed.

Another question was from the honourable member from Nhulunbuy concerning post office boxes. The tenders have closed but the successful tender has not been announced at this stage. It is expected that it will be announced within the next few weeks. They intend to install 420 boxes initially, but there is capacity for 252 more which can be installed at a later date.

The last question was from the honourable member for Stuart Park concerning the burning-off being carried out by the fire service. The Chief Fire Officer has informed me that he had not spoken to the environmentalists concerning the burn-off. He said that he normally tries to act responsibly in this particular burning-off period of the year and that, in future, if he has any doubts about the areas to be burnt off, he will contact the people concerned.

**Dr LETTS:** Mr Deputy Speaker, I seek leave to answer a question without notice.

Leave granted.

**Dr LETTS:** The honourable member for Nightcliff asked me whether the Darwin Reconstruction Commission had acquired a block on the Esplanade to build a house for the Secretary of the Department of the Northern Territory. The answer to that question is no.

**Mr TUXWORTH:** Mr Deputy Speaker, I seek leave to make a statement concerning questions asked of me by the member for Casuarina.

Leave granted.

**Mr TUXWORTH:** Yesterday morning I was asked by the member for Casuarina questions concerning tourism. I needed information from the Tourist Bureau and to date they have not come forward with this information so I don't have the answers.

**Mr Withnall:** Since when do you seek leave not to answer a question!

**Mr TAMBLING:** Mr Deputy Speaker, I seek leave to make a statement in regard to 3 questions which were asked of me this morning.

Leave granted.

**Mr TAMBLING:** The honourable member for Nightcliff asked me a question in relation to departmental housing policy for permanent females. I am informed that departmental policy is that any female permanent public servant who has dependants for whom she is legally responsible and who is the breadwinner of the family is entitled to assistance with housing. The officer conveying this message to me did say that there were a number of new people in the staffing of that section who had not fully appreciated the policy and a number of personal problems had arisen in this regard; he would like to hear of any particular instances so that he could give them close attention.

The honourable member also asked me my personal opinion. Whilst I am not able to indicate a policy at this stage, I have the executive authority in that area and my personal opinion is that this policy is very suitable.

A question was asked by the honourable member for Gillen in relation to the Tennant Creek Area School. I am informed that there are no striking teachers at Tennant Creek. The matter is currently under investigation by Education Department officers and in fact the Director of Education is today making a very lengthy press statement in regard to this matter.

The honourable member for Tiwi directed a question to me about education and the Howard Springs Primary School. I am informed that on 28 February the contract for the Howard Springs Primary School was suspended for 3 months. This suspension was lifted on 1 May and minor work is at present

under way on the site. Major construction has been delayed pending preparation of new drawings to meet the requirements of the building code. The drawings are expected shortly and work should recommence by early July. The question also related to the capacity of the school. The capacity is anticipated to be 200 and the school is expected to be open for the 1977 school year. It is impossible at this stage of the reconstruction planning of Darwin to indicate what the additional requirements will be in future years.

## HOSPITALS AND MEDICAL SERVICES BILL

(Serial 15)

### In Committee:

Proposed new clause withdrawn by leave.

New clause 7:

**Mr POLLOCK:** I move that the following new clause be inserted: "2A This ordinance shall come into operation as from the first day of July 1975".

**Mr Withnall:** We want to know what it is all about. Why don't you tell us what it is all about for cripes sake? Why do you want the new clause?

**Mr POLLOCK:** This clause relates to other clauses later in the bill which will affect the operation of Medibank which is to come into operation in the Northern Territory as from 1 July. It is desired to put into the bill a clause to allow the ordinance to operate from 1 July.

New clause agreed to.

Postponed clause 4:

**Mr POLLOCK:** I move that the words "that person" be omitted from proposed new section 5A(5) and the words "that person or if that person is a dependant, that person or the person upon whom he is dependent".

**Mrs Lawrie:** I think there is a drafting error.

**Mr Withnall:** Yes, it is all buggered up.

**Mrs LAWRIE:** I believe that there is a drafting error here. The amendment should read: "that person or, if that person is a dependant, the person upon whom he is dependent" should be deleted.

**Mr Pollock:** I don't agree.

**Mrs LAWRIE:** I think I am right. Don't be too quick.

**Mr POLLOCK:** This proposed clause relates to ambulance charges and fees for transport. When this service is recoverable against an insurance or other claim it is proposed that the whole of the debt be recovered from the person liable. The original clause 5(a)(5) had just the word "person" and it was pointed out that this person might be a dependant or a child; this proposed amendment was therefore drafted.

**Dr LETTS:** I believe that the honourable member for Nightcliff is quite correct. The words "that person or", second occurring, are quite useless.

Amendment withdrawn by leave.

Clause 4 agreed to.

Title agreed to.

### In Assembly:

Bill reported; report adopted.

**Mr POLLOCK:** I move that the bill be recommitted for further consideration of proposed clause 4 and new clauses.

Motion agreed to.

### In Committee (recommittal):

Clause 4:

**Dr LETTS:** I move that the committee report progress.

We will need a few minutes in order to have typed the correct form of words for the recommittal of clause 4 and I think that we will have to report progress and come back to it later.

Progress reported.

## STATEMENT

### General Business

**Dr LETTS:** I rise to indicate that the next series of orders of the day are bills which will not be processed further at this sittings. Most of them are bills which by standing orders would stand over for at least a month. I have no objections to the Assembly moving on to general business and considering legislation listed on the Notice Paper under that heading.

## NUDITY BILL

(Serial 38)

### In Committee:

Clauses 1 and 2 agreed to.

**Mr DONDAS:** I move that clause 3 be amended by adding subclauses (2) and (3).

I foreshadowed this amendment during the second reading stage of the bill. At that time I indicated that my reasons for doing so was to provide members of the community with a right of appeal to the Administrator's Council against a proposed free area.

**Mr WITHNALL:** I have no objection to the matter of a free beach being advertised in the Gazette, but I must point out that the proposal advocated by the honourable member for Casuarina does not give anybody any rights at all. It merely provides that it shall be advertised, and to this I have no objection, but the public ought not to be misled into the idea that they have any rights in the matter at all. They don't. The free area shall be advertised, and the only right you have is to go and whinge to your local member. So let us not talk about rights of appeal; the proposal gives no rights of appeal at all. I think it should be understood according to its tenor.

**Mrs LAWRIE:** I have no objection to the amendment. I believe that people can make their feelings known to the Administrator's Council when such an area is being considered, but I have always been of the opinion that they could do that anyway.

New subclauses agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Clause 5:

**Mr WITHNALL:** I move that clause 5 be amended by omitting the words "shall not be held to be guilty" and substituting the words "is not guilty".

This may be thought to be a play on words, but it really isn't that at all. The words "shall not be held to be guilty" means that a charge is possible and that the court, if it finds these facts, will determine that the defendant is not to be held to be guilty. If we say specifically that he is not guilty, then in cases when somebody comes to the opinion that the requisite conditions provided by the section are not in existence no charge is possible. I suggest that "shall not be held to be guilty" is an expression which applies to a prosecution, but "is not guilty" is an expression which can be applied before any prosecution is executed.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 6:

**Mrs LAWRIE:** I move that clause 6 be amended by omitting from subclause (1) the

words "Penalty: \$1,000 or imprisonment for 1 year" and substituting "Penalty: \$500 or imprisonment for 6 months".

A penalty of \$1,000 or imprisonment for 1 year is a penalty far outweighing the seriousness of the offence.

**Mr POLLOCK:** Absolute rubbish! We heard yesterday about inflation cutting the value of the dollar and we seem to be now always cutting penalties. We are getting to the stage practically where some members would like to have no penalties at all. The fact is that penalties today in most ordinances and so forth are ridiculously low.

**Mr Withnall:** Look, you resigned from the police force didn't you?

**Mr POLLOCK:** I was very tempted to move an amendment to increase the penalty of subsection (2) from \$200 to a more realistic higher figure. I am quite opposed to any reduction in the penalty. If we make these penalties too low for abuse of the provisions of this ordinance, it will just be a laughing stock.

**Mrs LAWRIE:** Penalties are provided in subclause (2) of clause 6 for other persons acting improperly and the level is \$200 or imprisonment for 1 month. An upper limit of 1 year's imprisonment is simply too severe and out of line with the rest of our laws. If the Executive Member for Social Affairs wants to revise the entire penal code and bring in a higher scale of penalties, let him do so, but to start at this level is ridiculous.

**Mr WITHNALL:** I have got to get up and make some remarks about this question of penalties. It is to be \$500 if the behaviour is "sexually lewd or obscene", but it is only \$200 if it is "sexually indecent". What is the difference? Can anybody tell me exactly what the difference is? Doesn't this mean that, by and large, every policeman will charge everybody under subsection (1) and it is up to the magistrate to say whether it is sexually lewd or obscene or sexually indecent. I don't understand the difference between lewdness, obscenity and indecency. They all seem to me to be the same.

**Dr Letts:** Of course, you are so pure!

**Mr WITHNALL:** I have tremendous purity in this regard of course. It seems to me that there is very little difference and I think it is going to be entirely a matter of somebody's opinion, in the first place the policeman's

opinion and in the second place the magistrate's opinion. But if indecency is less venal than obscenity or less venal than lewdness, I don't know.

The committee divided:

Ayes 10	Noes 7
Mr Dondas	Mr Ballantyne
Mr Everingham	Mr Kentish
Mrs Lawrie	Mr MacFarlane
Dr Letts	Mr Pollock
Mr Perron	Mr Ryan
Mr Robertson	Mr Tungtulum
Mr Steele	Mr Tuxworth
Mr Tambling	
Mr Vale	
Mr Withnall	

**Mrs LAWRIE:** I move that clause 6 be amended by omitting from subclause (2) the words 'that is sexually indecent' and substituting 'or use language that is threatening, abusive, disorderly or sexually indecent'.

This is framed to cover the situation where you may have a fully-dressed lout going down to harass people who may be using the free beach either dressed or undressed and I am saying that in such an area it will be an offence with a penalty of \$200 or imprisonment for a month to act in such an improper manner, to behave in a manner or use language that is threatening, abusive, disorderly or sexually indecent. In other words there are more offences than simply sexual ones.

**Mr Withnall:** It only now relates to words!

Amendment agreed to.

Clause, as amended, agreed to.

Clause 7 agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

### FIREARMS BILL

(Serial 34)

**Mrs LAWRIE:** I have listened with some interest to the debate on this bill. This bill I find totally incomprehensible but in speaking to the second reading I think I should indicate my views on this question of firearms because that is what the bill is all about. Along with other people who expressed views in the previous Legislative Council, I believe that firearms should not be generally available and that no one has the right to buy firearms. I don't even believe in the automatic sale of such things as airguns. I don't believe that

society should continue to take the view that one has a divine right to own any firearm. Certain people should be exempt, people whose duty or whose profession would normally use one. In this category, I would put people licensed under various ordinances of the Northern Territory and pastoralists, but not the general public. I oppose any extension of this sale of firearms without a particular licence. As I said, I cannot really sort out the provisions of this bill and the debate has been only further confusing.

Motion agreed to; bill read a second time.

Clauses 1 and 2 agreed to.

Clause 3:

**Mr POLLOCK:** I move an amendment to clause 3 to omit the words 'or with the regulations'.

This is in consequence of what I said in the debate earlier. Either have these firearms defined by schedule or in the regulations; we can't have a bob each way. Accepting that they be part of the schedule, I propose that any reference to them be omitted from the regulations.

**Mr WITHNALL:** I accept the amendment.

Amendment agreed to.

Clause, as amended, agreed to.

New clause 3A:

**Mr POLLOCK:** I move that new clause 3A be inserted. This is the regulation-making power of the ordinance in relation to deeming certain types of firearms not to be high-powered firearms.

New clause agreed to.

Clause 4:

See Minutes for amendment agreed to without debate.

Clause, as amended, agreed to.

Title agreed to.

Bill passed the remaining stages without further debate.

### HOSPITALS AND MEDICAL SERVICES BILL

(Serial 15)

**In Committee:**

Clause 4:

See Minutes for amendment agreed to without debate.

Clause, as amended, agreed to.

Clause 5:

**Mr POLLOCK:** Clause 5 of the original bill was to omit subsection (1) of section 6 which said "The Minister may prescribe charges for medical services to apply to the ordinance". If this clause had been passed, it would have meant that dental services and so forth could not be prescribed under the ordinance and therefore it will not be desirable to continue with that clause.

Clause 5 negatived.

New clauses 5 and 5A:

**Mr POLLOCK:** These amendments which are being proposed now are basically made to accommodate Medibank in the Northern Territory. The new section 6 provides for 2 types of hospital beds, standard and intermediate. All patients will be provided with free hospital care but patients who elect to be treated by a private doctor of their choice will be charged the prescribed amount for their accommodation and maintenance and will be nursed in the intermediate beds. Maternity patients are to be exempt from the provision; they will be nursed in standard beds and will be able to continue under the care of the private doctor of their choice. Private doctors will be invited to enter into agreements with the hospital regarding the payment of their fees by the hospital for these patients. The subsidised accommodation and maintenance will not be provided in hospitals for patients with a claim for compensation or damages. These patients will be required to pay the actual costs of such accommodation and maintenance as calculated. This cost is to be provided for by regulation. The original draft of the legislation received from the Health Department desired that this fee be declared by the Director-General of Health and prescribed by notice in the Gazette from time to time. However, we have seen fit to amend that proposal in clause 5(4)(a): "the amount that is equal to the product of the amount prescribed as the daily cost of accommodation". As the ordinance provides for the costs and fees to be prescribed by regulation, those costs will vary from hospital to hospital and, I am advised from time to time will be prescribed by regulation and thus give this Assembly some opportunity in having an oversight of those costs.

I am also assured by the Department of Health, by Dr Gurd the director, that pensioners are to be treated in the Northern Territory hospitals on the same basis as maternity

cases even though it is not provided for in black and white here. They will be treated as standard patients and they will have the opportunity of having their own doctor attend them if they desire.

I have also been assured by the director that every possible step will be taken to ensure that standard and intermediate patients are segregated as far as hospital premises allow. With the development of new hospitals at Alice Springs, Tennant Creek and Casuarina, this will be made even more effective as there will be numerous 4-bed wards or similar which are the accepted intermediate standard of accommodation.

**Mr Withnall:** Why don't you really tell us what it is all about? Do you understand it yourself? I know what it is all about.

**Mrs LAWRIE:** I direct the attention of the committee, and the two legal people on the committee and the draftsmen listening, to subclause (3) where it speaks about maternity patients: "Where a person who is not a maternity patient is accommodated in a standard bed in a hospital and that person elects to be a private patient of a medical practitioner, the charge for his accommodation and maintenance in the hospital is the amount that would be the charge if he was accommodated in an intermediate bed". That is okay, but I think it is expressed in a negative sense by omission and I am concerned that the way in which this clause is drafted does not allow the intent, which is for maternity patients to be treated by their own doctor without the extra cost.

**Mr WITHNALL:** It is about time that we had some fairly clear statement of what this is all about. The provisions of new clause 6A(2) and (3) will mean that a person who has to go to hospital and has a private doctor will be required to pay \$20 a day irrespective of the bed in which he is accommodated. The provision says that the regulations may prescribe a charge for accommodation and maintenance in an intermediate bed in the hospital. That would be fair enough, provided we had intermediate beds, provided that we had some sort of intermediate services, some sort of intermediate attention, but obviously we are not going to have them, are we? If you want to go to hospital under a private doctor, subsection (3) comes into operation and obviously everybody who is going to pay this fee of \$20 a day is going to be accommodated in the standard bed just like everybody else in the hospital. They are going to pay \$20, not

because of the attention they are getting but merely because they decide that they have got to indulge in the luxury of having a private doctor. That is exactly what it says. You can have 10 people in a ward, 9 of them would be treated by the doctors in the hospital and if the tenth elects to have a private doctor come and see him, it costs him \$20 a day for the privilege—not for the service; it costs him \$20 a day for the privilege of having a private doctor. I think it is about time somebody said that and I am surprised that the Executive member for Social Affairs didn't make that quite clear because it is completely important to understand that.

We are being taken for a ride. We are being taken for a long, long ride. It doesn't matter what bed you are in, if you elect to have a private doctor, you are going to pay the fee of \$20 a day and you will get exactly the same attention, exactly the same service, the same meals, the same sheets, the same beds, the same sort of nursing staff and the same seclusion. But for the luxury of a private doctor, you pay \$20 a day. Mr Chairman, I think it stinks.

**Mrs LAWRIE:** Mr Chairman, the opposition is split asunder. I don't think it stinks. I reject the suggestion that a public patient in a public ward of a public hospital will not get the best attention, the best bed linen and the best meals that hospital can provide. I think it is most unwarranted to assume that the Darwin Hospital will not give the highest standard of treatment, food medical and otherwise, to all patients committed to that hospital. My opinion is slightly different. There are many patients in the so-called public ward beds at the Darwin Hospital who enjoy what in any other State would be called intermediate ward facilities; that is, small bays and very good attention. I believe the attention given to a patient in hospitals throughout Australia which have public and intermediate wards—

**Mr Withnall:** You are missing the point, aren't you?

**Mr Lawrie:** Standard medical treatment does not vary.

**Mr Withnall:** You pay \$20 if you have a private doctor, that is the point.

**Mrs LAWRIE:** I understand that for the privilege of having a private doctor you have to pay \$20 and I accept that, but I will not accept the assumption that there is a difference in treatment to be handed out to

patients in a hospital by the staff, a difference determined by whether they are public, private or intermediate. I do not accept that.

**Mr Withnall:** The difference is determined by the money isn't it?

**Mrs LAWRIE:** All patients in the Darwin Hospital are given the best attention the hospital can provide. I know that if a person is being treated there by the hospital staff at the present moment and his condition is serious enough to warrant it, every effort will be made to put that person in a private bed. In fact in the times when I have been in the Darwin Hospital, there has only been one available in the whole hospital—you can hardly blame the present staff for that—but that one single bed was available to any person who needed that type of isolation whether they had a private doctor or a doctor provided by the department. Let us not get carried away by the idea that because you are an intermediate patient, you are somehow magically supposed to get better treatment; you do not, and you should not, because the best treatment must be available to all patients. I accept that we are now going to have to pay \$20 for our own private doctor, but don't let us confuse that with the standard of treatment provided by the hospital staff, the nursing staff, the catering staff and the ward maids; you will get the same good treatment no matter what ward you are in.

**Mr Withnall:** That is exactly what I said. I said that you get the same treatment.

**Mr KENTISH:** When we discussed this matter of the \$20 surcharge with Dr Gurd, he freely admitted that it was not related to any extra service. The same excellent service would be provided for all people in the hospital just as the member for Nightcliff has said. We freely admitted that this \$20 surcharge is not related to any extra service; it is related to having a private doctor only and I see no justification whatever for it. This \$20 surcharge is related to Ned Kelly and I don't support it.

**Dr LETTS:** I feel in very similar mood to the honourable member for Port Darwin on this matter. I don't believe that the Department of Health has tried to cover up what this situation is going to be in any way, that because you have a private doctor you will be charged \$20 a day for a bed and if you have a hospital doctor you will not be charged anything. They have certainly never attempted to make any secret of that in any discussions I

have had with them or any publicity that has come out on this matter.

**Mr Withnall:** Nobody tried to justify it.

**Dr LETTS:** Like the honourable member for Port Darwin, I regard it as grossly unfair, more so because the Department of Health hasn't carried out certain obligations which I heard they were going to carry out in relation to this new system. What it will mean, instead of the much flaunted Medibank free medicine situation, is that certain people in the Northern Territory could unwittingly find themselves much more deeply in debt for hospital treatment than they ever would have been in the past. If this move, which is unfair in my opinion, is to take place, then the least the Department of Health could have done would have been to have given a great deal more publicity to the new situation which will now develop as from July 1 and make it clear to anybody who wants to have a private doctor in a hospital that unless they take out hospital benefits insurance from now on they are going to have to fork out from their own pockets. Anybody who wishes to retain a private doctor in a Northern Territory hospital from now on must be covered by hospital insurance or fork out of his own pocket and people who do not know about this could unwittingly be put at a serious disadvantage compared with what the cost of medical care was in the Northern Territory before. I believe that the department has fallen down in its job in not giving this sufficient publicity because it is not clear in any of the booklets which have come out and have been circulated to householders.

The private practitioners in the Territory are an essential part of the medical service here; the Department of Health—and I think even the Minister for Health—would subscribe to that view. Private practitioners are concerned about the effect that this may well have on the future of private practice in the Northern Territory. They have very good reason to be concerned because not only is it hard to justify this charge in any logical way but unfortunately there is an element of blackmail about the whole deal. As I understand it, the private medical practitioners have been informed that, unless we conform as a legislature, unless this legislation in this form goes through so that the thing can start on 1 July, after 1 July private practitioners will be denied access to the hospitals in the Northern Territory. This is what I feel concerned about. I am unwilling to submit to any

form of political blackmail but I feel that unless I go along with this clause unwillingly, a clause that I don't like, the private medical practitioners and the private medical service in the Northern Territory will be placed at a more serious disadvantage than they may otherwise be by some of the effects of this legislation. My support for that part of this clause is an unwilling support; I don't think that the Department of Health has played fair with the people of the Northern Territory or the private practitioners in the way that this has come in.

The second point I would like to pick out is the one referred to by the Executive Member for Social Affairs. That is that the drafting instructions, in the form in which this clause first was presented, were that the Director-General was going to set fees for services in the hospital. That would of course have meant that the department, the Minister and so on, could from here on set just whatever they would like. I think I can guess why that attempt was made. The department and the Minister and the Director-General would know full well that, over a long period of years, this legislature has not always seen fit to bend to the wishes of the Minister and the Department of Health in setting the fees which they have required from time to time. This legislature in the past has taken the view that the level of fees set in the Northern Territory should to some extent be commensurate with the services supplied and with the say of Territorians in determining their own affairs in this and other matters. We have still a long way to go on a number of things and, while I would not deny what the honourable member for Nightcliff said, that the staff do their best and they make the best use of facilities available, there are lots of shortcomings in supplies to hospitals in the Northern Territory still, supplies of staff and equipment. Having been in a hospital not so long ago where they had run out of bandages in the surgical ward and they didn't have a pair of pyjama pants to give me for a whole week on end, small things like that, I know something about this subject.

I suggest therefore to this Assembly that we must maintain the attitude that we have in the past: we must not leave it to the Director-General or the Department of Health or the Minister to set charges, but we should continue to prescribe charges, as this amendment proposes, through the Administrator in Council, to be reviewed and vetted by this Assembly so that the opinion of all the elected

people of the Northern Territory can be sought.

**Mr WITHNALL:** The honourable member for Nightcliff, in the agility of her defence of the bill, overlooked the fact that the hospital was intact. I did not criticise the hospital and I do not. My point was simply that a person in one bed getting—if I can appease her wrath—just as fine a treatment as the person in the next bed will have to pay \$20 simply because he wants a private doctor to attend him. It is as simple as that. And you know, I wonder really that anybody could possibly have thought that this was a proper provision, having regard to the fact that to have a private doctor doesn't increase the responsibility or the work on the hospital or the staff, medical or otherwise—it reduces it. So if you have a private doctor and ask for less, you have to pay more. Isn't that a bit silly? Isn't it a bit nonsensical? If you say to the people in the hospital, "You don't have to look after me to the same extent that you look after somebody that you look after for free", you have to pay \$20 for the privilege of letting them do less work.

**Mr TUXWORTH:** I had not intended to speak on this today, but there are a couple of points that have come up that I feel I should say several words on, one reason being that I have the distinction probably of being the only person here who has been subjected to the pure national health set up that is envisaged by the Commonwealth. We have had it in Tennant Creek for the last 20 years. You have had it in Darwin and Alice Springs and Katherine but you have also had private doctors. We have had the distinction of having the only pure set up whereby you went to a Commonwealth Hospital, you were admitted by a Commonwealth doctor to a Commonwealth bed—there are no private hospitals—and you took whatever service was given.

The figure of \$20 a day is being bandied around. It is the price an individual has to pay for seeing a private doctor. The reason for the department doing this is not known to us, and I doubt if they would ever reveal it, but the concern to me is that \$20 a day is the starting price. It costs \$50 a day plus in the Northern Territory to keep people in hospital beds. Can we get a guarantee from the Department of Health that it won't be \$40 next year and \$60 the year after and \$100 the year after that? They are not forthcoming about this and I feel that this is one of the most important points in

this legislation; it is so uncertain, so ill-defined and so treacherous that we would do well to leave it alone.

The Health Department has made constant reference to 4-bed wards. When we have 4-bed wards in the new hospitals at Tennant Creek and Alice Springs and Darwin, this is how it will be: you will have an intermediate bed in the 4-bed ward. But they did not tell us that we had 4-bed wards in Alice Springs and Tennant Creek but they pushed them apart and put 2 more beds in, and that they used the corridors in Alice Springs when they were full; but the price is the same and the nursing staff and the hospital staff do their damndest to make sure that everybody gets equal attention. This is the truth of the matter and, as far as I am concerned, it is a "con" and nothing else.

The member for Port Darwin raised the point that if you have your private doctor you would surely reduce the amount of attention that the hospital would need to give you. This point was raised with Dr Gurd at the meeting the other day and he had a very interesting arithmetical theory that a hospital is like a motel and even if there is nobody in it the costs keep going. If this is the way we have been running the Health Department for the last 20 years, it is no wonder that we are in the bind we are in. The explanation given to that meeting was not satisfactory and it was an insult to the intelligence of the people who were there to even suggest that if there is nobody in the hospital the costs would not come down, that you would still need all the staff and you would still need everything else used in the hospital, that you would still change the sheets everyday even though the beds had not been slept in, and the nurses would still come round 4 hourly and stand by the bed whether there was anybody in it or not. This is what they are talking about; it is a 'con' and I won't have a bar of it.

**Mr POLLOCK:** The fear that the Executive Member for Resource Development raised about costs and fees increasing year by year was appreciated when final drafting of these clauses was being made. That is why they were changed the other day. As I mentioned in my earlier remarks, the original proposal would have allowed such a scaling up but, now that we have changed that clause and it will be made by regulation, this house will have some control over it.

**Mr TUXWORTH:** If you don't raise it, they'll cut the services off. It's political blackmail; we've had it once this afternoon and it's on the way next time.

**Mr POLLOCK:** I don't accept that. There have been general criticisms in most parts of Australia over the acceptance of the whole Medibank concept. Here in the Territory we have had a form of Medibank for many years and perhaps it is now becoming a little difficult to accept it in some quarters in the form in which it is being presented at the moment.

New clauses agreed to.

**In Assembly:**

Bill reported, report adopted.

Third reading:

**Mr RYAN:** It would be confusing for anybody listening to the debate on this bill this afternoon—there has been so much opposition to it although it has gone through unopposed. I point out to those people who may be interested that this situation has arisen because political blackmail has been used to ensure that this bill does pass through this Assembly. If we did not pass the bill, our friends in Canberra would most certainly take it in hand and see that it was put through. As a person who supports free enterprise, I don't particularly like the implications of Medibank. Many people are fooled by the fact that it is a free service and people like to accept things that are free, as we have seen in Darwin over the last few months, but sooner or later there will be a day of reckoning. While voting for the bill, I do not in principle support the idea of a nationalised health scheme. I fear that eventually the private practitioner is going to be affected and possibly eliminated from the scene.

**Mrs LAWRIE:** I am pro-Medibank and I am proud of it. This talk about socialised medicine is premature when all the Australian Government has undertaken to do is to ensure that an adequate standard of medical and hospital treatment is available to any citizen of this country who needs that treatment. It is about time every citizen accepted the responsibility through their taxes to provide that. I worked many years in private clinics and know that certain people can afford to have a private doctor. Under Medibank they will still be able to afford to have their private doctor in the Northern Territory hospitals. As the honourable Majority Leader pointed out,

they would be wise to take out private hospital insurance to cover that eventuality.

In saying that it was political blackmail that either we accepted a \$20 fee as an intermediate patient or we don't have private doctors, we have conveniently forgotten that in no other part of Australia—Queensland possibly excepted—in public hospitals you could never have your own private doctor; you have to go in as an intermediate or private ward patient. Darwin Hospital is one of the few places where up until now you have been able to be treated by your own doctor. This was pointed out to me by a private medical practitioner some years ago when I was working for him; he said that we were pretty well off.

The introduction of Medibank in the Northern Territory is bringing us into line with what happens in other parts of Australia. All citizens will now be able to get hospital treatment free if they require it. If they can afford it, or if they prefer it, they can still be treated by their own doctor; they can carry private insurance which will enable them to do this. To suggest that it is an imposition on the people of Australia to have to pay for Medibank through their taxes, which you do, is wrong. I am tired of seeing citizens of this country worried sick about health care, overloading certain services and under-using others. I am hoping that some doctors in Darwin will adopt bulk billing so that people will be able to go to their private doctor of their choice and, with the bulk billing method, save themselves and the doctor time and money. Together with the Department of Health we have not done such a dreadful thing. The sooner Medibank is in operation throughout the length and breadth of Australia the better for the people of Australia and not only for the privileged few who could afford the previous method of obtaining medical treatment.

**Mr ROBERTSON:** Now that I may no longer be obliged to seem impartial, I would hate to let the opportunity go without having entered in Hansard my attitude to this. What have we heard on Medibank? We have heard that it is a system of free hospitalisation—I emphasise the word "free"—and at no direct cost to anyone. As far as I am concerned, that is a piece of unmitigated deception and there is no other way of putting it. It has got to be at a cost. It is at an estimated cost of two thousand million at the moment without Queensland coming in, so it is absolute nonsense to suggest that it is free.

The honourable member for Nightcliff suggests that what this is doing, for heaven's sake, is bringing us into line with the rest of Australia. Since when should the Northern Territory be brought into line with the rest of Australia when the direction is downwards? I can't accept that at all. As to her point that this talk of socialising medicine is premature, I suppose she would also suggest that the proposed national insurance commission is also no attempt at nationalising the insurance industry. I suggest that before she talks such utter nonsense—

**Mrs Lawrie:** Do you want to debate the insurance industry or Medibank?

**Mr ROBERTSON:** Before you make such statements in relation to Medibank, I suggest you read the ALP policy.

Bill read a third time.

## MOTION

### Sessional order—adjournment resolutions

**Dr LETTS** (by leave): I move that during the present session of the Assembly during any adjournment of the Assembly Mr Speaker may fix a time and date on which the Assembly will resume sitting notwithstanding that the Assembly may have previously resolved otherwise.

These are stirring, troubled times we live in and in the course of recent months we have found that despite the best of attempts to fix set dates and stick to them in this Assembly—which we will go on trying to do—political events outside our control sometimes require special attention. Today we have had an example. We have had an interim report from our Speaker and we hope for a successful final result, but who knows exactly what that may be? He may find that he needs to get us together again to look at the situation, so I am moving an order which is similar to a sessional order we had in the former Legislative Council which provides for special unusual emergency meetings.

Motion agreed to.

## ADJOURNMENT DEBATE

**Mr WITHNALL:** I rise this afternoon to voice my complaints about the Darwin Reconstruction Commission, and about the lack of co-operation that seems to be in existence between that Commission and this Assembly. I asked the honourable member for Victoria River to table a document; it has not been tabled.

**Dr Letts:** It has been tabled.

**Mr WITHNALL:** I understand that it should be formally tabled.

**Dr Letts:** It was formally tabled at 2 p.m. this afternoon.

**Mr WITHNALL:** I withdraw that statement.

I also asked the honourable member a number of questions relating to the achievements of the Darwin Reconstruction Commission. None of those questions have been answered. Some of them indeed may have taken some time in research, but there are some of them that could have been answered on the spot, but they were not answered.

Principally, I want to bring to the notice of the public the very wide gap that exists between the Darwin Reconstruction Commission's statements as to what they might do, and what they promised to do, and what they have actually done. I do not expect that what I have to say will be reported in the Northern Territory News because there seems to be some sort of unhealthy marriage between the Darwin Reconstruction Commission and the Northern Territory News; no criticism of the Commission is ever published. Nevertheless I think it is important to go on record to point out what sort of realisation of promises we have had. On 19 March, when the Australian Government, or the Commonwealth Government, or the Minister, or somebody, was searching for an extension of time for the Emergency Ordinance until 30 June 1975, the honourable member for Victoria River, speaking from information supplied by the Commonwealth, had this to say about the future, and I am quoting from page 10 of Hansard of Wednesday 19 March:

The program for temporary and emergency accommodation to be imported into the Territory will be as follows: transportable housing comprising 100 units arrives in May this year, with a further 150 units arriving in June this year. Secondly, caravans will become available in the following numbers: 40 in March, 200 in April, 300 in May, a further 350 in June and approximately 100 in July this year. This will be in addition to private caravans presently being brought into Darwin by road, rail and ship at a rate that may be in excess of 60 a week.

I think the private proposal has been in fact achieved. I think more than 60 a month have been arriving in Darwin. But let us have a look at what the Darwin Reconstruction Commission has done. Let us have a look at the promises made and the extent to which they have been achieved. On the ABC news today at lunchtime, the statement was made

that there are 2 demountable houses—2 mind you, not 250—2 demountables now on site in Darwin, and that there are now 75 caravans—not 890, just 75. You see, when something is being sought, when the extension of the Emergency Ordinance is being sought, all sorts of rash, improbable and lousy promises can be made.

**A member:** Lies.

**Mr WITHNALL:** But 3 months later, on 19 June, the 890 caravans have dwindled to 75, and 250 demountable houses have dwindled to 2.

Is it any wonder that I ask the honourable member what has actually been done by the Darwin Reconstruction Commission, how many houses they have built, how many houses have been repaired by the Reconstruction Commission? Of course I could tell you; the answer is none. Two demountables are on site 6 months afterwards. Seventy five caravans have been imported in 6 months. Isn't that a very lovely record, a lovely record for somebody who made those promises only 3 months ago?

I do not know. I hailed the appointment of the Darwin Reconstruction Commission as a good thing. I thought it would give us a chance to have a vigorous authority pursuing the reconstruction of Darwin. We have not had that. We have had instead a semi-somnolent body of public servants, determined to do nothing except advance their own ends. We have had everything waiting on planning, which is absurd, and we have had people drawing enormous salaries, and allowances with the result that we have at the end of this time in temporary accommodation 2 demountables and 75 caravans. Isn't that lovely! What a magnificent achievement after 6 months of work!

I also asked the honourable member for Victoria River to table the amendments to the building regulations. These were publicised in the press 3 weeks ago. The building manual has been amended and it is now being applied but when you ask somebody to produce a document, oh dear me, no. On Tuesday I asked the honourable member to produce it. This is Thursday, but not a word, not a document, not a thing.

I am personally, and so are the people of Darwin, getting a bit sick and tired of the Darwin Reconstruction Commission.

**Mrs Lawrie:** Hear, hear!

**Mr WITHNALL:** The Darwin Reconstruction Commission seems to be another public service department that is even more bloody inefficient than the last public service department we had to administer us. We are getting nowhere. The commission are settling down to serve their own ends, to get their own staff around them, to increase their status, to increase their wages. What do we get? What have they done? The honourable member for Victoria River does not say. How many houses have been built? What has been done? Have they got any plant working? Can I go down there and say, 'Could you hire me out some plant?' No, nothing has been done. There has only been a goddam lot of talk, and it is about time that the public of Australia woke up to the fact that the Darwin Reconstruction Commission has abysmally failed in its task.

**Mrs LAWRIE:** I endorse the remarks of the honourable member for Port Darwin. He asks what the Darwin Reconstruction Commission is. In my opinion it is an octopus feeding upon the taxpayers of Australia, getting grosser and grosser day by day, with its tentacles reaching into every corner of the homes of Darwin. It has not, however, produced simple facts and figures in reply to the questions when such information is asked for in this house by the proper procedure. I asked our representative on the Reconstruction Commission, the Majority Leader, for some information regarding the numbers of staff who would have come from the NCDC, the National Capital Development Commission. I have received no answer. I asked about the person occupying the position known as 'Director of Information', where he came from and what his salary was. I have received no answer. Not for one moment do I blame the Majority Leader. I am sure he has done all he can with the means at his disposal. But simple questions such as these, which could and should have been answered, have not been answered.

When the Darwin Reconstruction Commission was first mooted, I thought that it would be a small body set up to accelerate the physical rebuilding of Darwin, that it would assist in bulk buying of building materials, that it would assist in ensuring a supply of labour so that two things critical in the coming years would be available—labour and building materials. It has succeeded in doing neither. But it has been most successful in one area—in padding itself, in engaging staff who

serve no useful purpose in the rebuilding of Darwin. It has destroyed the hopes of many of the people of Darwin by holding up for 6 months, and still continuing to hold up, their plans to re-establish on their own blocks. Instead of concentrating on physical reconstruction, it started on replanning. There are people that the honourable member for Ludmilla mentioned this morning, people who are going to wait a further 8 weeks to know whether they can rebuild on their own land. Landholders of Darwin, citizens of Darwin, have had to go through 2 planning exercises and as far as Nightcliff is concerned only in the third plan do we get back more or less leaving Nightcliff as it was with one or two significant alterations—the shifting of the school and the oval. But while all this tortuous planning was going on, which no one asked for, not one citizen asked for that, my constituents are stuck like shags on a rock asking, ‘Can we, or can we not rebuild?’ A lot of them have left. Some of them have to wait another 8 weeks to find out about their land because they happen to be in the so-called surge line; they will leave too.

Why should the Darwin Reconstruction Commission employ a person known as Director of Information, or some such title, at a salary I have heard rumoured at \$19,000 a year? There will be staff under that person’s direction who are public relations people so in the 5 years of their existence his salary alone would amount to \$100,000 plus the staff; there could be a couple of them. There will be an expenditure of, say, \$200,000 for what? For telling us what we should be able to find out ourselves. For \$200,000 there are houses we could build. Forget the blasted Director of Information; forget his staff; employ one PR person with an ounce of sense and build houses with that money.

The taxpayers of Australia are paying for the proliferation of people we do not want. They should all be asked very nicely to go back whence they came. Let us cut off the tentacles of the octopus. Keep the brains, keep the people who can assist in getting building materials and labour, upgrade building standards certainly—all these things are necessary. Some delay obviously had to occur but not a delay caused by people who do not have any say in physical reconstruction. Sociologists come up to cure the social ills of Darwin, but most of the social ills of Darwin are caused by those people. Tracy was nothing, people can cope with physical destruction. I

know people who have lost members of their family or have had bad injuries; that type of thing a human being can cope with and overcome, but they cannot cope with months and months of uncertainty, with a Commission which is engorging itself whilst we wonder when it is going to get around to reconstruction. I do not fall into the trap of saying that nothing has been done. All right, the demountables have been ordered, housing has been ordered, but why the hell can’t they concentrate on that and concentrate on the reconstruction? Who asked for sociologists? Who asked for a myriad of town planners?

In my opinion, the Darwin Reconstruction Commission in its present form should be done away with. There should be specialists seconded to the Department of Housing and Construction. There is in Australia a gentleman who is acknowledged in the world as the authority on tropical architecture. That gentleman is in Queensland; he lectures at the Queensland University. He would be the first one I would grab. Second him for 6 months; pay him well; have him attached to the Department of Housing and Construction. I think he would be so successful that he would not need a \$19,000 a year PR bloke, with all his assistants, to tell you how well the program was moving along.

Instead of having a “Department of the Media” set up within the commission, let us look at a few alternatives. The officers of the Reconstruction Commission put it about that they are always open to members of the public. They are not. That is rot. There are a few members of the Legislative Assembly who will agree with me that you have to fight to get an appointment for citizens with a legitimate query to see a planning officer or any other officer; not just Joe Blow—why not Joe Blow anyway—but someone with a specific reason for wanting to meet one of the officers. They will always see me. I bet they always see Grant Tambling, but I’m not so sure they will always see the little old lady who lives down the street and who may have a legitimate query she wants to put to them—not the girl at the front desk, but the officer responsible. People like that can’t get in the door of that Commission. Open the doors of the Commission to the public. Naturally, when discussing contracts and tender prices that would be in camera. Publish the agenda. I dare the Commission to publish the agenda of their meetings in the daily newspaper and to take out an advertisement on TV; the ABC would

go along with it: "At our next meeting we will be considering this, this, this and this". No one will want to go into the intricacies of contract prices, but it doesn't hurt to say that contracts are being considered. Why don't they publish their agenda?

**Mr Withnall:** They don't do anything.

**Mrs LAWRIE:** They do something. As the honourable member says, they are raising their own status, they are enriching themselves and impoverishing the people of Darwin. More importantly—and I hope this gets around Australia—it is not just us who are suffering; those poor suckers down south are paying for this with their taxes and why should they? Don't worry about Medibank. Worry about the thousands and thousands of dollars the taxpayers are contributing, not to the reconstruction of Darwin but to the betterment of some careerists who think this is a sinecure for five years. "Boy, do I ever have it made here!"

It has also been demonstrated in this Assembly, when I have asked who appointed whom and when, that these appointments don't go to the Commission. The honourable member explained that they have given delegations to other officers. In that case I say the delegations are too high. I say that, as our representative on the Darwin Reconstruction Commission, I shall insist—with no legislative backing, of course—I shall insist that the Majority Leader is present when these appointments are being considered, that he sees whether they are furthering the physical reconstruction or whether they are part of some planner's dream, or some sociologist's dream—someone getting a PhD at our expense.

I would like to insist that the Commission meets regularly and doesn't place a burden on such people as the Mayor of Darwin and the Majority Leader. Of all the Commission, Mr Deputy Speaker, they are the only two I would approach: they are the only two in whom I have any faith. Why? Because they were elected by the people of the Northern Territory. The people of Darwin elected Ella Stack and she has a right to be there. The electorate of the honourable member for Victoria River doesn't have a lot to do with the Reconstruction Commission but I accept that the Majority Leader is there, or an Assembly representative, as one of the top-enders. No one else has been put on that Commission by popular vote, not a person appointed by the

Minister, and not Alan O'Brien even though he happens to be Secretary of the Department of Northern Australia. Their voices are worth nothing to me. I have to place my faith in the Majority Leader and the Mayor. Accordingly, I say take little notice of what is going on in that crystal palace over there. Don't let them continue to build castles. Cut them down to size and get the Darwin Reconstruction Commission back to where it should be—physically reconstructing Darwin and assisting the people who live here.

**Mr Withnall:** Hear, hear!

**Mr ROBERTSON:** That was rather a long speech. This may be one of the shortest in the history of the adjournment debate, I wouldn't know. It involves the Home Finance Trustee and once again I use this diary. It is filled every day I have been up here with queries on behalf of people in my electorate to the Home Finance Trustee people. They are getting nowhere over weeks and months, some of them going back to last August and before. Mr Deputy Speaker, I propose to go across once again tomorrow afternoon and I hope there is someone in this house who will tell the department to tell those people I am coming across tomorrow afternoon with that diary in my hand and I want some answers, and following that I want some action.

I am tired of my constituents who are applicants for home finance trustee loans being told nothing. I don't suppose they mind so much being told they can't have the loan, but they are slung on for 6 months, some of them with second mortgages that they are already committed to and still they can't get a yes or a no. If I don't get the information I want tomorrow and some action, I will come back to this house again in a month's time and I will give each of those case histories in detail.

**Mr KENTISH:** I have noted the remarks of the honourable members for Port Darwin and Nightcliff. They seem to be getting very excited about the work of the Darwin Reconstruction Committee and I hope that something positive will come out of their remarks.

I have another story to unfold. I have been out during the past week on 5 mission stations or government settlements along the coast—one in my colleague's electorate of Tiwi and 4 in my electorate. What I have seen there is very disconcerting. I have come to the conclusion from what I have seen that it is time the Federal Government, through the Minister for Aboriginal Affairs or through some

investigation committee, took a very thorough look at the results of their Aboriginal policies in the Northern Territory. I speak particularly with knowledge of the top end of the Northern Territory. There are 2 main problems that stand out very clearly and which are having a very detrimental effect on the people of these communities. One of these problems is handouts, known by a better name as social services. I am not against social services but the system seems to have got completely out of hand. The other problem that is fairly well associated with handouts is the alcohol problem. At every place I visited, people were at their wit's end with the problem of alcohol, hardly knowing what to do or how to handle it because of divided loyalties in the community and because of the relationship problems that they have in dealing with this. They are hoping that some outside authority will help them over this monstrous problem which is causing so much anxiety and trouble. The message is continually being given them that the answer is in their hands, the hands of their community and town councils.

I had hoped I would have had some letters to hand from some of these town councils, giving me authority to say certain things on their behalf regarding these problems; these may arrive but too late for this session, but I will make some general observations in the meantime. The worst part of the handout system is the social services payments, which have got completely out of hand and have reached a fantastic state. There are other things concerned with the handouts—special grants—I don't condemn all of these but, again, some of these seem to have got out of hand. I mentioned before that if anyone says they would like to set up a settlement, they are pretty well right for a \$6,000 4-wheel drive vehicle and \$10,000 or \$20,000. This is good encouragement but it would appear that in some cases the real need for the settlement is not being closely looked at and the reward for starting a settlement is being taken more notice of by the recipients than the need for such. However, in this respect there is a peculiar observation that in some areas the government have decided to build up a massive community with enormous expenditure on all manner of things, schools and hospitals and all this. These are very good things, but the whole lot comes at once with a huge European work force brought in—contractors all over the place—and the whole place is

disrupted while this tremendously busy building business goes on. The Aboriginals have quietly made it known over the years that they don't want this sort of rapid development. They have made it known to the government. The government send out officers and they say "Do you want a school?" "Yes, righto, that's ok". "Do you want a hospital?" "Yes, oh yes, we want a hospital, that's all right". So they agree to these things but it is the machinery of it that is causing the difficulty. Having agreed that they will have a school and a hospital and another 20 houses and a few roads built, a wharf or something like this, then this all proceeds to happen at once.

Various explanations are made as to why these settlements are beginning to have problems. I have mentioned that one of them may be the excellent reward for starting a settlement, a very nice 4-wheel drive Toyota and \$20,000 in most cases, but there are other reasons as well, quite numerous in fact. Dr Coombs has put it down as being tribal tensions developing where there has been a big build up of a settlement. That could be correct in a way but there are other reasons why the tensions have developed; it is not entirely because of a group of tribes living together on these settlements. The main reason is that the Government has removed what they have had for up to sixty years, the central impartial authority, from the settlement. There is no longer an impartial person to adjudicate between the various clans and tribes. This is where the tension has come from.

There is another reason which is becoming apparent. The Government is determined to build up a busy-bee of a European-style settlement there with schools, school-teachers by the dozen, forestry workers, and all manner of people—boiler attendants, mechanics, tractor drivers and fisheries experts. The Government have built this up, and very quietly the Aboriginals have left the Government to it. Very quietly they have moved out and gone back to what they want, a quiet life, 20 to 30 miles away. This is typical of what the Government might expect, typical of the way these people would do things. There is no arguing, no protest; they just go off somewhere else and leave all this development, like a white elephant in many cases.

These things are worth looking at, and should be looked at. Taxpayers' money is involved. There is one small settlement just east of Darwin. There are not very many people

there but twice a month there is a handout of \$3,000 in pension cheques and social services. There is \$6,000 a month being paid to the people there but you couldn't raise a team to muster cattle. Who would want to work anyway while money is so plentiful as that? I don't blame these people. I repeat that some of this money should rightly be paid out if it is required and is just, but it seems to be completely out of hand—\$6,000 in one small settlement and you can't get a workforce anymore. Nobody wants to work; but nobody is unemployed and no one is wanting work either, so there are no unemployment benefits, only social service benefits at \$6,000 a month. There is no work, no progress, no development. Even maintenance is very difficult; it is hard to get enough people for maintenance in some places and there is no development any more.

You would think that there would not be much money left over but there is—there is enough for alcohol. There is plenty for that and they are in great trouble there. At one place I visited, a woman had been killed on the previous weekend in a drunken brawl; she had been clubbed to death. The police had been there and taken someone away. I saw others who had been injured in the brawls. As someone remarked here, they would soon know how to handle the alcohol. They have learnt how to handle alcohol all right. As soon as word goes up, "The charter plane is coming in", the women and children head for the bush. They have learnt how to cope with alcohol—they go bush; that is, the ones who are likely to get beaten up and knocked about, the weaker part of the community flees. The charter planes come in with the extra liquor and then the fighting starts. Homes are knocked about, people are killed and knocked about and they are in great difficulty. There is still enough money for these SAATAS planes—\$300 to \$500 for the charter plane—and another couple of hundred dollars of OP rum, Orlando's; things like that come in in great quantities.

People say the answer to this is a wet canteen; that will cure all the troubles. I was at Maningrida. They have had a wet canteen there for quite a few years. In the last few years the housing association at Maningrida has built 50 homes—quite a substantial effort. They are ahead. In some places they have had an expenditure of nearly \$100,000 on consultants and the housing associations have not

built one home yet. Maningrida is doing better than that; they have built 50 homes. I looked at some that were just newly finished; they are very nice, but then, when I looked at the other end, they are disappearing faster than they are being built. They have a wet canteen there and extra liquor comes in on planes as well. They have a happy club there in this canteen but the object of course is not just to get happy, it is to get drunk. That has always been so with many of these folk. They stagger home at about 11 o'clock at night. Mum and the kids see them coming and bolt the doors and bar all the windows—they know what to expect, dad is coming home drunk. He gets a piece of wood or an iron bar and beats his way in through the door and windows or the walls if necessary. It is interesting to see what is happening to these homes that are being built. The taxpayers would be interested to see what is happening to these homes that are being built there, and this is going on in other places as well.

Fisheries have ceased at Maningrida; no one is interested in fishing any more. Their progress association has financed a number of dinghies and outboard motors but no fish are coming in and they are beached. They are going cruising and getting up an appetite for the next night's booze. There is plenty of social service money and no need to work, no need to fish. The sawmill there cost about \$250,000 when it was built. It is a magnificent sawmill but it has been idle for many months. There is nobody to run the sawmill and it stands idle.

Let us have a look at education. I do not know any school in my electorate where the teachers are not complaining bitterly about the effects of alcohol on the school children, not directly but indirectly. They have no clothing, they are absent from school, underfed, neglected, beaten up at times. Millions are being spent on education in the Territory but it is all being aborted with alcohol.

This new policy of the Government appears to be wonderful, but the people administering it and people conceiving it have not the slightest knowledge of Aboriginal reactions. They have not the slightest knowledge of what to expect or what will happen. It is happening now and it is not good to look at.

**Mr TUXWORTH:** I would just like to raise a point in sequence to a speech I made

yesterday concerning the area school in Tennant Creek. I believe that the Acting Director of Education will be giving a press release this afternoon to say that there was no strike by the teachers in Tennant Creek, that they refused to teach or instruct or care for the children but there was absolutely no strike and that the teachers there have no reason for complaints. The teachers have been told that their teacher-pupil ratio, including the two librarians and the two remedial teachers, is quite satisfactory as far as the department is concerned and there is absolutely no need for the teachers to be up in arms about the teacher strength in the school. The teachers have asked me to record their side of the story in this continuing saga.

The department has a method by which it computes the teacher to pupil ratio by dividing the number of active teachers, librarians and assistants into the number of children in the school. If the figure is less than 35 it is acceptable to the department and if it is not they try to do something about it. The teachers feel that to include 2 librarians and 2 remedial teachers—often remedial teachers have very small classes—the overall calculation is misleading and a deception and not in the best interests of education. They also claim that in working out the number of teachers in the school no consideration has been given to teachers who may be sick. It is not unreasonable to expect a 5% to 10% absentee percentage for any staff in any part of the country these days. They say that no provision has been made for in-service conferences that teachers can attend in ever-increasing numbers and more often than they have ever done before, and there is no provision in the allocation of teachers for free periods in school—it is considered that if a teacher in Tennant Creek gets a free period, an hour and a half a week, he has done very well for himself, which may or may not be condoned by the department.

The only way the department feels the teachers can solve their problems is to increase their class size and they have been given certain remedies on how they may increase their class size. The teachers do not disagree that it is possible to increase class size but at the expense of education of children which is what they are there for. The first two steps to be taken are to eliminate physical education and sport periods. They are a luxury; they are time-demanding on teachers and they can be well done away with. There

are 2 remedial classes in the school one of which comprises children who have been recommended by psychologists to be placed in a special class for various reasons. It has been suggested that the numbers of these two classes which are now 30 be brought up to 35. We don't know whether they feel they should have one remedial class of 40-odd pupils or whether we should put 16 or 17 normal pupils in with them. What they have in the back of their mind no one knows, but the teachers are quite sure that it will be of little advantage to any child for this to happen for the sake of creating another teacher's capacity to teach in another room.

We have in the school a special grade 7 class which is regarded in some quarters as an experiment but seems to be quite common in other states whereby the grade 7 syllabus is incorporated with the first year syllabus in an effort to try and get away from the 2 separate primary school, senior school syllabuses so that a child continues on in an even flow with his education. This is regarded as a luxury and should be tapered off. This would provide another teacher.

The teachers feel that although it is possible to increase the numbers and create a reserve of teachers in the school who can take up where absentees and teachers away on training leave off, invariably the teachers that form this pool never last more than 4 to 6 weeks in a school because they have no real interest in what they are doing; they are a makeshift, stopgap unit that has no real purpose. I think it is fair to say that most teachers these days are professionals and have a very keen interest in what they are doing and they are not interested in being used in this capacity. They feel that, however their efforts may be appreciated by the department, they are there to provide a curriculum designed for the needs of the Tennant Creek school children and that any back-tracking on the situation as they have it now will mean an overall decline in the standard of education and it will offer very little incentive for teachers to become involved or do any extra work.

The department said it does not feel the teachers have a gripe and it is going to justify its stand later on in the press tonight. As a further consequence to all of this, I believe that the department has accepted the services today of a woman who is 6 months pregnant who says she is prepared to come back and teach school, but there is no need because everything is all right and there will be plenty

of new teachers coming in within a couple of weeks. But there is no need for them either because everything is all right.

**Mr POLLOCK:** I would like to answer a couple of questions which have been asked of me today in my capacity as Executive Member for Social Affairs. The honourable member for Casuarina asked what medical facilities, apart from the Casuarina Hospital, the department intends to provide for the district. I am advised by the Department of Health that a temporary Community Health Centre made up of four demountable units will be provided shortly in the northern suburbs on a site being negotiated with the Department of Northern Australia. The site is in Anula Drive in the Anula sub-division. The Department of Health has submitted a proposal to the Darwin Reconstruction Commission for the Dripstone Community Health Centre to be included in the 1975-76 program.

In answer to a question, also from the member for Casuarina yesterday, as to how many terminations of pregnancy operations have been performed each month this year at the Darwin Hospital, I advise that between 1 January and 17 June this year there have been 49 such operations, 18 for psychological reasons, 3 for medical reasons and 28 for social reasons. In the first 6 months of last year there were 71 operations. The total for the year was 190, 184 for psychological reasons and 6 for medical reasons.

I was also asked about the waiting for elective surgery other than the termination of pregnancy and I am advised by the Department of Health that each doctor is allocated a separate theatre and it is up to each doctor to arrange his own program. The more urgent cases are given priority but because of the shortage of required staff there have been delays and on occasions operations have had to be curtailed. As far as is known, there is excessive waiting time for surgery.

I was also asked the number of outstanding elective surgery cases at the Darwin Hospital. I am advised that private doctors keep these figures to themselves and they are not therefore available to the hospital. At the Darwin Hospital generally there is no outstanding list of general surgery. However, I am advised that in relation to the ear nose and throat unit there is in excess of 100 operations awaiting surgery, the situation being that there is only one doctor available for this work and he is

available only one day a week, Number 3 theatre is closed because of a shortage of nursing sisters. There are difficulties in relation to anaesthetists at the hospital, and a combination of reasons has resulted in this rather alarming number of surgery cases waiting for attention.

**Mr TAMBLING:** I would like to follow a number of other members who have spoken about the Darwin Reconstruction Commission today. I was surprised that the honourable member for Nightcliff only spoke about a figure of \$19,000 in the area of public relations.

**Mrs Lawrie:** I ran out of time.

**Mr TAMBLING:** The Northnews magazine this week draws attention to the fact that the Reconstruction Commission is to have a total of \$360,000 to spend on public relations next year.

**Mrs Lawrie:** Disgraceful.

**Mr TAMBLING:** What is important is the communication that the Darwin Reconstruction Commission obviously has in its wonderful system. It has not only insulted this Assembly in that it has not attended to questions that have been put to it in the course of this session, but it has also insulted one of its own members, our Majority Leader, in that it has not provided this information as do other departments quite readily.

They obviously haven't woken up yet to what is the way in which to deal with the Darwin people. In the course of my electoral representation I have had on a number of occasions during the past month to cross swords with staff members of the Darwin Reconstruction Commission and I have been appalled at the way in which you get treated and the way in which you get absolutely stalled and fobbed off. In my electorate, there is a rebuilding cooperative society that early in May made an application to the DRC for assistance and support. It had gone a long way itself in formulating what it was going to do and how it was going to go about its business and build some 49 houses this year before November. The Darwin Reconstruction Commission replied apathetically to their early response for help and it took a lot of political lobbying to get them to a conference table to look at the issues that were raising their heads. When we got there, we found that the problem was that the building cooperative had outstripped the Darwin Reconstruction

Commission in all its planning, in all of its approach to technical, financial and every other sort of support. It was just miles away of this castle of professional people. The Commission had no policies determined. They had a lot of sociologists and area managers and professional people who had been very nice and given a lot of encouragement during the month, but they hadn't come up with a nice way of going about it.

During the course of this session, the Executive Member for Transport and Secondary Industries referred to the fire brigade policy with regard to burning off. I feel this needs a lot of sensitive and very careful consideration for this particular dry season because not only is it just the normal burning off that must take place but there are a lot of derelict and badly destroyed homes. Even the park lands have been knocked about, the vegetation particularly has suffered, and a lot of this is lying low amongst the grass. I did speak earlier in the month with the fire brigade people with regard to the East Point Reserve area and they were very sensitive in the way in which they took on the job of controlled burning in that area. But I was particularly concerned to see the way in which the Darwin High School area, which forms part of my electorate, was burned off. In that area, there is a lot of natural vegetation and a lot of it suffered because the fire was not as controlled as it could have been. I hope that in future the fire brigade will pay particular attention to environmental issues.

The Executive Member for Social Affairs this afternoon has alluded to some questions about the operation of the Darwin Hospital. I do not really think that the department has given him a satisfactory answer, particularly when talking about ear, nose and throat elective surgery. He said there were over 100 minor surgery cases awaiting attention. I believe that it is close to 150. The reasons, or excuses, given this afternoon were that there was only one doctor who had only one operating day, that there was a lack of anaesthetists and that there was poor nursing staff. These are not the same points that were given to us the other day in the Medibank discussion, about how good the Darwin Hospital would be for this community—

**Mr Tuxworth:** That's all part of the "con".

**Mr TAMBLING:** It is all just a matter of playing the game. When you have 150 people waiting for preventive surgery at this time, I

think it is very important and very relevant that the department take stock of itself and look at the way in which it is recruiting doctors or professional staff.

I also find the figures that have come out on abortions this year a matter of concern. There have been to date in 1975 49 abortions at the Darwin Hospital whereas last year we had 190 for the whole year. It is rather interesting to note the rather large increase that occurred after the change of legislation last year.

**Mrs Lawrie:** They went down.

**Mr TAMBLING:** No, they went up.

**Mrs Lawrie:** Down.

**Mr TAMBLING:** There are monthly figures, do you want them?

**Mrs Lawrie:** No.

**Mr TAMBLING:** The monthly figures did rise quite substantially from 6, 10 and 13 early in the year to 20, 26, 19 a month later last year. But there is one good thing that I have noticed in the way the statistics have been prepared this year. At least someone has been prepared to be honest and truthful in the reasons for the abortions. Last year the 190 were classified as 184 for psychiatric reasons and 6 for medical. This year, at least, there are 3 categories: psychiatric, medical and social. It is rather interesting to note that the number for social reasons far outweighs the number for psychiatric or medical reasons. I presume that "social reasons" means the women who are electing to have an abortion for reasons of their own choice. When there are 28 compared with 18 for psychiatric reasons in the first 6 months of this year, I find the figures rather alarming. I am glad that at least they are being put out honestly in the statistical form, where last year obviously someone was hiding them under the guise of psychiatric reasons.

**Mrs Lawrie:** Not necessarily. That is an assumption that you are not qualified to make.

**Mr TAMBLING:** However I think that, overall, the figures need concern and they need careful attention in the light of the community in which we live.

**Mr TUNGUTALUM:** I rise to support the remarks of the honourable member for Arnhem. Alcohol is a problem on missions and settlements. When an Aboriginal person drinks alcohol, he starts looking for a fight and he eventually picks on his wife and really belts her. The latest policy on Aboriginal

affairs is that Aboriginals must handle their own affairs: 'We give you the money and you spend it'. This has been a real disaster for Aboriginal communities. Maybe by the year 2000, there will be no full-blood persons around. I support the honourable member in what he said about alcohol being a problem on missions and settlements.

**Mr STEELE:** I do not expect to tear any strips off the DRC today. I am pretty much concerned with some of the mechanics of home finance trustee and building board approvals and things of that nature. The honourable member for Causuarina was quite elated that the Minister saw fit to expand the loan and extend the criteria to include people who had commenced negotiations to purchase a home. Personally, I congratulate the citizens who applied pressure on the Minister and the Prime Minister to obtain this result. I have talked to numerous constituents concerning the problems with borrowing money, obtaining mortgages, discharging existing mortgages and, in the present system, there is bound to be some mechanical failures which will cause a few more grey hairs and anxiety for Darwinites.

In an effort to speed up the system and help Darwinites, I make the following suggestions. In respect of residents who are not home owners, but who would qualify for the home finance trustee loan of \$15,000, it is my view that an additional amount should be made available to cover the cost in this regard but it seems pretty stupid to have a house and not be able to borrow money when you have to spend \$5,000—\$10,000 on cyclone proofing. Because of previous mortgages not being paid out entirely by insurance pay outs, I would expect the home finance trustee to settle the outstanding first and second mortgages and include these amounts in the new home loans to be negotiated. I recommend that the home finance trustee directs applicants to obtain their own copies of title searches, to submit with their application and, providing the registrar was briefed, this could save applicants a lot of time and save wear and tear on the home finance trustee staff. I have been advised in general terms there could be a hitch in progress payments flowing on to contractors from the trustee. I suggest here that, when the loan is approved, the applicant be given a letter of approval and, because of prior arrangement with the bank, progress payments can commence immediately. Secondly, the trustee should pay the loan monies

into the applicant's bank with the bank to issue certificates of progress as payments are made. Once again, this reduces the workload and the approval rate would grow because of this. I ask that in all matters relating to the private citizen that loan and building board approvals be processed on an urgent basis and, if necessary, more staff recruited and overtime worked to avoid even the smallest of delays.

I go on to the surge line. I do not feel like tearing strips off anybody, but I have a letter from one of my constituents and it concerns a problem of valuation of property:

Our insurance claim was for about \$120 and until this surge line business we had been rejoicing in our good fortune. We have been in the very happy position of not needing help in any way, shape or form and have been very thankful. Our block of land is almost a half an acre in area and we have a strong, well constructed home. We had plans for remodelling the house somewhat and hoped that in 5 or 6 years' time when my husband retired we would be able to sell our property and be in a position to buy or build our retirement home. When we applied for our finance trustee loan, the property was valued at \$32,500 and a real estate agent told us late last year that our property would fetch \$36,000. The Government has offered us \$28,500. If the present recommendation about the surge line is adopted and a ruling made, we will be in the position of having to sell our property eventually to the Government and at the same time be disadvantaged because the surge line ruling devalues the property. Earlier this year, after a spokesman for the DRC or the Government made a statement to the effect that no home owner would be disadvantaged by decisions made, I feel we are being seriously disadvantaged firstly by having this questionable surge line theory foisted on us and secondly having virtually forced us to sell out to the Government at a price well below market value. I would like to enlist your aid to fight this surge line recommendation and/or work towards obtaining a fair market price for the people whose property is affected by the decision. If the Government will not make adjustments to its valuations, I feel that some sort of compensation to cover the difference between their valuation and the pre-Tracy market value should be made.

The writer of this letter has been in Darwin for many years and is known to me. He has only got a few more years to serve in this area and he hopes to stay here until he retires. The difference between private valuations and Government valuations is a lot of money in my book and I think there is probably a case here to look at these valuations. They have to stand up in court and it may be necessary to investigate cases like this on a more stringent basis.

**Mr BALLANTYNE:** I am looking at a map of Australia which shows us the prospects of the uranium industry and, more particularly, I am looking at the prospects of the Northern Territory. From what I can see there are great resources that we can obtain from the Northern Territory. I am looking at a magazine

dated July 1974 and I will read an extract from that. I will not go into full details on it because it would take too long but I am trying to point out that since then there have been changes. This article states:

Australia now ranks third in the western world in terms of reasonable assured resources of uranium recoverable at a price of up to \$10 USA a pound. An important proportion of these resources has been disclosed only in the past few years and there is very considerable scope for a substantial further increase in the resources in the years to come. However, the country also has very good reserves of fossil fuels, notably coal, and internal demand for uranium is likely to be small only up until the 1990s, when it is thought that nuclear power may become competitive with power produced from the domestic fossil fuels.

Until then, the main impact of uranium for Australia will be as contribution to exports either as yellow cake, hexafluoride or even an enriched uranium. Uranium deposits of significance in Australia are widespread. In the past, important extraction operations were undertaken at Rum Jungle in the Northern Territory and at Mary Kathleen in Queensland, both of which mines have since closed.

Under the sub-heading of "Northern Territory" it goes on to say:

The NT has probably the most exciting area in the uranium exploration field and that is in the Arnhem Land area of the Northern Territory. The first discoveries in this part of the country were made in 1949 near Rum Jungle, the site of one of Australia's most famous uranium producing mines about 40 miles south of the town of Darwin. Production from Rum Jungle was commenced in 1954 and continued until 1963 when contracts with the combined development agency expired. Thereafter treatment of stock-piled ore continued until 1971.

Output until 1963 totalled 3.8 million pounds of uranium oxide. In addition, some 13,100 tons of copper were produced at Rum Jungle as a byproduct. There are no stated plans for the re-opening of this deposit although there are almost certainly reserves of uranium ore remaining in the area, but not necessarily mineable at under a price of \$10 per pound.

What I am surprised at is that here we have one of the richest uranium deposits in Australia and probably one of the largest in the world but we are not really doing much about it as a means of bringing capital into the country. We are going to reduce our contracts from overseas. We are falling so far behind now that I think it will be the 1990s before we will even look like getting some contracts. To give you an idea of uranium contracts, for the period 1974-79 for Mary Kathleen, \$45m was expected from a customer in the United Kingdom. There is another contract with a Japanese firm from 1977 to 1986 for a thousand tons.

With the mining of uranium, certainly there are problems in the disposal of the byproduct because of its radioactivity but I am sure that, unless we get on with the task of doing something with regard to the development of uranium in the NT, we will be so far behind when the time comes to sell our product that we will have to ask someone to dig it out and take it with them.

Motion agreed to; the Assembly adjourned.

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