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NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly

Parliamentary Record

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PART 1

DEBATES

DEBATES

Tuesday 2 June 1981

Mr Speaker MacFarlane took the Chair at 10 am.

RETURN TO WRIT
MacDonnell Division

The CLERK: I lay on the table the return to writ for the electoral division of MacDonnell by which it is certified that Mr Neil Randall Bell is the elected member.

Mr SPEAKER: Honourable members, following a by-election for a seat in this Assembly and the tabling of the return to the writ, the normal practice at this stage of our proceedings would be the swearing of the prescribed oaths before me by the member elected. However, in this instance, the prescribed oaths were sworn before the Chief Justice of the Northern Territory on 1 April 1981. I table the signed forms of oath.

MOTION OF CONDOLENCE
A.R. Driver

Mr EVERINGHAM (Chief Minister): I move that this Assembly express its regret at the death on 18 May 1981 of Arthur Robert Driver, Administrator of the Northern Territory from 1 July 1946 until 30 June 1951 and first President of the Legislative Council for the Northern Territory, place on record its appreciation of his distinguished service to the Legislative Council and to the people of the Territory and tender its profound sympathy to his widow and family.

Arthur Robert Driver died recently at the age of 71 at Buderim in Queensland. He was very young to hold the high office of Administrator but he was an energetic forceful man, forthright and unpretentious, who fought hard for the things that he believed in. Mr Driver who preferred, in his youthful informal manner, to be known as Mick was the right man for the Territory at the right time. He was chosen by the honourable Victor Johnson, the Commonwealth Minister for the Interior who was from Western Australia and knew the Driver family.

Mr Driver was a qualified civil engineer and his youth, energy and training were qualities necessary in the task of rebuilding Darwin after the Second World War. The town had been heavily bombed and the morale of its citizens was low. The town was still largely under army control. Life for civilians was fairly primitive. Darwin was supplied with its meat and vegetables by ship. There was no sewerage system and the lack of a disposal system led to the development of the backyard incinerator known as a 'flaming fury' which citizens were required to light every 2 or 3 days to burn up with oil their accumulated problems. This device operated with a resulting cloud of foul smoke and dreadful smell which did not add greatly to the quality of life in Darwin at that time.

Mr Driver dealt with the constant complaints with humour and decisiveness. He worked to obtain approval for shopkeepers and other citizens to buy buildings which they had squatted in after the bombing and to help resettle other people in homes. He helped establish the Darwin Club which provided a needed boost to the town's morale. He was involved in the Darwin Rehabilitation Committee which worked to bring Darwin back to normal life.

Mr Driver is remembered for the diplomacy with which he handled the difficult role of President of the Legislative Council. This body was establish-

ed with an official membership of 7 and an elected membership of 6, a configuration which made its debates interesting and its President sometimes had the task of keeping even the official members toeing the government line. Mr Driver is also remembered for his humanity. It was he who intervened to help Mr Bas Wie, then a young Timorese illegal immigrant. Bas arrived in Darwin as a stowaway in the undercarriage of a Dakota aircraft. Mr Driver found employment and a home in the Territory for him which allowed Bas to stay on in Australia. In fact, I believe that Bas even stayed at Government House for some time while awaiting other accommodation.

Mr Speaker, some of Mr Driver's other notable contributions should not be allowed to slip from public memory. For instance, he worked hard to have created at Hooker Creek a reserve for the Walpiri people. The land required was formerly part of Wave Hill station and Mr Driver had to fight both the Commonwealth government and the Vestey family, who owned the station, to obtain the Catfish block when its lease was up for renewal. He was very determined and succeeded in establishing a reserve over the land, which is now Aboriginal land, where the principal town is known as Lajamanu.

Mick was both resourceful and informal as certain incidents from his term as Administrator showed. For instance, as part of the Territory's contribution to the Commonwealth Jubilee celebrations in 1951, a friend of Hubert Oppermann, Police Sergeant Waltham, was to ride from Darwin through the Northern Territory around Western Australia and eventually to Canberra carrying messages of loyalty to the Crown. He set off from Darwin and reached Katherine but, because the wet season was under way, he was unable to go any further. Mick Driver obtained an aeroplane which flew the would-be cyclist across to Wyndham and then to Derby where he started his ride again.

Old time Territorians may remember the days when everyone wore pith helmets like Tiger Brennan's. I understand that Mick Driver's own informality led to the abandonment of the pith helmet, a symbol of colonial life. When he left the Territory, Mr Driver went to Italy as Chief Migration Officer in charge of the migration of European refugees to Australia and he was later appointed to an international committee on migration. He retired in 1971 to Buderim in Queensland.

Mr Speaker, Mick Driver was an approachable, energetic Administrator whose style was what the Territory needed at that time.

Mr ISAACS (Opposition Leader): Mr Speaker, I would like to join with the Chief Minister by offering the opposition's condolences to the family of the late Mick Driver. As pointed out by the Chief Minister, the late Mr Driver played an instrumental role in the establishment of the first Legislative Council of the Northern Territory during his term as Administrator from 1946 to 1951. Because of his strength and determination, he was able to unite all sections of the Northern Territory. As the Chief Minister said, he had a particular style and was able to take on a peculiar task and argue very forcefully for the Northern Territory with his colleagues in the south. I have spoken to a number of my colleagues in the federal parliament who recall the appointment of the late Mick Driver. It was pointed out that he was appointed by a Labour government. He was accepted right across the political spectrum.

Mr Speaker, it is with regret that we have this motion before us. The opposition supports the government in its condolences to the family of the late Mick Driver.

Mr SPEAKER: Honourable members, the Chair would like also to be associated

with the motion. I met Mick Driver several times back in the 1940s. On one occasion, before I became a landowner, I assured him that if I could not make a success out of cattle in 7 years, I would leave the Territory. I am still here although I am not too sure that I made a success out of cattle. He was a very nice man to talk to and he left his mark as a very successful Administrator. I ask honourable members to signify their agreement with the motion by rising in their places.

Question passed.

MOTION OF CONDOLENCE
J.C. Archer

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that this Assembly express its regret at the death on 23 December 1980 of James Clarence Archer OBE, Administrator of the Northern Territory from 1 July 1956 until 31 March 1961 and President of the Legislative Council for the Northern Territory for that period, place on record its appreciation of his distinguished service to the Legislative Council and to the people of the Territory and tender its profound sympathy to his widow.

James Clarence Archer is remembered by many Territorians as a kind, conscientious, fair man and perhaps one of the best Administrators that the Territory has ever had. At the time of his retirement as Administrator and President of the Legislative Council, the council commented that his incumbency 'of the office of Administrator of the Northern Territory was characterised by just dealing and kindly consideration, by confident chairmanship and proper decorum and by fruitfulness and beneficial legislation'.

Before he came to the Territory, Mr Archer was a public servant who had served in New Guinea during the Second World War and who was such an outstanding officer that afterwards he was selected to be deputy secretary in the newly established Department of Territories which was responsible for both Papua New Guinea and the Northern Territory. Mr Archer was responsible for the establishment of the first Administrator's Council and, to a large extent, ensured its effectiveness.

His term as Administrator was notable, to quote the Legislative Council again, 'for the establishment of local government, for further constitutional and economic development in the Territory and for social and cultural progress marked as it has been by important public works programs, including road networks, schools, town amenities, new welfare settlements and our first major powerhouse, by the establishment of the Housing Commission and by the institution of Darwin as a city by statute'.

Mr Speaker, these were notable achievements indeed in the constitutional and economic development of the Territory and you will remember that they took place within a mere 5 years. This was also the time in Territory history when the Administrator was also Commissioner of Police, President of the Legislative Council and chief officer of Northern Territory Administration Division of Department of Territories as well as performing the usual social duties which always fall to the lot of an Administrator.

Mr Archer had the reputation of being a man who took a lot of convincing but, once convinced of the validity of an issue, he would fight for it right through the department to the minister. He was a man who was vitally concerned for the welfare of the Territory and this is shown in the degree of effort he put into his duties which resulted in the impairment of his health which was

already precarious after his internment as a prisoner of war by the Japanese.

Mr Archer was a man whom members of the Legistlative Council, both official and elected, praised for his wise leadership, courtesy, fairness and tolerance. What better could be said of a man who held a contentious position in times of difficulty and change.

Mr ISAACS (Opposition Leader): Mr Speaker, very briefly, I would like to join with the Chief Minister in his motion of condolence. Whenever we consider the role played by such people in very difficult circumstances, it is very easy to forget the extraordinary difficulties that they had with regard to communication with their chiefs and with the people of the Northern Territory outside of Darwin. From my reading, the late Mr Archer was able to ensure an extraordinary degree of fairness and goodwill among those people over whom he had some control. It was not an easy task and, as the Chief Minister has said, the late Mr Archer was suffering from ill health as a result of the war. Nonetheless, he was able to discharge his duties extremely effectively.

Mr SPEAKER: Honourable members, the Chair would like to associate itself with this motion of condolence. I only met Clarry Archer once and it was in this building. It must have been the office of the Administrator in those days. As has been already said, he did a remarkable job for the Northern Territory.

Honourable members I request you to signify your encouragement for the motion by rising in your places.

Question passed.

MOTION OF CONDOLENCE
E.F. Dwyer

Mr EVERINGHAM (Chief Minister): Mr Speaker, I further move that this Assembly express its regret at the death on 21 March 1981 of Eric Francis Dwyer, an official member of the Legislative Council for the Northern Territory between 29 October 1964 and 22 August 1968, place on record its appreciation of his meritorious public service and tender its profound sympathy to his widow and family.

Mr Speaker, Frank Dwyer died on 21 March this year at Maryborough, Queensland, aged 60. I feel that it is appropriate that his contribution to the Territory as a member of the Legislative Council and as a senior public servant during the years leading up to self-government be marked in this Assembly. At the time of his retirement on 8 December 1978, Frank Dwyer had served the Commonwealth Public Service for 42 years and had risen from telegraph messenger boy to Deputy Secretary of the Department of the Northern Territory. Frank Dwyer came to the Territory in 1964 as an Assistant Administrator. This was a time when the Legislative Council was striving for greater legislative autonomy and for a greater say in the development of the Territory.

Frank had the major responsibility for financial and personnel management in the department responsible for Northern Territory affairs at that time. He had to oversee the preparation and presentation of the Territory's annual bid for funds from the federal Treasury. This required him to be tough, not only with his Treasury counterparts who often seemed like adversaries but also with his Territory colleagues whose financial battles he was required to fight. He would have no part in poorly prepared and badly reasoned bids for funds. This did not ensure his popularity but, in Frank's book, popularity was never allowed to take the place of responsibility.

In his early days in the Territory, Frank Dwyer played an important role in the development of local government. He took an interest in civic affairs and was Chairman of the Katherine, Tennant Creek and Alice Springs Town Management Boards. He remained sympathetic to efforts by Territorians to attain self-government and worked hard to smooth the transition from Canberra control to Territory self-government. Frank was appointed to the Legislative Council soon after he arrived in the Territory and became leader of the official members. He served on the Council until 1968 and was frequently required in that time to deputise as Acting Administrator. Following Cyclone Tracy, he assisted in the reconstruction of the city as Deputy Chairman of the Darwin Reconstruction Commission. Frank Dwyer also served the Territory in other ways such as chairman for the Northern Territory region in the Winston Churchill Memorial Trust and he was a director of the national board of the trust. He was patron of the Darwin Bowls Club and he took an active interest in golf and in junior sport in Darwin. Frank Dwyer served his country during the Second World War and went through the African campaign as an intelligence officer. Later, he became a president of Legacy. Frank Dwyer's interest in the Territory did not end when he left the Territory. He became a special adviser to the Department of Home Affairs on Northern Territory matters. Even after his retirement, Frank took an interest in developments here. Frank Dwyer was a dedicated public servant in the best sense of the expression. I hope that his contribution to the evolution of self-government in the Northern Territory will not be forgotten.

Mr ISAACS (Opposition Leader): Mr Speaker, the late Frank Dwyer was known around the Northern Territory as Crankie Frankie. He was on too many occasions the butt of derision, the butt of denigration. I always felt, and I am sure many others did too, that although he bore these slights well without any kind of comment, they were inaptly applied to him. As the Chief Minister has said, Frank Dwyer was hard nosed; he demanded facts to be put to him and, if facts were not put to him, he did not waste any time with the documents in front of him. But the late Frank Dwyer was a compassionate man who did his job extremely well. He demanded hard work from his colleagues and he certainly put in a lot of hard work himself.

He was a compassionate man and I would like the Assembly to remember him as such. After the cyclone, much was made of senior public servants who were living in the lap of luxury in the Travelodge. I am not saying that that necessarily happened but I am saying that Frank Dwyer was not one of those people. Frank Dwyer was one of the last senior public servants to be adequately housed. He took the view that, while some citizens of Darwin were living in poor conditions, Frank Dwyer and his wife were not going to be better off than them. It was typical of the man that he took such an attitude.

As the Chief Minister said, he had a long association with Legacy and with the Winston Churchill Foundation. He also had a great deal of sympathy for old timers. I recall one long-term resident of the Northern Territory expressing to me his amazement that Frank Dwyer had held out such a compassionate hand to him and had been so helpful. He wondered how it was that he had this reputation of being such a blunt and hard individual. People forget, I am afraid, the humanity of the late Frank Dwyer.

I believe it is appropriate that the Assembly recognise the extremely devoted work by Frank Dwyer for the benefit of the Northern Territory and the compassion which was the hallmark of the man.

Mr SPEAKER: Honourable members, the Chair too would like to be associated with the condolence motion for the late Frank Dwyer. Over the years I was in this Assembly and the Legislative Council, I had many bitter clashes with

Frank Dwyer but he never bore animosity. We ended up on speaking terms and I suppose that is better than I did with many other people.

Question passed.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: I read message No. 4 from the Administrator of the Northern Territory.

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a Bill for an Act to make interim provision for the appropriation of money out of the Consolidated Fund for the service of the year ending 30 June 1982.

Dated this 29th day of May 1981.

E.E. Johnston
Administrator

STATEMENT
International Year of the Disabled Person

Mr PERRON (Community Development) (by leave): Mr Speaker, the Chief Minister in his statement to the Legislative Assembly in May 1980 expressed the government's concern for those Territorians who are disabled. He asked that programs be developed which would achieve an optimum level of services for disabled people and their families and included the following: the establishment of northern and southern regional committees on the handicapped to advise the government; the development of homemaker and home help services to provide respite, care and encourage independent living; support to non-government organisations assisting disabled people; the formation of a special education advisory committee on handicapped persons; the provision of residential care centres for the profoundly handicapped; financial assistance for modifications to accommodation to improve access for the disabled; the availability of financial assistance for transportation purposes; and the Northern Territory's participation in the International Year of the Disabled Person.

I would like now to report to members of the Legislative Assembly on progress to date on the improvement of services for the disabled. Regional committees on the handicapped in both the north and south were established in September 1980 and have been meeting on a monthly basis. The committees have a broad representation including groups providing services to the disabled persons themselves and parents of the handicapped. The servicing of the committees is undertaken by the Department of Community Development through the International Year of the Disabled Person Secretariat.

The main tasks for the committees have been to identify the needs of disabled people and to make recommendations to the government for program development. I would like to commend the committees and, in particular, the chairpersons, Dr Alan Walker and Mrs Barbara Vaiana, for their efforts to date. The committees have advised me and my ministerial colleagues on the difficulties encountered by disabled people with particular reference to the lack of access, inadequate accommodation and the special problems of disabled Aboriginal people. These matters are now receiving urgent consideration by this government.

A homemaker for the disabled has been employed by the Department of Community Development to assist disabled people and their families. The homemaker will advise the family on aids, such as special chairs and lifts, which will make the task of caring for the disabled child easier. The homemaker will help the families to obtain child care to provide the parents with relief care whether for a few hours or on a weekly basis.

On the subject of grants-in-aid, this government recognises the contributions of non-government organisations in providing services for disabled people, often from limited resources. Therefore, steps have been taken to assist these groups. To date, I have approved grants totalling $31,000 from a Commonwealth grant of $50,000 and $14,000 from the Northern Territory's contribution to the International Year of the Disabled Person. These grants have been made to the Spastic Association, both in Darwin and Alice Springs, Sommerville Homes, the Down's Syndrome Group, Casuarina Girl Guides, ANSUA - A New Start for the Under-Achiever - and the Family Planning Association. In addition, grants have been given to disabled individuals for machines. In one situation, a special typewriter was provided to ensure that a particular disabled person would be employed. In another situation, a lifting device was provided to enable a disabled child to remain at home. These International Year of the Disabled Person grants are in addition to funds amounting to $73,000 already provided by this government during 1980-81 to the Northern Territory Association of Special Education and the Bindi Centre. Additional submissions have been received totalling $32,000. These are still being considered. The purpose of these grants is to encourage projects which improve the access of disabled people and their families to community life. Submissions which include a self-help component such as the involvement of disabled people in their planning and implementation are encouraged also.

The federal Minister for Social Security is now seeking tax deductibility for International Year of the Disabled Person contributions which will stimulate fund-raising activities and generate more financial resources from the private sector. Already numerous organisations in the Territory have sponsored events to raise funds. Therefore, the government's contribution is only a part of the total community effort.

The Special Education Advisory Committee has now been established and is meeting on a regular basis. To link in with the International Year of the Disabled Person observance and the Regional Committees on the Handicapped, the advisory committee has included the 2 chairpersons from the regional committees. Education for disabled children and about their disabilities is vitally important if handicapped children are to participate fully. Educational assessment panels have been established to oversee the placement of children in the appropriate school program.

On the subject of the provision of residential care, in the past the profoundly handicapped could not be catered for in the Northern Territory and were placed in residential care in southern states. This effectively severed the links with parents and family in the Territory if they chose to remain here. On the other hand, if a family moved interstate to obtain the required residential services, it was often financially disadvantaged. Two projects have been initiated recently to provide accommodation for the profoundly handicapped and to alleviate family pressures associated with the demands of caring for their children.

The Harry Chan Ward at the old Darwin Hospital is now operating and will accommodate as many as 15 children up to the age of 15 years, as well as 20 adults. This ward will also provide a respite situation for those families re-

quiring occasional care. In addition, Sommerville Homes has been provided with a grant for a 7-bed cottage to care for severely handicapped children.

The federal minister wrote to all states and territories last year seeking their participation in IYDP activities during 1981. In view of the importance of this year in the Northern Territory and the time commitment required from the responsible minister, I have asked Mr Roger Vale, the member for Stuart, to represent the Northern Territory on the council of the Commonwealth, state and territory ministers for IYDP and to provide advice on progress during the year. I have been informed that the Northern Territory's views have been cogently and ably represented by Mr Vale at the Council of Ministers' meetings as well as kindling their interest in the Northern Territory.

The IYDP ministers have agreed to convene an IYDP conference in the Northern Territory towards the end of this year and to view first hand the achievements as well as the problems of disabled people in the Territory. The Council of IYDP Ministers has convened 4 conferences to date with the federal minister, Senator Fred Chaney, as chairman. Matters which have been of primary concern to the ministers include publicising the aims of the year, legislation, funding, rehabilitation, engineering and prevention. It is anticipated that ministers will meet on 3 more occasions and will be supporting ongoing initiatives beyond 1981 to ensure that IYDP is more than a one year observance.

The Northern Territory government has also established an IYDP unit within the Department of Community Development, with Mrs Robyne Burridge, herself a disabled person, as co-oridnator. Many members will have had discussions with Mrs Burridge and will have been impressed with her energy, frankness and ability to raise the awareness levels of people regarding the problems of disability.

Community awareness and access have dominated this international observance in the first 6 months. Media coverage has been extensive and has included newspaper articles, frequent broadcasts of the IYDP commercial and interviews on both radio and TV. This has resulted in numerous speaking engagements, regular inquiries about the aims for the year and the availability of promotional material which overall has led to tremendous interest and support being shown by all sectors of the community.

The government, local council and private enterprise have made public commitments to improving access in the following ways: the Corporation of the City of Darwin is currently spending $9,000 on ramp access to footpaths throughout the central business district and it has also agreed to undertake a complete review of parking for the disabled and to provide accessible public toilets; the Building Board has prepared amendments to the building codes; letters to clothing shops and supermarkets have solicited their support for improved access; a ramp is being built into the Law Courts by the government; special parking bays for disabled people have been provided in city areas, Casuarina Square and at the Darwin Airport; the Northern Territory Housing Commission, the Government Tourist Bureau and Police Department in Alice Springs have all agreed to provide suitable access to their respective buildings; and the Housing Commission will modify its accommodation to suit the needs of disabled persons including the provision of ramps, lowering of switches and other renovations as required at no cost to the tenant.

A number of one-off IYDP projects have been organised so far this year. These include: a week-long summer school organised by the Northern Territory Branch of the College of Nursing titled 'What's in a Name' and dealing with all aspects of disability; participation in the Australia Day celebrations which included attendance at the flag raising and naturalisation ceremonies at

which Philip Deveraux who is totally blind was named Junior Citizen of the Year; and a visit by Professor Robert Steadward from Canada who spoke at several workshops on the subject of sport and recreation for the disabled. Some of the other projects which have been planned for this year include a one-day seminar on Christian Education for the Handicapped, exhibits at all show venues and a tour of 'Kids on the Block', a group of puppets from America who talk about being disabled and the various problems encountered by disabled people.

Closely related to the work of the IYDP unit has been the establishment of a Liaison Officers Committee and a committee of non-government organisations. This Liaison Officers Committee includes representatives from all government departments and statutory authorities and has been established to develop ideas and activities within their own individual specialised areas in support of the year. It has been possible to keep the appropriate people informed about what has been planned thus preventing duplication and overlap.

The Commonwealth government has established a Non-government Organisations Committee to advise the Minister for Social Security, Senator Chaney, on programs for disabled people. The majority of members are disabled with the Territory representative being Michele Castagna from Alice Springs. This committee has raised many vitally important issues concerning the year which have subsequently been referred to the officials and the council of the IYDP ministers meeting. In particular, their discussion paper on income security policies will be of great benefit and significance for all disabled people when the final report is tabled. Michele, who is herself disabled and confined to a wheelchair, is a very conscientious and hardworking representative for the Territory.

As awareness of the year has increased, there has been a consensus that disabled people require access if they are to participate fully. Improved aaccess, as stated previously, is now being achieved. The issues that are emerging and will require resources and commitment during the remainder of the year and beyond include employment, transportation, the pressure problems of disabled Aboriginal people in remote areas, statistics on the number and types of disabilities in the Territory and prevention of disability.

The employability of disabled people is being considered by both the Northern Territory Public Service Commissioner and the Department of Employment and Youth Affairs. Initially, guidelines were prepared to assist recruitment officers in the public service in considering a disabled person for employment. The Equal Opportunities Branch then placed advertisements in newspapers asking disabled people to contact them if they were interested in being employed or if they had previously sought employment but had been unsuccessful. The response was encouraging with approximately 40 inquiries being made, and already the commission has attempted to find suitable positions for several of these people. As part of the national employment strategy for IYDP, the Department of Employment and Youth Affairs has set up an Employment Promotions Committee. Prominent businessmen, ministers and other government officials and dignitaries recently attended the official launching.

It is obvious that disabled people have transportation difficulties and that people living in smaller communities lack access to remedial and rehabilitative services. However, there is a dearth of statistics on the numbers of disabled in the Territory and the extent of their handicaps. Already some of the smaller communities have been visited. Many more will have to be contacted to develop an accurate register of disabled people. The Department of Community Development, in conjunction with other departments and local people, will be compiling this list so that needs can be identified and resources rationalised.

At the last International Year of the Disabled Persons Council of Ministers Meeting, a major paper on aspects of prevention was tabled and recommendations endorsed by ministers. These recommendations are provocative. They touch on pre-natal care, early intervention, effective health education, safety training and reduction of self-damaging behaviour. Copies of this report will be made available for comment and provide the basis of an effective preventative program.

In conclusion, disablement touches on all our lives at some time. This international year is making people aware of the problems of disabled people and the barriers created by the failure to provide access, the lack of opportunities to participate fully and, most importantly, the barriers of attitude. These issues concern all people in the Northern Territory. Responses from government departments, government organisations and all people in the community so far have been very gratifying in their complete support for this year of the disabled.

Much remains to be done and I know there will be continued support from all Territorians and I look forward again to reporting to members of the Assembly at the end of this year on further progress in this International Year of the Disabled Person.

Mr Speaker, I move that the Assembly take note of the statement.

Mr ISAACS (Opposition Leader): I thank the Minister for Community Development for his statement to the Assembly on the progress of the International Year of the Disabled Person. The opposition fully supports the comments made at the end of his statement regarding the full support of all people throughout Australia for this very worthwhile venture. As the minister said, there is a need to take a positive attitude to the question of the integration of disabled people into the community and to ensure that the International Year of the Disabled Person is not just a one-off exercise in that its effects are retained and carried on throughout the years ahead.

I would like to place on record the high regard that I have for the co-ordinator of the International Year of the Disabled Person, Mrs Robyne Burridge. She is carrying out with spectacular success a publicity program to advise people of the problems which disabled persons encounter in the wider community. The range of projects and community involvement outlined by the minister are the tip of the iceberg of the very hard and dedicated work which Mrs Burridge is performing.

I would like to touch on one matter to which the minister referred and that is the question of the lack of statistics regarding disabled people. The point he makes is absolutely correct. It is a matter that everybody should be concerned about because, if we are to provide appropriate facilities for disabled people, we must know how many disabled people there are and the nature of their disabilities. The unfortunate position at the moment - and I understand this is a nation-wide problem - is that those statistics are simply not available. I am pleased to say that a number of the service clubs which operate throughout Australia, in particular Apex, are keen to involve themselves in the collection of this much-needed data. I would encourage those service clubs to assist the International Year of the Disabled Person committees to collect the data required so that our support for disabled people will carry on beyond 1981. It is important.

The minister stated: 'There has been a consensus that disabled people require access if they are to participate fully. Improved access, as stated previously, is now being achieved'. In order for that to become a reality, we

must make some very hard decisions. It is far too easy for the Northern Territory to say that, because we have a small population, the occurrence of disabilities will be infrequent and therefore we ought not to involve ourselves in what might be a very expensive operation to provide facilities for the disabled. I would urge the government and the people of the Northern Territory to accept the responsibility of that expenditure for disabled people.

Recently, one of my staff had occasion to speak with some of the Minister for Education's officers about the services being provided to one person who had a significant disability. I do not wish to criticise. The officers were not aware of the sorts of activities which they should have undertaken to ensure that this person had appropriate facilities. There is an awareness problem. Mrs Burridge and her unit are making great strides in ensuring that people are aware of it. It now requires the government, and this Assembly in particular, to ensure that funds will be found so that disabled people are able to operate as fully as their handicaps will allow and play as full and proper a role in our society as they can.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would also like to take the opportunity to comment briefly in this debate and to thank the Minister for Community Development for his comprehensive statement on progress in this International Year of the Disabled Person. It is pleasing to see that the year is working very successfully throughout Australia in raising the awareness of the whole community to the needs, abilities and potentialities of handicapped people. Some of us will remember the so-called Tipping Report on the needs of the handicapped in the Northern Territory which highlighted some of the problems which the minister has mentioned again: the need to rationalise resources for handicapped and disabled people in the Northern Territory - something that has been very obvious to concerned people for some time - and the lack of information on the extent and the range of handicaps suffered by people in the Northern Territory. This has been a very limiting factor in the provision of appropriate services.

I would like to take this opportunity to raise the question of the education services for handicapped people, particularly for senior students in the Northern Territory. As the minister stated, education for disabled children is vitally important if handicapped children are to participate fully. It is unfortunate that things are not going altogether swimmingly at least in relation to the provision of a school for senior students. There have been considerable delays since a school was first proposed back in 1977. Honourable members might remember that, in February this year, I asked the Minister for Education a question about the delay in the provision of a special school to replace the Coconut Grove Development School at Ludmilla. The long timetable in this matter is rather disturbing. We hope that we will see some action as a result of the commitment which the minister has enunciated today and earlier and that this project will be completed after years of inexplicable, unnecessary and most unfortunate delay.

As far back as 1977, the Coconut Grove Development School was leased from the Handicapped Persons Association as a temporary measure to accommodate senior handicapped students. Officers of the Education Department then travelled south to investigate plans and the parents and citizens committee was spoken to in May 1978. They were told that the school would be completed by the third term in 1979. In August 1979, a tender was let to Venturin and bulldozers were moved to the site out on Trower Road. In September 1979, building started. In November 1979, the parents were told that there had been a delay but the school should be completed and occupied in July 1980 at the latest. In April 1980, it was reported that it would be ready for occupancy in third term 1980. Parents

were told later that occupancy would not be until the end of 1980 and probably not until the beginning of 1981. In December 1980, the principal was informed that occupancy would not be perhaps until the end of the first term in 1981. Later, the principal was informed that occupancy would not be until mid-year or later in 1981.

Thus, we have had delay after delay after delay. We are told now - and I begin to wonder how much longer this will go on - that the building will not be ready until 1982. This raises a number of points. Perhaps this is an example of why we need the International Year of the Disabled Person so that these matters will not be delayed year after year. It is easy to say that there are only a few people involved and perhaps other projects should receive priority. We should not have a facility of such importance to the handicapped being inexplicably delayed 3 and 4 years while other projects receive priority and are completed. I certainly hope that the Minister for Education, the Minister for Transport and Works and the Minister for Community Development will give serious consideration to the long delay in the provision of this facility which is absolutely essential to senior handicapped students in the Northern Territory.

In the meantime, the work that has been done by the staff of the facility at Coconut Grove - I have visited them and I know that the member for Arnhem has visited them - has been remarkable given the very adverse circumstances. The Education Department naturally has been reluctant to provide fixtures and additions to what was considered temporary accommodation. For 4 years, they have laboured under most adverse circumstances to educate these students.

The Minister for Transport and Works might well explain to the Assembly why this contract has been allowed to drag on for so many years apparently without the normal pressures being applied to the contractor to comply with the terms of the contract and without sufficient reason being given for the delay. This is the International Year of the Disabled Person. We would all like to have seen this building completed this year and even then it would be 2 years late. If it goes on into 1982, unfortunately that will be one area where we have failed in our provision of facilities for disabled people in the Northern Territory.

Mr Speaker, in other respects, I must say that the year is working well and I can only wish those who are closely involved continued success in their work for the disabled.

Ms D'ROZARIO (Sanderson): Mr Speaker, I support the statement of the minister. I wish to make a few remarks which are of particular interest to me.

I was interested to note in the minister's statement the extent of government and local government support of this particular year's programs. Members will recall that, last year, I suggested to the Minister for Transport and Works that, in all future public buildings, there ought to be specifications which would automatically enable barrier free access to disabled people. My statement was based upon the principle that public buildings, at least, ought to set the example to the builders in the private sector and that they also ought to cater fully for all members of the public who have legitimate business in those particular buildings. I am heartened to see that the Corporation of the City of Darwin is spending some money on ramp access through the central business district and also the list of buildings the minister has given us in which the parties concerned have said that they will modify their buildings to provide suitable access.

Mr Speaker, a matter that is of particular concern in my electorate,which is largely composed of public housing, is the question of housing provided by the Northern Territory Housing Commission for disabled persons. I would be the first to say that the Housing Commission by and large is extremely sympathetic to the requirements of its disabled tenants, but the measures which are being taken to satisfy those requirements are ad hoc. They are not acting, as I interpret the program, to any overall policy of providing houses to disabled persons. However, they are extremely sympathetic and will modify buildings as and when the need arises. Mr Speaker, may I address a few remarks to the Minister for Lands and Housing particularly and draw to his attention that some housing commissions and trusts in the states have had long-standing programs of provision of housing to their disabled tenants, and indeed to purchasers.

Mr Speaker, I would like to refer the Minister for Lands and Housing to the program which is currently being pursued - and indeed has been pursued for several years - by the South Australian Housing Trust. I can inform the minister that the South Australian Housing Trust has 3 distinct programs for providing rental housing to disabled tenants. These are quite comprehensive in their approach and there are approximately 680 dwellings in the entire Housing Trust stock that are specifically designed and modified for use by disabled tenants.

The first program relates to dwellings which are specifically designed from the outset for occupation by disabled persons. This of course means that the Housing Trust presupposes a certain percentage of its tenants would require this type of housing. Here again, we come back to the question of the information and data that we have upon the extent of disablement and, indeed, what the needs are. This seems to be the problem with the Northern Territory Housing Commission pursuing such a program.

A second program is that the South Australian Housing Trust will in fact purchase dwellings on the private market which are already designed for disabled persons and it will also purchase housing which has the potential to be renovated for use by disabled tenants. Of course, this is a fairly far-reaching type of program in view of the fact that most housing trusts and housing commissions build their own houses and do not enter into private sector transactions.

The third program is the one which the Minister for Community Development has told us the Housing Commission will be pursuing: the modification of rental dwellings to satisfy the needs of tenants who become disabled during the term of their tenancy. As far as the South Australian Housing Trust is concerned, its approach is quite comprehensive and it will not only provide ramps but also widen doorways, install grab rails through kitchens and service areas and completely remodel bathrooms and toilets for the use of disabled persons.

Mr Speaker, this matter is of particular concern to me because I have a large slice of public housing in my electorate. I do know of 1 or 2 cases where tenants have actually had to move as a result of serious road accidents because their needs have not been able to be met; there has been no suitable housing and the extent of renovations would have been so great that, in fact, they took the opportunity to renovate a privately-bought house.

The other matter is the question of employment. I noticed recently the advertisements in the newspapers asking disabled persons to contact the Public Service Commissioner. I am pleased to see that the public sector is recognising that disabled persons do have a right to gainful employment and that, where

they can be accommodated, they will be accommodated. I thank the honourable minister for his statement.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I am made very aware during this International Year of the Disabled Person of the capabilities of disabled people. That may seem an odd way of putting it but indeed that is something that is very clear to me. Many of these people who are disabled, who have lost some faculty, seem to be able to make up for the loss of that faculty. Many of these people overcome their disability and become leaders. In fact, many of these people are an inspiration to the rest of the community who have full faculties. Often they show greater capability than those who have every faculty available to them. Maybe it is a matter of application. It is a pity, I suppose, that sometimes people do not really blossom in their full character until something shocking like an accident has befallen them.

I would like particularly to mention a number of people whom I know personally and who are real leaders in this particular field. Michele Castagna has already been mentioned. She has been confined to a wheelchair but gets around with a great deal of cheerfulness and enthusiasm. She is throwing herself into this program. The people of Alice Springs all know Barbara Vaiana who is involved in everything. She is a very capable woman in spite of being confined to a wheelchair; she is a real inspiration. One man in particular whom I have known for a long time - and Alice Springs people know him well - is Jim Lester, an Aboriginal man. I have known him since I was about 16. Jim is blind, but a more cheerful fellow you will never find. He is happy and responsible and is doing a great job at the Institute of Aboriginal Development. Then we have Robyne Burridge, who is leaving this year, moving around the Territory inspiring people. All these people are leaders. They are proving themselves and demonstrating to the community their capabilities. They are a great encouragement to other people who have disabilities. I believe their efforts will make it easier for them to become part of the community and to be employed because people are starting to realise that these people do have much to offer and make very worthwhile employees.

I believe that the programs that have been outlined will help these people to lead full lives and are well worth while. I think the program should be ongoing and not just for this particular year. I believe that the aims of this IYDP program are starting to be realised and this will continue long into the future. I commend it.

Mr B. COLLINS (Arnhem): I will be brief. As the member for Fannie Bay has already said, we have both visited the Coconut Grove Special School on a number of occasions. I would like a statement from either the Minister for Transport and Works or the Minister for Education about something which concerns me. There is a great deal of trauma and strain placed on all members of families of handicapped children, particularly when they reach the stage of becoming young adults. It is a particularly stressful time for everybody. The parents of the children who are attending Coconut Grove Special School were told that their children would be able to be taken care of by the new facility in the third term of the school year 1979. They have been given a number of assurances during the intervening years about when this facility will be opened.

The promised opening date has now gone from the third term of the school year 1979 to some time in 1982. I would like the Minister for Transport and Works to explain to the Assembly why this contract has been allowed to drag on for 4 years and why the parents have been given so many promises that have been unfulfilled as to when this facility will be available. I would like him or

the Minister for Education to state exactly when this facility will become available.

Mr ROBERTSON (Education): Mr Speaker, I suppose I had better deal firstly with the concern expressed by the member for Fannie Bay and then later by the member for Arnhem in relation to the Henbury Avenue Special School. I might point out that the Alice Springs Special School is also being replaced as part of a design and build concept in the new Sadadeen area. I think a new special school for Alice Springs has been long overdue as is indeed the replacement of the Coconut Grove School. I too find that the way this contract has been allowed to drag on is quite unacceptable. I think members would be well aware of the difficulties. Indeed, these difficulties are so severe that applications have been made under the Companies Act to the Supreme Court and there is an arrangement applying at this moment to Venturin Constructions which has the contract.

Mr Speaker, we would all be aware that, if that contract is terminated, it will not necessarily result in a quicker completion of the building. We would then have to call for new tenders and there are significant cost increases in having to do that. We estimate that that additional cost would be in the order of $200,000. I can assure the Assembly that, if we could speed up that project and achieve what we want to achieve - not only the completion of that building this year but its occupancy and operation this year - then this government would very happily forthwith provide the additional $200,000. Unfortunately, it is not that simple.

All I can do is indicate to the Assembly that the Minister for Transport and Works and I will take from here on in a personal interest in this matter and will do everything conceivably possible within the law and within the range of options available to us to ensure not only the completion of that building this year but its operation this year. After all, the Coconut Grove facility is required for another purpose, consistent in fact with what this year is all about.

I would also like to advise the Assembly that Cabinet has very recently considered a proposal which is yet to go to His Honour the Administrator in Executive Council but I am quite sure His Honour would forgive me for pre-empting Executive Council in this particular case. Cabinet approved on 29 April the preparation by the draftsmen of the complete range of amendments to the Building Manual to ensure the very things that the Leader of the Opposition was talking about earlier, that is, notwithstanding the additional cost of the provision of services to handicapped persons, the government and the private sector must address themselves to that responsibility which we jointly have to those people, and I entirely agree, within the resources available to both of those sectors, with the proposition that we accept those responsibilities.

The proposal is for existing classes of buildings to have certain requirements placed on them. That includes both the government and the private sector. For those buildings regarded as class 3 buildings - which include boarding houses, guest houses, motels and residential portions of hotels - amendments will now require certain proportions of those units in hotels to be accessible to handicapped persons, particularly sleeping facilities, toilets and bathrooms. The proportion varies from 1 in 10 units to 1 in 25 depending upon the nature of the project. Class 4 and 5 buildings - will have similar requirements in respect of handicapped persons, as indeed will warehouses and public garages. Class 8 buildings, which include factories, will also have requirements imposed upon them. Clinics, hospitals, schools and cinemas will be similarly dealt with. I know that means the government will be imposing on developers in the Northern Territory a condition which will cost them money. Again, if we are

going to pay more than lip service to the International Year of the Disabled Person and to the interests of disabled persons for decades to come, then quite clearly we have a responsibility to grasp the nettle notwithstanding that it may be unpopular with certain people.

I do not find it a source of satisfaction that the government must amend manuals to force its own instrumentalities to do the right thing and also to impose conditions which force others to do likewise. It would be far better if government could keep out of being the heavy-handed guardian and it was done voluntarily. When we look at projects like that of Mr George Milatos - the Phoenix Resturant in Nightcliff - and the extent and expense to which he has gone to ensure accessibility of handicapped persons, we must commend him. I think that years like this probably trigger off in the minds of architects, engineers and developers their responsibilities in that direction.

The member for Alice Springs was talking about the height to which people lift themselves as a result of a handicap. I had probably one of the most delightful experiences I have had in a long time in Alice Springs after the Conference of the Australian College of Education. A patrol officer who was rendered paraplegic in a light aircraft accident on one of those weird strips that Papua New Guinea is rather famous for, now has 2 masters degrees and is proceeding towards a doctorate. In other words, he has completely diverted his energies from being a very fit, healthy, active man as a patrol officer in a place like Papua New Guinea to a pursuit of academic studies. He is the most friendly and happy man I have ever come across and I did not detect the slightest hint of self-pity. It is a source of satisfaction to me as I was the pilot of the first light aircraft that he had flown in for 15 years. After he was rendered paraplegic, he determined that he would never sit in one of those confounded things again. It gave me satisfaction to be responsible for lifting that bogeyman from his shoulders. Goodness knows why he chose a private pilot to do that when there are many better-qualified commercial people. Such is the courage of people like that.

Mr Speaker, I note with satisfaction the comments of the Minister for Community Development and I take on board those comments made by other members. I assure the Assembly that we are very much concerned to make this a really worthwhile year so that life in the future for disabled people in the Territory will be more fulfilled than it may be now.

Motion agreed to.

STATEMENT
Opposition Office Holders

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I advise the Assembly that, on the resignation of the former member for MacDonnell and the subsequent election of Mr Bell as the member for MacDonnell, the member for Arnhem was unanimously elected by the Parliamentary Labor Party as its Deputy Leader and the member for Nhulunbuy as Whip. The member for MacDonnell will retain the portfolio responsibilities of his predecessor.

MOTION
Appointments to Standing Committees

Mr ISAACS (Opposition Leader) (by leave): Mr Speaker, I move that Mr B. Collins be appointed to the Standing Orders Committee, that Mr J. Isaacs replace Mr J. Doolan on the Committee of Privileges and that Mr N. Bell replace Mr B. Collins on the Publications Committee.

Motion agreed to.

LEAVE OF ABSENCE
Member for Stuart

Mr HARRIS (Port Darwin) (by leave): Mr Speaker, I move that the member for Stuart be granted leave of absence for the duration of these sittings for reasons of illness. I might say here, Mr Speaker, that the member for Stuart is very sick at the present time. He is in hospital with pneumonia. I have a medical certificate to say that he will not be attending these sittings.

Mr SPEAKER: There is no need for a medical certificate. The member's request carries sufficient weight.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE
Funding of Health Services for the Northern Territory

Mr SPEAKER: Honourable members, I have received a communication from the member for Arnhem:

Dear Mr Speaker,

Pursuant to Standing Order 81, I wish to propose that the Assembly discuss this day the following definite matter of public importance: the effects of the cut in funds provided by the Commonwealth government for health services in the Territory.

If the honourable member is supported the discussion will take place. The honourable member is supported.

Mr B. COLLINS (Arnhem): Mr Speaker, the opposition believes that the fundamental principles that were used by the federal government in funding Northern Territory health services are wrong. The Labor Party is united with the government of the Northern Territory in its condemnation of the federal government's abdication of its responsibility in health care funding for the Territory. This fifth health scheme is in fact the fifth substantial change in health services in the 5½ years of the Fraser government. This scheme is not equitable, it is not responsible and it takes no account whatsoever of the special needs of the Northern Territory. The federal government has abdicated responsibility in the hospital sphere by including hospitals, community health centres and school dental scheme monies in the general revenue grants to the states and territories. This will mean that funding is untied and unidentified.

The Jamison Committee of Inquiry into the Efficiency and Administration of Hospitals was adamant that 'the existence of some form of identified funding for health services has come to be generally accepted as a measure of ensuring that a high standard of health care is available across state boundaries for the Australian population'. Every major national health organisation agreed with the Jamison Committee. The Australian Medical Association recommended: 'The present Commonwealth state hospital sharing-arrangement will be replaced by special purpose grants rather than absorption of the health budget in general purpose payments to the states. These special purpose grants are designed to maintain national health standards'.

Despite the assurances of the Northern Territory Minister for Health, it is difficult to accept that the curative health scheme, certainly in the way that it is being operated at the moment, and the school dental scheme will not be affected adversely by these arrangements because of the high institutional

demands of hospitals. In fact, if the services are undermined, regardless of the good intentions of the Northern Territory government, our health care services will inevitably have to concentrate on curative rather than preventative services and more people will be forced into seeking private insurance.

Under the new package, it appears that the Northern Territory faces, by my estimation anyway, a deficit of around $6.8m. In 1980-81, the Commonwealth expenditure in this area amounted to around $25.3m. By allowing for inflation at 10%, the Northern Territory should be funded $27.8m but the total amount that the Commonwealth is currently offering the Territory is $21m. Therefore, there will be a deficit of $6.8m. Part of the package is that the Northern Territory is expected to raise $11m from its own resources within its health services. I can only agree with the honourable Minister for Health when he said that 'the federal figure of $11m was out of this world'. I can no more than agree with him.

The Commonwealth expects $1m of this amount to be raised by increasing public ward charges from $50 to $80 a day. This is an increase that I am sure the Territory government will be forced to implement. In fact, it may even be higher than that, considering the high costs. $7m is expected to be raised by the increase in the number of insured. In 1979-80, 183,000 bed-days were public; that is about 88%. Only 24,000 bed-days were covered by insurance; that is 12%. If one includes a percentage of that 12% as people in workmen's compensation cases, that means that over 50% of people will be expected to switch to private insurance before very long. This is really a devastating and unreal expectation for the Territory, particularly in light of the fact that over 48% of the total occupied bed-days in Territory hospitals were by Aboriginal people. Despite mining royalties, these people are still extremely disadvantaged financially as well as in aspects of health care.

Mr Speaker, $3m of this sum of $11m is expected to be raised through Outpatient charges at a rate of $15 a consultation. I am advised by the honourable Minister for Health that the actual cost of providing this consultation is about $40. Based on last year's figures, which would be reasonably consistent with this year's figures, this would mean that only 10% of the Outpatients consultations at the hospital will be free and the other 90% will be covered by insurance. I am sure that the honourable Minister for Health will agree with me that this is an unreal expectation for the Northern Territory to fulfil. The figure of $3m is totally unrealistic.

From this $11m, the Commonwealth will claim back 60%, namely $7m. For the Northern Territory, this represents a 25% cut in funding. That is now the highest cut in Australia. Queensland was leading with 29% but, because of the Commonwealth's recognition of the special needs of Queensland, this cut has now been reduced to 22%. The cut is 23% for Tasmania, 18% for South Australia, 16% for Victoria, 14% for New South Wales and 13% for Western Australia. The Northern Territory is currently leading every other place in Australia with a 25% cut in its funding, despite the fact that 25% of our population is Aboriginal, a fact which the Minister for Aboriginal Affairs and the federal Minister for Health agree constitutes a very expensive area of health care.

However, the Jamison Committee recommended that the level of funding to the states and territories should be altered so the funds provided were based more closely on needs, taking account of population factors such as the Aboriginal component of the population. This has clearly not happened in relation to the Northern Territory, but it has in relation to Queensland. I seek assurance at this point from the Minister for Health that the case the Territory put was in fact comprehensive and adequate because reading Mr MacKellar's

statement on the reasons why Queensland received an extra $16m and comparing this with the Territory's situation is very interesting. I quote from Mr MacKellar's statement: 'It was argued that Queensland is a special case as it is the only state with a free hospital system. In considering the Queensland government's arguments, the Commonwealth was particularly mindful of the view expressed by the Jamison Commission of Inquiry that any changes to the public hospital system should be gradual and that sudden changes could be disruptive'. The Jamison report stated: 'Sharp, sweeping changes can be impractical and disruptive, much can be gained from continual small measures rather than sweeping structural change'. Mr MacKellar said: 'The government also took account of the fact that only 40% of the Queensland population has hospital insurance while the national figure is about 55%. It also took into account the fact that a much smaller percentage of patients in Queensland hospitals are paying patients whereas in the states such as New South Wales and Victoria well over 40% of patients are paying patients. Therefore, in the case of Queensland, I think it is questionable whether our assumption that 50% of public hospital patients would be paying patients is reasonable'.

These were the arguments put to the Commonwealth and they resulted in Queensland receiving an extra $16m. If those reasons are compared with the Territory situation, that conclusion is incredible. On the basis that Queensland received additional funding, the Northern Territory percentage-wise should have been granted far more. The Northern Territory has no private hospitals and like Queensland, in a practical sense, it could be said to have a free public hospital system. That is certainly not the case for insured patients but it is certainly the case for uninsured patients. The system is free to all those who need it to be free. In fact, the changes that will be made here are far more sweeping than in Queensland. In Queensland, 40% of the population has private insurance cover. Although no exact figures are available, it would be unreasonable to expect the figure to be more than 25% in the Northern Territory.

Mr MacKellar stated that Queensland has a smaller percentage of paying patients than the Australian average and yet the Northern Territory demonstrably has even fewer than Queensland. Further, the Northern Territory has even more difficulties to contend with financially than Queensland, as outlined in the Northern Territory's own submission to the Grants Commission for 1979-80. Some of the things that were mentioned in that submission are 15% higher labour costs in the Territory, 20% higher costs of goods and services, dispersed population, regional centres' requirements, aerial medical service and the fact that the needs of the Aboriginal population, because of their poor health, impose a greater demand on curative health services than elsewhere which means that the length of stay in hospital by Aboriginal people is much longer than it is for non-Aboriginals.

All these facts have led to additonal expenditure per capita in the Northern Territory. They do not represent unrestrained or irresponsible spending by the Northern Territory government. In 1979-80, Queensland's expenditure on health was $140 per capita whereas the Northern Territory's was $289. There are reasons for this, some of which I have already given. The number of occupied bed-days per 1,000 in Queensland was 1,161 as opposed to the Northern Territory's figure of 1,587. Again, the number of inpatients was 159 per 1,000 head of population in Queensland as opposed to 207 in the Northern Territory. This does not represent unprincipled, unrestrained spending by the Northern Territory government. I could continue at length but time does not permit. However, I believe that the illustrations that I have provided more than demonstrate that the Northern Territory's needs are much greater than those in other places in Australia and more deserving of recognition.

The federal government is forcing the states and the territories to implement a means test despite the fact that 7 months ago, during the federal election campaign, the federal Minister for Health was adamant that the government would not impose a means test on the public. This was said during the election campaign: 'There is absolutely no truth in the statement that the government is planning to restrict patients' free access to public hospitals by reimposing a means test for hospital care'. Seven months later, that minister had the audacity to say: 'A decision as to whether a means test will be imposed for access to public hospitals is entirely a matter for the states and territories concerned'. That's cute! They said before the election campaign that they would not impose it. They now abdicate their responsibilities, particularly in the case of the Territory, by restricting the amount of money available and they say: 'Well, it is up to you blokes. You can do it if you like'. They know full well that, because of restrictions on the global budget, we will have to.

The Jamison report opposed the means test on a number of grounds including the extra expenses involved in sickness because of the breadwinner's income being reduced and the fact that hospital administrators were unanimous in their opposition to a means test and even gave evidence that the collection of bad debts by the hospitals is an absolutely horrendous job. The Jamison Commission considered various proposals for formalising such a means test and found major objections to all of them.

The commission's objections come through loud and clear. If we assume the Northern Territory adopts the Commonwealth definition of the 'socially disadvantaged' - these are the people who are going to get 'free health care' - the consequences would be disastrous. The figures suggested by the Commonwealth are $160 per week combined income for a married couple $90 per week a single person. This means that, if you are married, the combined income must be less than $9,000 a year and, if you are single, it must be less than $4,500. As I said to the Minister for Health yesterday, people earning those sorts of incomes in the Northern Territory would really need health care because they would have to be treated for malnutrition.

The problem is that there will be an enormous grey area. Fifty per cent of Australian wage earners earn less than $10,500 per annum. There will be a large grey area of people who do not qualify as disadvantaged enough to receive free care yet who cannot afford what everybody can see will be escalating insurance costs. They will simply take a gamble on their health and on the health of their families. Many of them will lose that gamble. States and territories will have to impose rigorous legal means of recovering debts, as I am sure the minister realises. Otherwise people, with some justification, will not take out insurance on the basis that if they become ill somebody will have to look after them. If they run up a bill of $5,000 - not at all unreasonable, considering the amount of money that will be charged per day - that would be a bad debt which the government would have to write off. The government cannot be placed in that position. It means we have to go back to this horrendous business of gunning for people on low incomes by quite severe legal methods of recovering what will be considerable bad debts. I suggest that that will certainly happen. Migrants and refugees will be given free health care for the first 6 months. Pensioners and special beneficiaries will also be given free health care if they meet the means test.

Many needy people will miss out. I refer to such people as old age pensioners who, as a result of careful saving, will be just over the cut-off point. I must make some comment - and I am fairly annoyed about it - on the contribution that has been made to this debate by our federal member. At a time when the Chief Minister and the Minister for Health have been kicking up

a stink - and I can recall 5 consecutive issues of the Northern Territory News where their comments were featured on the front page - the only press release that we have had from our federal member made soothing noises and said that everybody is being misled and the government's proposals are terrific. Great stuff! One thing I take particular exception to is this, and I am quoting Mr Tambling: 'Close to 3 million Australians or a quarter of the population will be protected by the Commonwealth through special arrangements to cover their hospital and medical bills under the new policy'. Could I ask the Minister for Health to advise Mr Tambling that the disadvantaged, the people who will receive 'free health care' will have their tab picked up by the Northern Territory government, not the Commonwealth government. The $40 consultation fee for outpatient care alone will be paid out of the total funds allocated to the Northern Territory Department of Health. Perhaps somebody could point out that to our federal member. I know that he is capable of being educated. After the election, I noted with some interest that he made a public statement saying that the 2-airline policy was the best thing for the Northern Territory since sliced bread. He will now cross the floor and vote against it. Perhaps the honourable Minister for Health can persuade him to do a better job on our health funds than he is doing at the moment. I stress again that it is important that the public realises that the bill for these disadvantaged people receiving free health care will be paid by the Northern Territory Department of Health, not by the Commonwealth government.

Mr MacKellar says that the thrust of his health funding proposals is fair and reasonable and, as a consequence, the efficiency of hospitals will be improved. What a nonsensical proposition that will be! You take away enough money to run the hospitals efficiently and their efficiency will improve. What will happen is that hospitals will be drained of funds and forced to deal with bad debts and administrative chaos. They will certainly have to increase their staff in the clerical areas and the departments which will have to determine who is a disadvantaged person will also have to increase their staff. In the clerical area, expenditure will have to escalate.

Everyone considers that private insurance contributions will rise by 50% and this will cause the CPI to rise. Not unrealistically, it will cost $600 per annum for health insurance. It is these people in the grey area between those below starvation level and those on a high income who will run the risk of incurring these costs. This figure is astronomical given the fact that the Northern Territory's own Treasury has estimated that Territory families already face a cost disadvantage of $88 per week for living in the Territory.

The honourable federal member refers to the fact that pensioners will be okay because many of them already have health insurace. In fact, they will be better off because they will receive a 32c in the dollar rebate on their tax. Of course, this is nonsense. It is not the bonus it appears to be because it will be cancelled out by higher health contributions and the abolition of half tax indexation on 30 June 1982.

Future services offered to hospitals, community health centres and school dental services appear to be under a very great threat under this fifth health scheme. No longer will there be free and open access to public hospitals. Most Territorians, particularly the marginal groups of socially disadvantaged people such as Aboriginal people, handicapped people and people who need psychiatric care - and my colleague, the member for Fannie Bay will speak on this when she contributes to this debate - will be worse off. The only beneficiaries, in fact, will be private health insurance companies and private doctors. From my own recent experience, if the private medical practitioners in the Northern Territory intend to provide anywhere near a comparable service

to that provided by our public health system, they will have to improve their act a great deal.

Mr Speaker, I want to conclude by saying that, at the end of this year, the Australian government will host the Heads of Commonwealth Countries Conference. That conference will cost Australia $12m. It will cost at least a further $150,000 to have 40 politicians from the federal parliament running around the world hand delivering invitations to countries in which Australia has already a very professional, expert and diplomatic presence. I know it would disturb the leaders of a great many of the black nations that are attending that conference - certainly of the 3 that I was able to speak to last year - that the Northern Territory government's practical proposal of a 5-year plan for the improvement of environmental health, where most of the problem lies, will not be implemented. Nobody is in any doubt that there would be a dramatic, immediate, improvement in Aboriginal health if that plan were implemented.

The federal government is refusing to fund that program, and I am sure that those heads of Commonwealth countries would be most disturbed to learn that we were spending $12m on that conference and the Territory this year will be getting $2m to spend on improving environmental health. I wonder how many more Aboriginal people will need to die, how many more Aboriginal infants will need to die and how many more Aboriginal people will need to go permanently blind before the federal government puts its money where its mouth is.

Mr TUXWORTH (Health): Mr Speaker, I am happy to rise this afternnon to support the expression of concern outlined by the honourable member for Arnhem this morning as it relates to Commonwealth funding for the Northern Teritory health services. While we have our own problems, it is important that we regard ourselves as part of the Australian community where the enormous cost of providing health services has risen to a figure close to $12,000m this year. This figure will be paid by private health funds, the federal government, state governments and local governments to some degree. It is a staggering amount of money and there was no doubt in the minds of all the ministers at the health conference which I attended that there is a limit to just how much you can take out of the public purse before private individuals are asked to pay. In short, we believe that the federal formula that has been adopted by the government will leave us about $6.3m behind the financial position we would have had if we had continued with the previous system. Although the Commonwealth government acknowledges the special disability of the Northern Territory, we are having extreme difficulty getting it to undertake a top-up once we have demonstrated that disability.

The Commonwealth controlled the health service in the Territory for about 70 years and, on 1 January 1980, it handed it over to the Northern Territory. Our funding arrangements were the same as the states except that we did not have any specific grants for Aboriginals built into our health allocations. Our Aboriginal consideration was built in without being a specific grant. Because of the concern felt by the Commonwealth at the increase in health costs in this country, it commissioned the Jamison inquiry. Mr Jamison made in the order of 120 recommendations. It is interesting to note that the Commonwealth has picked out those recommendations which it believes are relevant to cost cutting and most of the others have gone by the way. Nevertheless, the recommendations are there and, from time to time, we are able to resurrect them to substantiate our arguments.

At 3 ministerial meetings, I have had the opportunity to place our disability quite catergorically before the Commonwealth. The Commonwealth on each

occasion agreed that we have a particular problem but it will not commit itself to additional funds. Our disagreement over the funding is simply in the formula and the calculation of the Northern Territory's needs and its revenue-raising capacity. The Commonwealth is offering us approximately $28m - which is last year's amount - plus 10%, less that $7m that the Commonwealth believes we should be able to raise on our own account. Our particular argument is that the Commonwealth is working on a guestimate because in the Northern Territory there is no baseline data for the Commonwealth to make any assumptions on. It is not prepared to listen to the advice of the Northern Territory people who have some experience in what is possible and what is not possible. The Commonwealth is taking an unreasonable position. The fact is that the Territory has 50% of its bed-days occupied by Aborigines. This makes the number of disadvantaged people in the Northern Territory about 70% of the community and not 50% as it would be in the other states.

We also believe that there will be many Aborigines in the community who are not classified as disadvantaged under the Commonwealth's terms but, nevertheless, will not have the capacity to pay medical benefit fund levies or hospital costs. One of the concerns is that these people will choose not to enter the system or ultimately become a bad debt on our government. It is this 20% disability that we believe will cost the $6m.

I must emphasise that this government does not anticipate any reduction in services, particularly in the community health and the school dental programs. The honourable member for Arnhem suggested this morning that this might be so and I would deny categorically that this is the case for the simple reason that our emphasis is on preventative care rather than curative care. Every person we keep out of a high cost medical institution is a saving to the whole community, and we effect that through prevention. This morning the honourable member, as is his wont from time to time and I appreciate that it is more often from zeal than from anything else, became a little carried away with his assertions about the size of the cut. The $6m cut that we are talking about represents 25% of what would be the Commonwealth's cost-sharing contribution for hospital beds in the Northern Territory. The honourable member did not put it quite like that but, if he is patient, I will just explain to him the difference.

The honourable member said that there was 25% in health funding for the Northern Territory. Our health funding is made up of about $50m for hospital bed costs, plus another $35m to $40m for operating costs in the community. The 25% cut that we are talking about is of the Commonwealth contribution which is $25m to $28m. The actual reduction in the total health expenditure would be of the order of 5% or 6%. I think it is important, Mr Speaker, that I make that point because, if we are to maintain credibility with the Commonwealth on this issue, we must have our facts correct or it will dismiss us as being irresponsible and probably not worthy of further consideration.

The member for Arnhem touched on the top-up of $16m that Queensland received. I regard that as a plus for the Northern Territory in the sense that the door is open and a precedent has been set for additional top-ups. As the honourable member said, Queensland had been disadvantaged at the rate of 29% which was greater than any other state. Jamison had recommended for Queensland a gradual transfer to cost-charging and revenue-collecting. All state ministers at the conference agreed that the $16m that Queensland had been offered was a very insignificant figure in view of the job before it even if charges were introduced. The advantage that Queensland had that we in the NT did not have was that it had statistical, baseline data to argue a case. We do not have such data available at this stage.

Mr Speaker, I would like to read part of the Northern Territory's argument concerning its disabilities:

The following sets out the Northern Territory case for a topping-up of the funding level proposed under the new arrangements. This case does not dispute the decision to introduce charges nor the proposed level of charges. What are questioned are the statistics upon which the total potential revenue attributed to the Territory by the Commonwealth is based. The overriding factor affecting revenue-raising for both inpatient and outpatient services in the Territory is the high number of disadvantaged persons as a percentage of patient bed-days and occasions of services. Over the past 15 years, the Aboriginal population has represented a decreasing proportion of the total population of the Territory, from 36% in 1965 to 22% in 1980. However, the number of Aboriginal inpatients has gradually increased as a proportion of the total inpatients over the past 4 years, as is evidenced in the following statistics. In 1976-77, it was 28.83%; in 1977-78, it was 29.54%; in 1978-79, it was 31.82%; and in 1979-80, it was 34.75%.

The trend in the first 6 months of 1980-81 shows that the percentage for this year will be approximately that of 1979-80, 34%. Whilst representing only 22% of the total population and 35% of the total inpatients, the significant factor in relation to potential revenue calculations is the percentage of total bed-days taken up by Aboriginals. The average length of stay in hospital by Aboriginal patients is 10.1 days as compared with 5.4 days for the remainder of patients. The proportion of occupied bed-days relating to Aboriginal patients has increased steadily over the past 4 years. For 1976-77, it was 40.31%; for 1977-78, it was 46.14%; for 1978-79, it was 48.32%; and for 1979-80, it was 48.53%. The trend in the first 6 months of 1980-81 indicates that the percentage this year will be 49%, a further increase over previous years. It is anticipated that the percentage for 1981-82 will be in the vicinity of 50%. From these figures, it follows that 50% of the potential revenue from inpatients applies to Aboriginal people and therefore, in our estimate, cannot be collected.

No statistics are available to us on the percentage of bed-days occupied by pensioners and other disadvantaged persons. However, factors to be considered are the high transient population, particularly during the dry season, the majority of whom fall into the disadvantaged or the bad debtor category, and the fact that a disproportionate number of patients resulting from accidents, brawls, lack of hygiene and preventative health measures come from the lower socio-economic groups, the majority of whose members are disadvantaged. It is estimated that the pensioners and disadvantaged will utilise 20% of our inpatient bed-days. From the foregoing, it follows that 70% of the inpatient bed-days are not chargeable which in turn means that any revenue calculation must be based on the premise that only 30% of our population will be paying bed-days.

I read that into Hansard for the benefit of members because it is really the statistical premiss on which we are arguing our case.

The member for Arnhem raised the per capita issue. I would just like to say to members that this is an argument that can backfire on us badly in the sense that, if a per capita argument were adopted by the Commonwealth, the people who would run away with the largest share of the financial cake for health would be Victoria and Queensland. I can assure you that those 2 states would be only too pleased to have the health cake divided up on per capita basis.

A part of the dispute between ourselves and the federal government is the capacity of the Northern Territory to raise revenue. Within the suggested Commonwealth funding figure of $28m, it has been proposed that the Northern Territory should be able to raise $11m by the introduction of charges. The Commonwealth feels an increase in inpatient fees from $80 to $110 a day, where the increase is shown as a result of 50% of the people paying for the beds, shows an income of $7m. By our calculations, it would be $2.6m. The Commonwealth further believes that we can raise charges for outpatients of $15 based on charging 50% of the total number of occasions of service and, by this, we should be able to raise $3m. Our calculation is $1.5m. The Commonwealth figure is based on the assumption of 50% of patients being chargeable and the Territory's figure on the assumption that only 30% is chargeable. The Commonwealth is saying that 50% of our community can pay for its outpatient consultations; we are saying it is more likely to be 30%. On the basis of the Commonwealth assumption, the $11m represents a $2.1m overestimation of potential revenue whilst, on the basis of the Northern Territory's statistics, the overestimation is in the order of $6.3m. The great difficulty we have with the Commonwealth is getting it to say that it will pick up the shortfall if its estimate is proven to be wrong. This government has already said that, if it is proven to be wrong in its calculations, we will be happy to give the Commonwealth the money over and above what we think we can raise. That is a very reasonable position to take. Unfortunately, the Commonwealth has not seen fit to accept that offer.

The member for Arnhem referred to the means test and debt recovery. I would like to read into Hansard the Commonwealth criteria and definitions relating to disadvantages. I will endeavour to send all members copies of this in the months to come; it will be a bible for their daily working activities. The Commonwealth definition of the disadvantaged will include the following; migrants and refugees in the first 6 months in Australia - no income test; current unemployed and special beneficiaries, including dependents with private incomes below the PHB limit - that is $40 per week for single people and $68 per week for married couples with an additional amount for children - will not qualify for other Commonwealth PHB fringe benefits; and a married couple who have a joint income of less than $160 per week plus $20 for each child. For a sole parent with 1 child, the income limit will be the same as for a married couple, that is $160 a week and for each additional child the limit will increase by $20. For single people without dependants, the income limit will be $96 a week; that is, 60% of the income limit for married people. The Department of Social Security will be responsible for identifying all 3 groups of disadvantaged with advice from the Department of Immigration and Ethnic Affairs in relation to migrants and refugees.

The paper states: 'In general, migrants and refugees or people in receipt of unemployment or special benefits would be identified through existing arrangements prior to receiving medical or public hospital treatment. Low-income persons could approach the Department of Social Security to be assessed prior to seeking such treatment. Some eligible low-income earners will not have been assessed before treatment. This can be overcome by using existing machinery. For medical treatment, an account would be raised by the doctor following assessment by the Department of Social Security. An identification document would be issued. The patient would then either be approached by his doctor for a bulk billing of previously rendered services or seek from the ....' I can't read that last line, Mr Speaker. 'For subsequent services, the doctor would merely bulk bill or issue an account. For public hospital treatment, the hospital would raise an account and set it aside until the application for disadvantaged status had been assessed. On assessment of disadvantage, the amount would be written off. If a person was not accepted as disadvantaged, the patient would be responsible for his own expenses. Migrants and refugees

would receive eligibility on arrival and unemployment and special beneficiaries would be assessed each fortnight as they are for benefits under present arrangements. Low-income people, once assessed, would generally receive eligibility for a 6-month period before reassessment. The exact nature of the administrative arrangements and identification documents for persons classified as disadvantaged is yet to be determined. Details of the new arrangements will be widely publicised'.

Irrespective of how much advertising the Commonwealth department does in relation to that list of criteria that I just read out, to apply it to Lake Nash, Docker River, Oenpellie and a hundred other places in the Northern Territory is the greatest load of codswallop that I have ever had to listen to.

Mr Speaker, the honourable member for Arnhem was concerned that hospital efficiency would decline because hospitals would be drained of funds. I do not accept that premiss because of the argument that I put forward earlier that the user-pays principle will still provide revenue for hospitals. It was the amount of money for the disadvantaged that we were fighting about with the Commonwealth and this will have to be made up either by this government or by the federal government.

There are several things that must be done and I would like to outline them for honourable members. It is important that this government goes to Aboriginal people in the Northern Territory in their various communities to explain to them that the user-pays system will probably put them at a disadvantage unless they take insurance or make provision for paying. There is an ideal opportunity to encourage some communities to have a bulk arrangement with medical benefits funds or the government for hospital insurance or some communities may elect to take out of their community funds the actual cost for hospitalisation to meet payment for members of their community. In other communities, I believe there is a capacity for communities that have large royalty accounts to use some of those accounts towards paying for hospital costs that are incurred by members of those communities.

It is important that we explain to the communities that, where services are rendered and not paid for, we have no alternative but to pursue the collection of those expenses. The government also has a responsibility, Mr Speaker.We have started already. We will be following this up with TV and press advertising in the weeks to come in an effort to promote membership of funds by all the people of the Northern Territory so that the hospital costs incurred, wherever possible, will be met by insurance or hospital funds. This is new for the Northern Territory. In fact, we will have a whole generation of people in a particular age bracket who have never been subjected to paying any health charges at all. It will be new for them and they will have to get used to the idea quickly or they could be up for quite considerable amounts of money. I have also written to employers in the Northern Territory encouraging them to get their employees into medical benefit funds either as agents for the funds or as a bulk group who happen to be on the payroll. I think this is in the employers' and the employees' interest because every day a man is in hospital paying about $140 that he cannot afford, he is also a liability to his employer.

I have written to 300 medical benefits funds in this country in the last week asking them to make provision in the Northern Territory for their funds to receive medical benefits payments and pay accounts. I do not expect that all 300 will be active in the Northern Territory. I hope at least 2 from each state will wish to set up offices here for the collection of medical benefits payments and also for the payment of accounts for services rendered in the Northern Territory.

Part of the strategy will be to go to tender again for the letting of the Darwin Hospital to be used as a private hospital for the people of the Northern Territory. In every community in this country, there are private hospitals. 50% of Australians elect to go to private hospitals. I think that same choice should be available to people in Darwin. Now that we know the rules for funding hospitals in Australia, I believe we will obtain a much better response from possible takers for the private hospital as soon as we put out our advertisement.

Another area in which we are becoming active in order to lessen the burden is the establishment of more nursing homes in the Northern Territory for the disadvantaged, the disabled and the aged. The fact remains that we do not have an infrastructure of this type in the Territory other than the Old Timers Home in Alice Springs and the geriatric or Chan Ward in Darwin Hospital. All our nursing patients who would normally go to a nursing home environment, which is much cheaper than hospital, are in our hospitals. We have 55 nursing patients in hospitals at any one time and it is costing us $100 a day more than it might if they were in a more suitable environment. It is therefore in our interest to establish homes through the Department of Social Security and attract the subsidies for the nursing homes that exist in all the states. This will alleviate a great deal of the cost burden on the government in the administration of hospitals.

I would like to touch on the Psychiatric Unit and the Geriatric Unit at the old Darwin Hospital. Honourable members would recall that, when the Northern Territory took over the health responsibility, there was no formal psychiatric unit in the Northern Territory. There certainly was no branch within the department, although there was a very small band of willing people in the Northern Territory Health Department who carried out, under very difficult circumstances, psychiatric treatment and services for patients. It was the transfer of health services to Casuarina and the government's determination to provide a proper psychiatric unit in Darwin that enabled us to operate Ward 2. We will be extending that facility as and when funds are available. The fact is that we do not receive a financial consideration from the Commonwealth for doing that whereas psychiatric units in the states do have special funding provisions. At present we operate our geriatric ward under hospital arrangements; it is important that we establish that geriatric ward under normal nursing home arrangements and thus broaden the base of our health funding.

I am happy to obtain support from anybody in this battle with the Commonwealth. I think that it is important that we are rational and present a well-argued case. If we do that, we will get the support of the ministers of all the states, which is important when we are looking for more money because, if they gang up on us, we will not be in the race. I thank members for their support for what has been done and what ought to be done. I only hope that we can bring home the bacon.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Minister for Health has provided interesting information and some welcome news, not least of which is his recognition of the need for nursing homes for disadvantaged, disabled and aged people in the Northern Territory, and his acknowledgement of the deplorable situation with regard to psychiatric services in the Northern Territory. These groups of people who need these services are the ones who are most disadvantaged when funds become tight in health services. Certainly in the Northern Territory their situation is so deplorable at the moment that we cannot afford to have it regress any further. The funding policies of the federal government regarding health and its totally unrealistic attitude to and definition of disadvantaged persons has caused this situation.

There has been recently some publicity about the lack of psychiatric services in the Northern Territory. A meeting was held recently which I attended with the member for Arnhem. I am assured that all members were invited so I do not know what happended to the Minister for Health's invitation because I read in the paper that he said he was not invited. It was a most interesting meeting. One of the things that most shocked those of us who attended was the comparison between the facilities, inadequate as they were, which existed in the early 1970s in the Northern Territory and those which exist today. In fact, the services have deteriorated, facilities which were in existence then are no longer in existence and staffing has certainly not improved.

Some information which was compiled by Dr Eastwell in 1972 was presented to that meeting. I remember Dr Eastwell and also his predecessor, Dr Cowdy. It is not a reflection on their successors that the situation has deteriorated, but nevertheless it has. Those 2 gentlemen worked very hard, and so have the other dedicated people, in the area of psychiatric services. In 1972, there were 28 beds in Ward 1, Darwin Hospital, for inpatient psychiatric services plus outpatient facilities. At the moment, there are 20. There is a unit in Alice Springs which is not staffed. The psychiatric day-care centre, which opened after 1971 and which was under construction then, no longer exists because of lack of accommodation and inadequate staff. Arrangements were made with the South Australian authorities for the treatment of our chronic cases. We now know that this arrangement is no longer to continue and some of these people are being returned to the Northern Territory.

There was consideration of a hostel for the handicapped by the Slow Learners Association; that is no longer in existence. The staffing situation in the Northern Territory was then 25 staff per 100,000 population; it is now only 27 staff per 100,000 population compared with figures of a decade ago. It is 95 per 100,000 population in New South Wales, 105 per 100,000 population in Victoria and 77 per 100,000 population in South Australia. It is true to say that those of us who received that information at the meeting were pretty shocked to find this out. We wondered how on earth the Chief Minister could have made the following statement which we had read in the newspaper only a short time earlier: 'The facilities provided on a per capita basis are generally above those provided by state governments to their major urban centres'. Mr Speaker, that cannot be true. The situation in the Northern Territory has become worse than it was a decade ago. There is no way in the world we can compare the staffing and the standard of facilities available in the psychiatric field in the Northern Territory to that available in other places. Certainly, the blame does not lie solely with the current government which has only had responsibility for health for a couple of years but, nevertheless, in those 2 years, little or nothing has been done to improve the situation.

The Chief Minister made that statement in reply to criticism from a member of our Supreme Court bench on a case being heard in Alice Springs. I would like to quote from that because it brings us back to a debate we had earlier today on the facilities for the handicapped. He said: 'In this year of the handicapped, one would expect much better facilities to be provided in the Northern Territory for people who are mentally or physically handicapped. The psychiatric facilities in the Northern Territory are appallingly inadequate. One gets the impression that the health services are only paying lip service to the provision of any sort of facilities for the mentally ill'. The sadness of the current situation on health funding is that, if things go ahead as the federal government would like them to, the situation can only become worse. We cannot afford for it to become worse. It is deplorable already.

I have also received a report relating to psychiatrically disturbed criminals in the Northern Territory by a psychologist who has worked with them as a consultant. He also refers to the non-existent provision for psychiatrically disturbed criminals in the Northern Territory: 'Accommodation is simply non-existent. Reliance on transferring such people interstate would no longer appear to be appropriate. With the increase in population in the Northern Territory and the influx of white influence into the Aboriginal culture, there would appear to be an increasing number of criminals with psychological disturbances. Provision of suitable institutions is imperative for such persons'.

Mr Speaker, we do not need to go on quoting people who have pointed out the deplorable state that exists in this area, yet nothing has been done thus far. I certainly hope that the government can see its way clear when it considers health funding, to rearrange its priorities to ensure that more funding is available for these people because they are very much out of sight, out of mind. They cannot look after themselves. The Minister for Health and I can look after our health insurance if we have to. There are many people in the Northern Territory who cannot and these are the people who will suffer even more.

The aged citizens in the Northern Territory will also be even further disadvantaged by the new federal government policy. Recently there was a meeting for the 25th anniversay of the Australian Pensioners' Federation. It issued a very stirring statement of which I have a copy in front of me:

> *This conference of the Australian Pensioners' Federation, held on the occasion of its 25th anniversary calls upon all its affiliates to act in concert to give full effect to all the vital decisions arrived at in unity and accord. This conference has been remarkable not only for the fact that it is fully representative of all the states and territories of the Commonwealth for the first time, but is notable for the fact there has been common and urgent realisation of the acute and grave problems facing it, leading to unanimous agreement. Being representative of the most active, mature and experienced of all those citizens living within the vicinity of the disgraceful poverty line, it can make claim to be a type of parliament of this section of the Australian people, whose duties and responsibilities go far beyond the confines of a narrow economic program. Conference draws attention of the public to the detestable activities of the Razor Gang and of government attempts to offload the economic malaise onto those least able to bear the consequences.*

Mr Speaker, I thought that was an excellent exposition of the policies of the federal government and I certainly hope that the Northern Territory government is not going to go along with that. The Australian Pensioners' Federation referred particularly to health problems: 'In the field of hospitalisation, the position continues to deteriorate by the day. Whilst there are patients requiring treatment, either physical or psychological, we see that whole wards are closed. Yet at the same time patients are sleeping on the floor on mattresses. The many dedicated staff in such conditions seem likely to become mental patients themselves as they struggle to do the impossible'. That certainly is the situation with regard to people working in that area in the Northern Territory. They are struggling to do the impossible. 'Conference calls upon governments, both state and federal, to stop buck passing and to provide the very necessary health and backup services so urgently needed. We deplore the cuts already taking place in the funds for the building of homes for the aged and ill, for Meals on Wheels and Home Help. We deplore the long wait by pensioners for dentistry, hearing aids, optical and chiropody services'. They do not exist in the Northern Territory at all. 'We urge the addition of geriatric wings to each hospital plus the speedy and efficient training of hospital personnel'.

Mr Speaker, the Minister for Health has already pointed out the totally inadequate situation with regard to geriatric beds in the Northern Territory. I for one welcome his commitment to the need for more nursing homes in the Northern Territory. At the moment, we have only a few beds available at the old Darwin Hospital. There are currently 55 people in an acute condition who should be in nursing homes throughout the Territory. There is the Old Timers Home in Alice Springs. I understand there is a wait of considerably more than 12 months before you can get into that establishment. There is nothing available in the Darwin area at all.

The Northern Territory government has outlined the very admirable policy of aiming to keep the older, retired people in the Northern Territory. If they become too ill to look after themselves, it is not good enough to say that we will then pack them off to the states. Beside that, states do not want our disadvantaged, disabled and aged people any more because they are facing similar funding cut-backs. We will have to face the situation of providing facilities for those people who are unable to care for themselves. We cannot allow the disgraceful situation which exists in these areas to continue in the Northern Territory.

Mrs LAWRIE (Nightcliff): Mr Speaker, the member for Fannie Bay has given us an insight into certain disadvantaged groups and the problems which they face in health-care funding in the Northern Territory. I think that the Minister for Health has recognised this as have other speakers. I am a little more censorious of the Northern Territory government because, in the debate today, we have all agreed on the need for further health funding and we have apparently agreed that the bogeyman is the federal government. Surely we recognise that the Northern Territory government has the same philosophy as the federal government, a most conservative philosophy even given the history of various conservative governments in Australia. It has adopted the policy of the user pays and it is busy dismembering the concept of a universal health scheme which was brought in by Gough Whitlam, to his credit.

Here we have states and territories quarrelling over the division of spoils with the federal government to ensure in fact that all Australian citizens, regardless of where they live, regardless of their racial origins, have access to reasonable and basic health care. This point seems to have been largely ignored in the debate today. I do not intend to join the Minister for Health in the Northern Territory in his fight with his federal colleagues without bringing to the attention of the Assembly and the people of the Northern Territory the fact that they both agree basically with that philosophy. Mr Speaker, the user pays indeed. The user pays through his taxes. We know that we are one of the most highly taxed people in the western world. The original Medibank worked well. Of course, in its settling down period, there were some problems. However, they were not with the users but with the medical profession some of whom launched into unnecessary procedures which were identified. In some cases, people were prosecuted. That is no excuse for the variety of health funding programs put forward by successive, totally conservative, federal government ministers which have left the people of Australia in a state of total confusion, which have provided the various conservative state governments with a nice little whipping boy defence and which totally fail to take cognizance of the fact that those state governments which are bleating the loudest are the closest in philosophy to the federal government which is wielding the axe. For a relevantly affluent country like Australia to start drawing such arbitrary divisions in health care as to who can pay for what and to ignore the demonstrable fact that we are entitled through our high taxation to basic health care is ludicrous and ridiculous. It appears to me that not one word has been said today about that.

There are countries throughout the world notwithstanding their political philosophy, be it conservative or otherwise, who have universal health care. No matter what the complexion of its federal government and various state governments, the sooner this country gets back to a recognition of that, the better for all of us. One of the alarming facts which people face travelling to another affluent western democracy is the high cost of health care in the United States of America. In fact, the cost there puts it beyond the reach of the ordinary citizen. I fear that our country may be following that philosophy and that our citizens may be grossly disadvantaged because the states quarrel amongst themselves and because our Prime Minister is actively promoting a federal system which fosters this rivalry for our dollars - not Queensland dollars or Territory dollars or any other dollars, but the dollars of the Australian taxpayers.

Of course there should be special recognition for special needs, but the recognition should start at the basic level that every citizen of this fortunate country is entitled to basic health care. They have already paid for it by means of the taxation system. Above and beyond that, if they have the means for special consideration, for a choice, that is excellent. They may make that choice and they can pay for it. However, this debate today, and you will pardon the pun, has basically sickened me because I believe we are falling into the trap of saying, 'Aren't we good fellows; it's us against the feds'. We are not, Mr Speaker, because the government of the Northern Territory espouses the same philosophy as Malcolm Fraser.

Mr SPEAKER: Order! The honourable member is not speaking to the subject before the Chair: the effects of the cut in funds provided by the Commonwealth government for health services in the Territory.

Mrs LAWRIE: May I speak to the point of order, Mr Speaker? I am indeed speaking to the effect of the cuts in funds coming from the federal government.

Mr SPEAKER: In my opinion, honourable member, you are not. You have diverged very widely from what the debate is about.

Mr ISAACS: On the point of order, Mr Speaker, the member is referring to the debate. If you have allowed the debate to carry on, surely the member's remarks are relevant. If you have allowed points that have already been made, and she is now referring to the debate, surely her remarks are relevant.

Mr SPEAKER: The honourable member will confine her remarks to the effects of the cut in funds provided by the Commonwealth government for health services in the Territory.

Mrs LAWRIE: Thank you, Mr Speaker. The effects of the cutbacks in government funding for health services in the Territory affect not only Aboriginal people and pensioners but every taxpayer. This was the tenor of my remarks. We are going to see the introduction of a variety of charges for health services and that introduction comes as a direct result of the philosophy of the federal government, the same philosophy that is espoused by the Northern Territory government. To negate the effect of the cuts in federal funding for Northern Territory health services, Mr Speaker, we would have to recognise my basic philosophy which is that every taxpayer in Australia, regardless of where he lives is entitled to basic health care above and beyond the principle of let the user pay. Until every member of this Assembly recognises the difference in what has been said today and what I am saying now, we will be just whistling in the wind. We are indulging in a mutual self-congratulatory phase which does us no credit.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I certainly recognise the remarks of the honourable member for Nightcliff as irrelevant to the terms of the matter raised by the honourable member for Arnhem. It is difficult for me to reply during the course of this debate although I would like to take exception to some of the remarks of the honourable member for Nightcliff at a later time.

The honourable member for Arnhem's matter of definite public importance was the effect of the cut in funds provided by the Commonwealth for health services in the Northern Territory. Addressing myself strictly to the words, I would like to say at the outset that I certainly commit the government - and I think my colleague, the Minister for Health, has done this on previous occasions - to the statement that there will be no downgrading of health services in the Northern Territory despite the cut in funds. The Northern Territory government will do everything it can to secure more funds from the federal government. I believe that the efforts of the Queensland government in this regard are commendable; they certainly open the gate for efforts by other states such as Western Australia, Victoria, Tasmania and the Territory in due course to secure additional amounts by way of topping up. We certainly appreciate the unanimity of views of most members in this Assembly on the subject.

I have heard with interest what the honourable member for Arnhem has said and also the honourable member for Fannie Bay although she strayed from the path of relevance. We were told by the honourable member for Fannie Bay that we should rearrange our priorities. This is always a catchcry of someone telling the government what to do. As usual, we were not told from whom we should take the money. It is so easy in opposition to say the government should rearrange its priorities. I can say that the government would certainly like to improve, and will improve over time, facilities for psychiatrically handicapped people in the Northern Territory. In response to a statement by a judge of the Supreme Court recently, I simply represented that the position in the Northern Territory was much better than it might be in a place of similar size elsewhere. This government will certainly do its best over time to improve these facilities. I invite the honourable member for Fannie Bay, at any time she likes but particularly during this sittings, to indicate from what area we should take these funds by way of rearrangement of our priorities. I would like her to stop the buck-passing because I think it was she who said, in quoting from a report from the national conference of pensioners, that the state and federal governments should stop the buck-passing. I do not want to pass the buck. I can assure you that I am alway happy to do the job. All I want is enough money to get it done. I would invite the honourable member for Fannie Bay to cease her buck-passing and tell us where we should take the money from to provide the additional psychiatric services.

We have heard with interest what other honourable members have said and I make the point again that health services will not suffer. We will certainly see to that. I believe that we may have to rationalise and we may have to scrutinise very carefully all aspects not only of health expenditure but government expenditure generally. That is not entirely a bad thing. In an exercise such as this, one certainly looks at things that one might not ordinarily look at. I believe that we will succeed in obtaining additional funds because I do not believe that the Commonwealth has adopted a realistic attitude to the particular circumstances and disabilities of the Northern Territory in this particular case. We will certainly be exerting maximum pressure at all times but I think that it is unlikely that we will be successful in gaining more funds in the immediate future. This results partly from interstate rivalries.

I would certainly acknowledge the truth of what the honourable member for Nightcliff said about interstate rivalry for our dollars. Everyone knows they

are our dollars but someone has the responsibility for apportioning them and that someone, for better or for worse, is the federal government. There are interstate rivalries for the dollar and there always have been. That is the same today as it was 10 years ago or in 1947. Let us bear in mind that we have to consider our position vis-a-vis the states, that some states consider that we do rather too well as it is and that articles on the front page of the Australian which show the Northern Territory receiving a higher percentage increase than the states and about $10m or $16m dollars less than Tasmania do not help us greatly either. I have been trying as far as possible to keep a low profile on the subject and let other people who have greater weight and influence do the softening up. It is true that we have had to come out fighting in the course of the last week or so, but I think what was said had to be said. What we said related mainly to the problems of providing a good health service for Aboriginal people in the Northern Territory and to a highlighting of the lack of consistency on the part of the Commonwealth government in its stated aims and objectives and the actual level of support it has been giving the Northern Territory's efforts, such as the 5-year plan.

It is certainly useful to know that, in our ongoing efforts to rectify the position, the Minister for Health, the Treasurer and myself will have a measure of support from this Assembly. If this debate has served any useful purpose - and I think that we have simply aired what we all knew in the first place - it has been in showing that there is a measure of unanimity in this Assembly.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Education): Mr Speaker, I move that so much of Standing Orders be suspended as requires the ringing of bells at any stage in the proceedings, and that the suspension remain in force until repairs to the bell system have been effected. That is, of course, unless the member for Nightcliff would like to lend us hers.

Motion agreed to.

SUPPLY BILL
(Serial 118)

Bill presented and read a first time.

Mr PERRON (Treasurer and Industrial Development): I move that the bill be now read a second time.

Authority to spend money from Appropriation Acts Nos (1) and (2) will lapse on 30 June 1981. Therefore, legislation is necessary before 30 June to provide for expenditure between then and the passage of the Appropriation Bill for 1981-82, some months later. The Supply Bill normally covers expenditure for the first 5 months of the financial year with sufficient funds being provided to ensure the continuation of capital works programs, roadworks and normal services of government. I would emphasise that it should not be interpreted in any way as anticipating what amounts might be included for any particular service in the 1981-82 budget for the Northern Territory.

In the main, amounts provided in the Supply Bill are calculated as a proportion of funds appropriated in the previous financial year with allowance being made, where appropriate, for inflation and recognition given to certain one-off and rebated capital works expenditure payments which fall due in the supply period. On this occasion, provision is included in the bill for the development of Palmerston, costs associated with the opening of the new museum complex and the establishment of a tourist bureau in Perth.

The bill provides for a total expenditure of $289m allocated by division and subdivision to the various departments and authorities. The significant items include capital works sponsored by departments - $43.9m; repairs and maintenance, including roads, highways and buildings - $11.7m; the construction and loan programs of the Housing Commission - $24.5m; education, including colleges - $41.8m; Territory Development Corporation - $2.2m; and Conservation Commission - $5.7m. In addition, the bill contains an appropriation of $5m entitled 'Advance to the Treasurer' from which the Treasurer may allocate funds to meet emergent and unforeseen expenditure which is not specifically provided for elsewhere in the bill. The use of this advance is subject to section 14 of the Financial Administration and Audit Act.

Mr Speaker, I foreshadow a motion during the course of these sittings to suspend Standing Orders to enable the passage of this bill through all stages. Honourable members are aware that supply is traditionally passed in one sittings in this Assembly. I commend the bills to honourable members.

Debate adjourned.

PASTORAL LAND TENURE INQUIRY REPORT

Continued from 4 March.

Mr BELL (MacDonnell): Mr Speaker, relatively few of the people I stand here to represent for the first time speak English as their native language. Therefore it seems wrong for me to allow the occasion of my maiden speech to this Assembly to pass without incorporating into the proceedings of the Assembly a statement in a language understood by the majority of the constituents of MacDonnell much more easily than is English. I am sure that honourable members will appreciate this symbol and recognise its value as an indication of the power of the Assembly to represent the diverse views and aspirations of our multi-cultural Territory community.

Ngayulu kuwari kutju wangkanyi ngura nyangangka, mununa ngulu nguwanpa ngaranyi.

Ngayulu alatji watjanu anangu tjuta electionangka: ngayulu mukuringanyi tjukurpa katintjakitja anangu nguru kamanta kutu, kamanta nguru anangu kutu; ngayulu mukuringanyi ngururpa nguwanpa ngarantjakitja.

Mununa alatji kalkunu: anangu tjutangku pana rawa kanyintjaku, ngayulu waakarinyi kutjupangku ngura mantjintjaku tawara. Palula nguru ngayulu kuwari Martin Reportaku wangkanyi: yaltji-yaltji pana panya puluka tjutaku ngarantjaku? yaltji-yaltji pana panya palunya tjunkuntjaku walpalaku luwangka?

For the benefit of honourable members, I offer a translation. I am talking for the first time in this Assembly and I am a little nervous about it. I said this to the people during the election: I want to take your thoughts and ideas to the parliament, and I want to take the parliament's thoughts back to you. I want to be a go-between. I made this promise: Aboriginal people should be able to keep their land. I will work to make sure that it is not taken away from them. Because of that, I am talking today about the Martin Report. What should be the status of that land that belongs to all the bullocks? How should that be constituted in whitefeller law?

I have these comments to make then about the Martin Report. It is to my mind by no means a balanced document and it is therefore our task today to articulate the nature of its imbalance. Why is it such a blinkered report?

In order to understand that, we have to go back more than 10 years to when the then Gorton federal government, in a rare demonstration of concern for the Aboriginal people of Australia, decided to review the situation of Aborigines living on pastoral properties in the Northern Territory. A 6-member committee was appointed, led by Professor Gibb and including that distinguished Australian, Dr H.C. 'Nugget' Coombs who was at that stage Chairman of the Council for Aboriginal Affairs. The report of the Gibb Committe, as it came to be known, was published in December 1971 and made the following recommendation: 'In appropriate areas, land should be obtained by excision or by sublease from the pastoralists for Aboriginal communities for limited village, economic and recreational purposes to enable Aborigines to preserve traditional cultural ties and obligations and to provide the community with a measure of autonomy. The land should be of such an area and such a quality that some supplementary activities may be encouraged'.

What then is the connection of Aboriginal people with these pastoral leases? In the Northern Territory, there are about 250 pastoral leases. Not all of them have Aboriginal communities on them. There are about 28,000 Aboriginal people in the Northern Territory. Not all want to live on pastoral leases. But, Mr Speaker, many do, because the land which is known to some as station country or pastoral leasehold was, only a century ago or thereabouts, their country, their exclusive land, held, conserved and managed for 40,000 years by themselves. Before the birth of Christ, before the rise and fall of the great civilizations of Europe, Africa and Asia, long before what European Australians call recorded time, Aboriginal people lived and worked the land. Manifold were their stories, manifold were their understandings of the land and rich was their spirit.

In case honourable members imagine that I am romanticising or building up some sort of fantasy, let me speak about one of my constituents who lives at Ayers Rock. She is an old lady now. Her name is Myana. I had the privilege during the campaign for the MacDonnell by-election to see her and prior to that I had listened to stories told about Myana. One of the interesting stories - perhaps a little bit terrible - is that Myana as a young girl witnessed from the top of ridges in the western MacDonnell Ranges the murder of 15 or 20 of her brothers and uncles. I am not talking about anything that is recorded. You will not find it in books; you will not find it in police files. It is to be seen nowhere. It is only in the minds of many of the people who live in that corner of the Northern Territory. The Conniston massacres have been written about but this wholesale slaughter is just one unrecorded incident that is buried deep in the consciousness of people who live in the MacDonnell electorate.

It will take more than this debate and the resolutions of this parliament to right the great wrongs. But there are some actions which can be taken and must be taken by this government as a contribution towards reconciliation. I would suggest that giving very serious consideration to ignoring many of the recommendations of this report would go some of the way in that direction. We must therefore take decisions in this Assembly that contribute towards reconciliation. The Martin Report unfortunately points in other directions. It does not point towards reconciliation. It points towards hard-heartedness and indifference. The Martin Report pretends, for example, that the excisions and subleases suggested in the Gibb Report are proceeding, if not amicably, at least purposefully. Nothing could be further from the truth. In the 10 years that have elapsed since the Gibb Report was handed down, a mere 10 excisions or special purposes leases have been negotiated, and yet the Martin Report continues to recommend negotiations.

Surely the report bemoans the delay that has resulted and has a very handsome and business-like section on expediting progress but the recommendation is for the status quo. Quite clearly, there is a need for a third party to bring together people in the pastoral industry and representatives of Aboriginal communities resident on pastoral leases. It is the responsibility of the Northern Territory government to provide the necessary machinery to enable these claims to be heard as quickly as possible.

We have seen then that the rate of negotiation is a matter of concern. If the rate of negotiation is a matter of concern, let me tell you about the size of these excisions. There is one at Murray Downs of 84 hectares. If we do our sums, we might think that that is quite a considerable stretch of country. In fact, 84 hectares is 0.84 of a square kilometre, to put it into the terms that we are used to in the industry. How big is the Aboriginal community at Murray Downs? There are about 100 people at Murray Downs living on 0.84 of a square kilometre. How big is Murray Downs. It is 5,617 square kilometres.

Some members might think that I have selected an unusual case. That is not true. The biggest excision is 16.28 square kilometres and the smallest is 0.19 of a square kilometre. Most stations in central Australia exceed 3,000 square kilometres and many are double that size. Does this suggest to members that these communities are being allowed to retain an area of such quality that some supplementary activities may be encouraged? Is this reasonable? Is it right? Is this just? I leave the answer to members.

I wish to make my central criticism of the Martin Report. The most important recommendation of the Martin Report is that a system of perpetual leasehold tenure for pastoral lands be introduced in the Northern Territory. This is a radical change from the present tenure system of 50-year leases. To my mind, it is an unbalanced and misguided promotion of pastoral interests over those of the Aboriginal people whom, as I have attempted to explain, have lived and worked on these lands since time immemorial. Quite understandably, 2 of the 3 committee members have spent the major part of their professional lives representing and negotiating for pastoral interests. Quite understandably, they have absorbed the view of pastoral interests. I do not believe that this is reasonable; I believe their view is a blinkered one.

In order to convince members, let us consider the principles that accompany the recommendations in the Martin Report. Nearly all these principles derive from pastoral interests. The best example of this is the principle that 'any tenure system must create within the minds of pastoralists a sense of security which will achieve the efficient allocation of resources, the injection of capital and professional development'. However, the text of the report itself gives the lie to this recommendation. The report states on page 44 under the section entitled 'Development Funds and Investors': 'It has been the practice in the industry to obtain finance by security against livestock, improvements and productivity and it should be noted that the existing system has not deterred the expenditure of millions of dollars on many individual stations. In an attempt to clarify whether the pastoralists' contention that better security of tenure would increase their borrowing powers and so stimulate investments, the committee approached the Bureau of Agricultural Economics, bankers and stock agents; that is, in the pastoral industry loans are given on the basis of cash flow not on the basis of security of tenure. More secure tenure has apparently become something of a shibboleth for the pastoral industry'. Again reading from the report: 'The committee continually asked pastoralists: What would you have done that you have not done if you had better security of tenure?' Little by way of specific example was given.

I think I have established quite clearly that the recommendation of perpetual leasehold is neither in the interests of the pastoral industry nor the Aboriginal communities that live on pastoral leases. Its only justification is to ease pastoralists' sense of security at the expense of defeating the aspirations of Aboriginal people. We have already heard today the Minister for Health citing the high figures for the occupancy of hospital beds by Aboriginal people, and the increasing rate at which Aboriginal people are occupying hospital beds.

Recently in the media, the Chief Minister referred to public drunkenness. This is not a phenomenon associated just with Aboriginal people. It is a problem that is associated with the clash of cultures in the Northern Territory. However, we cannot escape the connection between those social facts and the lack of preparedness to provide adequate means of negotiation on excisions on pastoral leases for the Aboriginal people who are resident on those pastoral leases. There is no need for special legislation to do this. There is no need for vast funds; no pleas to the Commonwealth are required. There is only one stroke of the pen required.

Let me leave members with the words of one of the nation's outstanding poets, Judith Wright:

> *We therefore owe Aborigines a long-unpaid debt for the days in which the pastoral industry relied largely on their help and then cast them aside. The land which has been the basis of our prosperity and high standard of living was taken by force from a people to whom it was originally not only the means of subsistence but a sacred and age-long trust and a beloved home. We have allotted only the meagrest proportion of our profits from the occupation of it to those first owners who have become a landless and injured minority. However late in the day, our consciences should demand that we now recognise our debts and open negotiations with them as a people in their own right.*

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I rise today in this debate with some pleasure to speak on the Report of Inquiry into Pastoral Land Tenure in the Northern Territory. If I have any complaint it is that it is too complex. I think it cannot be covered fully in one debate in this Assembly. Because of the comprehensive nature of the inquiry - there were so many points and facets that had to be considered - the report is very long.

I have had interest expressed to me by many people in the community, from people who gain most of their income from primary industry and from those who perhaps do not get all of their income from primary industry. They did not necessarily contribute to the inquiry but they have been interested in reading the report and they are interested in following the debate in the Assembly today. They will also be interested to know what recommendations will be put forward and what will be followed up by the government.

The Martin Report is very important because of the vastness of the whole question of land tenure in the Northern Territory, particularly pastoral land tenure. It is my belief that it was well and truly time for this inquiry, considering the importance that land plays in the lives of all the people in the Territory. It is important because our government is very interested in actively encouraging more intensive use of land for agricultural and other development. Therefore, the whole land tenure system must be examined in light of that. I intend to work through the report and make my comments on different sections that I found of particular interest.

The first heading that I would like to touch on is 'Land Tenure in the Northern Territory'. Pastoral homestead leases are mentioned. My comments are brief. With hindsight, I think this was a mistake in that not enough research was done into the question of the pastoral homestead lease. The idea was good in that it was thought that greater interest in the land was being shown by people whose sons and daughters would stay on the land and therefore perhaps a pastoral homestead lease would bring greater security. However, time proved that the legislation did not fulfill the need that it was expected to fulfil.

The next point relates to Aboriginal freehold. The Martin report states: 'It is a form of land tenure which is inferior to a pastoral lease'. I think it is very important to consider this aspect. With increasing development of the Northern Territory comes increasing expenditure on disease control, fencing, the control of feral animals and associated requirements. Perhaps the people who own the pastoral properties are financially competent to carry out these convenants and perhaps they are not. If the Aboriginal land is inferior to a pastoral lease and cannot be used as a security to borrow money to carry out these improvements, this disadvantage of the Aboriginal freehold land should be seriously considered because with the deadline of 1984 held up in front of us for the Territory to be free of brucellosis and tuberculosis, there must be a greater expenditure of money to bring more intensive use of pastoral land. Perhaps the status of Aboriginal freehold land will be changed in the future so that the land can be used as a security for finance.

I see that, in most cases, grazing licences are no longer relevant to the pastoral industry. Grazing licences were used for proving the ground for the pastoral industry. Most of the Territory has been developed in one way or another and the carrying capacity of the land is known. Thus, I cannot see any relevance for grazing licences in the future except perhaps in marginal country and at certain times. Good seasons and bad seasons should be taken into account. I think the use of grazing licences will be minimal in the future if indeed they are required at all.

My next point relates to the subject of rollover. I find this very interesting. I do not find it very equitable that a 50-year lease is extended to the pastoral lessee but, between the twentieth and fortieth year, he has to make an application for a renewal of his lease. First, this means that, within that first 20 years, he probably has to fulfil the convenants of his 50-year term to obtain the privilege of having a pastoral lease in the future. It also means that he has passed up 30 years. After 20 years, he must make an application for a further lease even though he has not continued with his original lease for its full term of 50 years. I would like to see serious consideration given to changing this in the future because it does not seem to give any security to the lessee. It does not give much security to the lessee to know that 30 years of the lease will be lost. Surely the lease should be allowed to go nearly to the full term. Perhaps, in the last 5 years there should be correspondence between the lessee and the relevant government department to know the terms the government will put on a new lease in relation to disease control, excision for Aboriginal community areas or conservation control. With these in mind, the lessee will then be able to apply in those last 5 years. That would be much fairer all round.

If there were communication between the lessee and the relevant government department even before the last 5 years of the lease, each would know what the other one was thinking. The lessee would know the government's plans for the use of the land and the government department would be able to recognise the financial position of the lessee and his potential for management of

of the lease in the future. If there were frequent communication between the relevant government departments and the lessee, any change that the government wished to impose on the lessee would not come as a big surprise and he could be working that way before his existing lease ran out.

Mr Deputy Speaker, I am in favour of covenants being kept on pastoral leases but I would like to see these minimised. I would like to see them reasonably elastic so that they can be varied with changing conditions and changing markets. However, if the covenants are too elastic, they run the risk of being useless. Nevertheless, covenants should still continue as long as the leasing of pastoral properties continues.

I was very interested in the heading which says: 'Use of Land for Other Purposes: The minister may permit a lessee to use the whole or any part of his leased land for any purpose'. I would like to raise an example which strictly fits into the category that the Martin Report recommends that the minister may permit but did not fit into it in spirit. There is a pastoral property in my electorate which considered going into a tourist venture in order to make itself more viable. For this tourist venture, the owners needed 5 acres. They applied to the Lands Department for permission to go ahead with this tourist venture and they had to cede 5 acres to the government for which they were paid the grand sum of $1.50 per acre, a grand total of $7.50. This block of land went to public auction. Despite the fact that it was their idea in the beginning - and I feel that there was some sort of moral right of copyright but that was ignored - this block of land went to public auction. These people had to pay $9,000 for the 5 acres. This was in 1975. For this grand sum of $9,000 for 5 acres quite a distance from Darwin, they received a special purposes lease. This put them into the same category as other people who have special purposes leases. I still feel that the conditions of the special purposes lease were not quite compatible with what they intended and with what they are continuing to do.

There is another instance which was an infringement of a moral copyright. Another group of people made an application for Crown land. They made an application for 5 acres because they had a tourist venture in mind. The 5 acres were put up for public auction and these poeple lost out. It was sold for $21,000 which they could not afford at the time. If they had not said anything in the beginning, the second party could not have taken advantage of it. I feel that the people with the business acumen did not receive full recognition for it. I would not like to see that happen in the future.

The next heading is 'Penalty for Non-compliance'. We know that, if the covenants on a lease are not fulfilled, the lease can be forfeited. It is my understanding that this does not happen very often. It only happens in extreme cases. Consideration is taken of weather conditons, droughts, flooding and also the cattle market. Probably differentiation could not be made between people living on the land up here and working it as managers, owners or absentee lessees. I feel that there should be a differentiation but I cannot see what the differentiation would be.

The next point relates to stock routes and stock reserves. I believe that stock routes must be kept open. It is mandatory that these be kept open all the time because who knows what the future will bring or whether stock will continue to be carried by road or rail transport or whether we will have to return to the old way of droving them overland. If this latter happens because of the world position in relation to fuel resources, it will be all the more important that stock routes should be kept open. The Martin Report states that, unlike some other parts of Australia, no direct contribution is made by

Territory pastoralists towards the construction and maintenance of roads to their properties. This may be true but I cannot think of anybody else who pays for roads to their property. I am pretty certain that there are not many tourist or business operators who pay for roads to their properties. I cannot see why the pastoralist should pay for the road to his property. In 99.9% of the cases, if not 100% of the cases, the pastoralist is not the only one who uses the road to the property. Other people use it and not necessarily only those who work for him on the property.

I agree with the objective in the Martin Report outlined under the heading of 'Purpose of tenure'. I agree that maximum economic efficiency should be sought at station level and I would like to think that station level not only implies pastoral activities as such but also agricultural activity. I agree with the second objective relating to development. I also agree with objective 3, 'Neighbours and Society'. This is particularly important in relation to conservation issues where the use of water or land is concerned. If the land on property A is not managed properly, the land on property B may be degraded because of erosion and other matters. I agree with objective 4; there should be minimum government involvement in the pastoral industry just as there should be minimum government involvement in all business activities.

I became a bit confused in trying to work out objective 5; 'Maximum multiple use of pastoral land subject to the principle that the user meets the cost of his activities and that pastoralists are compensated for any damage or inconvenience they suffer'. I could not work out whether that applies to mining ventures on pastoral properties, whether it applies to Aboriginal community areas or whether it applies to tourist ventures or business ventures. I will have to make more inquiries. I agree with objective 6; there must be a system of conservation on pastoral properties both for the better use of the particular pastoral property and the neighbouring properties.

I have a query about object 7: 'Land should be distributed in a manner which gives opportunities to people who are disadvantaged in relation to the use of the land'. The view has been put to me that, if somebody is disadvantaged in relation to land, he is usually disadvantaged financially so he could not develop the land anyway. I am speaking about other uses of the land as they relate perhaps to tourist businesses or mining ventures.

I cannot quite understand objective 8 in which diversity is mentioned. The recommendation is that there should be widespread distribution of ownership, management, occupancy and use rights. I feel that, if there is a free-ranging market, all of these things will fall into place.

The last objective deals with the way of life: pastoralists should be entitled to develop pastoralism as a way of life. I think many city people pay lip service to the phrase 'quality of life'. They only think it refers to them. Everybody is entitled to a certain quality of life, the pastoralist as much as anybody. If the city people want to have a certain quality of life, if they want to live in a way which befits their interests or their income or their inclination, I think the pastoralist is entitled to that too.

In objective 2, development, reference is made to the fact that the eradication of tuberculosis and brucellosis is necessary. I agree that disease control in any shape or form, whether it is animal or human disease, must be worked for at all times. The point I would like to make is that our primary industry seems to be dictated to by overseas markets and by the people down south. I instance the time that the blue tongue virus was found in the Northern Territory. A line was drawn - like the line drawn during the last

war - and complete movement of cattle stopped above that line. The people who lived above that line and earned their living from cattle lost most of their income. They carried the southern sheep industry on their backs and I would hate to see this sort of thing happening again. If a line of demarcation must be drawn, there must be full compensation paid to the people who are carrying the whole of Australian primary industry. It not only applies to the people up here. There was the recent incident of the pig farmer in Tasmania who lost all his herd because there was a fear of disease. I do not know whether he has received compensation yet but I feel that, if primary producers are not compensated in situations like that one, we could run the risk of people not reporting disease outbreaks on their property.

The next point is that all land must be used for productive purposes. I would wholeheartedly agree with this, and not only for pastoral land. All land should be used in one way or another - for pastoral, mining, business or recreational pursuits.

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

Mrs LAWRIE (Nightcliff): I move that the honourable member for Tiwi be granted an extension of time.

Motion negatived.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, the Inquiry into Pastoral Land Tenure in the Northern Territory is a nothing report. I do not think it says anything new at all. It has all been said a million times and I think everybody knew what was likely to be in it.

There are some things that I would like to comment on because I think that they are incorrect. On page 50, it talks about the protection of the ability of Aborigines to obtain community areas and purchase pastoral leases but no freehold is mentioned at any stage. I saw recently the proposed amendments submitted to the Northern Land Council by the Chief Minister. The report recommends that no Aboriginal station in future held by Aborigines can be converted to freehold. I think this is entirely wrong. I read those proposed amendments quite legally because they were given to me in a letter to Gerry Blitner, President of the Council. In either that letter or in the proposed amendments there is mention that there is an extraordinarily benevolent land commissioner, which seems to me to be a most ill-advised thing to say about a Judge of the Supreme Court, but that is his business.

The report mentions that unjustified interference with these rights may lead to a penalty of up to $2,000. It is referring to pastoralists in that only they may interfere with these rights; that is, the right to hunt and kill and take non-domesticated animals. There has never been a conviction. Nobody has ever been charged with it and I know just what it is like because for 20 years I used to measure the size of Aboriginal dwellings. It finished up with our being issued with cameras and we used to take pictures of the dwellings and duly submit them with a report. Not only was there never a conviction but there was never a charge. So talking about fining pastoralists $2,000 for interference with these rights is a whole lot of rot.

It also says that they can hunt and use natural waters. Because of the dropping of bores all over the place, the water table has been lowered. There is no longer clear water to hunt and fish. The bores have been fouled by cattle. You cannot get anything out of them anyhow. It would look a nice re-

port to somebody from the south who has never been on a cattle station. The report mentions associated pastoral problems. That amendment not only suggests that no pastoral lease owned by an Aboriginal be changed to freehold, it also opposes grazing licences. The grazing licences are nothing. To the best of my knowledge, they must be renewed every year.

All the way through this report, there is hardly a mention of a special purposes lease. It just mentions subleases all the time. I put in a submission to this inquiry into land tenure. I will read from it. It is only short. It is a criticism of the Martin Report:

> *In 1971, the Gibb Committee recognised this need for Aboriginals to obtain land on pastoral properties. The Committee put forward specific recommendations as follows: (a) The appropriate areas of land be obtained by excision or by subleases from pastoralists for Aboriginal communities for limited villages, economic and recreational purposes and to enable Aboriginals to preserve traditional cultural ties and obligations and to provide the community with a measure of automony Such land naturally needs access to adequate water supplies but, in addition, it should be of such an area and such quality that some community supplementary activities may be encouraged upon it; for example, pigs, poultry and fishing, gardening and artefact making, etc. (b) Where it is inappropriate to excise or sublease land for an Aboriginal community, some arrangement may be made between pastoral management, perhaps in cooperation with the government, to develop a village community and to provide Aborigines with an increasing say in the management of the village area. The arrangement should be the subject of regular review to enable more responsibility to devolve upon the Aboriginal community.*
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> *In 1973, 2 years later, Mr Justice Woodward seems to have gone a step further than the Gibb Committee when he raises the matter of community areas, in paragraph 228: 'I turn now to consider the creation of community areas on pastoral leases. There was a suggestion made by the Gibb Committee in 1971 when it considered the future of Aborigines on cattle stations. It is based on the recognition of the right of Aborigines to live more or less permanently on land of their choice whether it is their own land or not. This happens in practice today and the idea is to make formal the right of Aborigines to establish their own communities on their own land. Where appropriate, land would be excised from the pastoral lease concerned and made over to approved Aboriginal corporations, together with any easements of way or of water necessary to support the community. The form of tenure I envisage for such cases is the special purposes lease'.*

Justice Woodward speaks about the special purposes lease which is a much better form of tenure.

> *It should be noted that Woodward does not, as the Gibb Committee did, recommend a sublease, but rather a special purposes lease.*
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> *In 1974, the Report of the Woodward Commission, at paragraph 273(vii), says: 'Community areas should be excised from pastoral leases whenever it is appropriate to do so. The areas concerned should be large enough to ensure privacy and provide an opportunity for small farming ventures such as pig and poultry raising, or the keeping of a few dairy cattle to supply the needs of the community'.*

Successive federal governments have agreed in principle with both the recommendations of the Gibb Report and the Woodward Report, but progress in implementation of these recommendations has been extremely slow. Before looking at the reasons for such slow progress, it may be appropriate to consider why Aborigines reside on pastoral leases. They are many and varied but basically they may be reduced to 3 issues: (1) Their traditional and cultural affinity with the land and their need to retain the ceremonial ties without which this culture must inevitably die. It should also be remembered that Justice Blackburn made an extremely perceptive comment when he said: 'It is not so much that the land belongs to the people but rather that the people belong to the land'.

I might also add that there are places where there are multi-tribal and multi-cultural groups for instance on VRD. As the Minister for Primary Production and Tourism would know, it is not a single tribal group. There are Ngaringman, Ngaliwuru, Karangburu, Wailbry, Mudbura and Gurindji. There are all kinds of people there, but it is their traditional home and they have lived there for over 100 years.

The third need for Aboriginals to live on pastoral leases is 'to provide a labour pool to meet the requirements of pastoralists in stock and domestic work'. It is also important for Europeans to have a labour pool that they can call on.

The slowness in implementing the recommendations of both the Gibb Report and the Woodward Report where they consider excisions on pastoral properties may be attributed to several factors. Having been involved personally in the negotiations leading to the purchase of Amanbidji - Kildurk - in May 1973, negotiations and plotting of the lease now held by the Gurindji - Dagaragu - in June 1973, and negotiations and physically moving the Ngaringman and various other Aboriginal groups formerly living on Victoria River Downs to Yarralin, I am appalled and dismayed at the length of time the necessary legal transactions have taken to secure land tenure for these Aboriginal groups. After the passage of 8 years, no claim has been lodged to convert Amanbidji to freehold title despite the fact that it is indisputably traditional land.

I might also say that about Dagaragu, which is Gurindji land. There is a reason for that because those people were actually conned out of applying for freehold land when they could have got it. A gentleman, now deceased so I will not mention his name, and the cattle manager who was there at the time told them: 'If you get freehold land, you will get no more money from the government. Your funds will cease. You've got to keep it as leasehold land otherwise your funds will cease. You are on your own. You are finished'. These people, who are fairly illiterate, turned round and agreed. This is appropriate to this report, I can assure you.

The unfortunate group at Yarralin have no title at all and are residing there now only because the Hooker Corporation was so embarrassed by the adverse publicity engendered through the walk-off of the people from VRD and its outstations, Mooloolooo and Pidgeon Hole, in March 1972, that they sanctioned reluctantly the return of the Aboriginal people in October of 1973. Whether this inordinate lapse of time is caused through disinterest, shortage of field staff or failure to pursue the matter when obstacles of admittedly huge proportions confronted them, I feel that the Department of Aboriginal Affairs, the Aboriginal Loans Fund Commission and, to a lesser extent, the Northern Land Council were remiss and consequently must share part of the blame.

Other factors leading to the failure to implement the recommendations of the Gibb Committee and the Woodward Commission include ....

Actually, I had a lot to do with the Gibb Committee and I consider that 'Nugget' Coombs was about the only fellow on it who had any brains - except for Clancy Walker, an Aborigine, who was killed in a car accident.

.... the difficulty experienced in obtaining an agreement in principle from the lessee of the pastoral property to make an area available for excision. Absentee landlords present the greatest problem. Where an attempt has been made to enter into negotiations with companies which are foreign-owned or which have southern-based directors, it has invariably ended in failure. 'Officers of the Department of Aboriginal Affairs and the Aboriginal Loans Fund Commission have found that attempting to find the holder of the lease or an agent authorised to act on behalf of the lessee is a frustrating and often futile exercise. In cases where leases are foreign-owned - for example, Ta Hing Australia Pty Ltd which owns Elsey and Hodgson Downs, and Auvergne which is Sojax Pastoral Company Pty Ltd - correspondence relating to excision is seldom answered.

Managers of properties with local knowledge of the needs of Aboriginal groups are often amenable to suggestion and sympathetic but unfortunately they lack the authority to negotiate on behalf of the owner. It is significant that, out of a total of 41 claims for excisions recorded in the Northern Territory, only one special purposes lease has been issued and registered, and that by an owner/manager, Mr R. Fryer of Urapunga Station.

Considerable delay has been experienced over the form of title. Inquiries made through both the Department of Aboriginal Affairs and the Aboriginal Loans Fund Commission lead to the conclusion that both of these bodies have expressed grave reservations with regard to the security of tenure offered by a sublease. There has, however, been opposition to the granting of special purposes leases by the Northern Territory Cattlemen's Association and I am informed that the Department of Lands and Housing has advised pastoralists not to agree to excisions by special purposes leases.

As the Northern Territory government has clearly demonstrated its attitude to Aboriginal land claims since the advent of self-government by opposing in one way or another, every claim which has ever been lodged to date, with exception of the Amadeus claim, it is only logical that its Department of Lands and Housing would recommend to pastoralists a less secure form of tenure than a special purposes lease.

In answer to a question concerning special purposes leases versus subleases at the Yulnyu Association Incorporated Annual General Meeting 28 April 1980 - Minute 16 - the Chief Minister replied that 'there is little difference as both are lodged in the land title book and both are legal issues'. I would submit, with respect,that there is a considerable difference. My advice is that a sublease is not as satisfactory as a special purposes lease because a sublease is merely an agreement between the lessee and the community and, as a result, the Aboriginal community does not hold title to land.

Although the Gibb Committee mentioned subleases in its recommendations, I would again draw attention to such an eminent jurist as Justice Woodward's remarks at the end of paragraph 228 when he says in relation to the creation of community areas on pastoral leases: 'The form of tenure I envisage for such cases is a special purposes lease'.

The opposition by pastoralists and their advisers to special purposes leases seems to have its genesis in the feeling that they would have less control over an Aboriginal group having such a lease than they would have if the group had only a sublease. Two of the objections put forward against a special purposes lease by L. J. Hooker Pty Ltd - the people who own VRD and Rosewood - in the case of the Yarralin community are that Ngaringman people may leave Yarralin and that the areas could become the centre of religious or hippie-type communes.

Well, that's about the silliest one I ever heard.

In many cases where there has been an initial agreement to an excision and issue of a special purposes lease by a lessee, the surrender documents have not been returned to the Department of Lands and Housing after having been forwarded to that lessee for signature. The only conclusion that can be drawn from this action by lessees is that the whole matter, which is of vital importance to the Aboriginal community concerned, is treated in cavalier fashion by the lessees and regarded by them as something of a joke. This failure to surrender documents is almost invariable and is the source of a great deal of frustration not only for the Aboriginal communities concerned but for dedicated officers of the Department of Aboriginal Affairs and those officers formerly employed by the Aboriginal Loans Fund Commisssion and now employed by its successor, the Aboriginal Development Commission who have in some cases spent years in locating absentee landlords, obtaining agreements to excise and then finding all their efforts thwarted through the failure of lessees to return the required documents to the Department of Lands and Housing.

It is a sad commentary on existing legislation in the Northern Territory which permits lessees to neglect to comply with covenants and in some cases not even work their properties for years before they are threatened with notice of forfeiture, whilst Aboriginal groups, who have lived there for possibly 40,000 years, are unable to obtain some security of tenure recognised in law over a small block, usually infinitesimal in size in comparison with the pastoral lease, over land which was originally their own.

The recommendations that I put on the bottom of my submission were: (a) the need for clearer legislation that provides for excision in the form of special purposes leases for Aboriginal community areas on pastoral leases; (b) that legislation set down a clear sequence of procedures which allow for a more streamlined and simple finalisation of such special purposes leases; (c) that provision be allowed for excisions to be made on a needs basis when pastoral lessees are unwilling or obstructive in negotiating for community living areas; and (d) that guidelines be built into such legislation which allow for suitably-sized areas, not only for living requirements but for the establishment and maintenance of gardens and maintenance of a small killer herd to cater for community consumption which, you might remember, was recommended by Justice Woodward.

Mr STEELE (Primary Production and Tourism): I congratulate the member for MacDonnell on his maiden speech and wish him well in his representation of his electorate. I hope one day that this Assembly may see among its members someone who speaks the same dialect but who is of a different colour. I say that for a good reason. I believe that the greatest benefit to the black man in this country will result when the black man is representing himself. I do not feel qualified in any way, of course, to represent Aboriginals, in an electorate sense. But I do believe that I can look forward to that day.

I propose to deal with 2 matters relating to this report. Firstly, I do not believe that the recommendation dealing with greater access to pastoral properties is a very good recommendation in the sense that true liberalisation could be achieved. I believe that the problems of fires, damage to watering points, noxious weeds, distribution of noxious weeds and the leaving of gates open by far outweigh the suggestion that greater areas be made available to the public. What I mean is that access to areas can be made available via avenues that are already available. However, in the areas of tourism and recreation, that can be arranged more conveniently geographically. To go into the centre of properties and to follow rivers along for many miles, 30 metres on either side, is not a practical suggestion. In fact, I would give you an example. I believe that the Newcastle River would be some half a mile wide when it floods. It is not practical to allow another 100 feet either side of that half mile and call it a public area.

The buffalo symposium was held earlier in the year. The report came out in March with its conclusions and recommendations. Some of its conclusions were that we should give pastoral lease-holders greater control over trespassers to ensure the success of disease control programs and prevent wilful environmental damage. Some of these states need the same protection as the areas that are given to the Conservation Commission, possibly for different reasons. There is no doubt in my mind that, with people traipsing all over the place, any effort to conduct a reasonably sensible disease control program could be thrown out the window as a result of too much access on some stations at present.

The other area that I wanted to deal with was recommendation 7/82 that any pastoralist who makes a genuine effort to achieve and maintain the status of being free from tuberculosis and brucellosis be granted security of tenure. Cattle producers in the Northern Territory face greater problems than their southern counterparts in the eradication of these 2 diseases from their herds. Much of the problem lies in the system of open-range grazing in the Northern Territory as compared to the intensive system of management in the states. With the smaller holdings in the states, there is greater ease of dealing with disease control problems. I believe that greater incentives and methods of compensation appear to be more than adequate to encourage the eradication of these diseases. I do not believe it should be in the land tenure system.

In the present financial year, compensation rates for the destruction and disposal of reactor stock in the Darwin and Gulf district are $150 for a fat steer and $90 for a breeder. The compensation rates in the Alice Springs district for the same type of beasts are $200 and $150 respectively. In addition to this, the federal Treasurer announced in his 1980 budget speech amendments to the income tax law to encourage further progress in eradicating bovine tuberculosis and brucellosis. In particular, this will apply to cattle properties certified as subject to these diseases. Where herd control is difficult, expenditure by 30 June 1984 on internal fences and stockyards contracted for while a certificate is in force will be deducted in full in the year in which the expenditure is incurred. Such conditions should encourage the erection of subdivisional fencing which will promote greater stock control and thus remove the Northern Territory's major limitation in achieving a highly efficient disease eradication program.

The marketplace is effectively acting as a barrier against dirty herds and providding better access for clean herds and Gepps Cross market in South Australia is probably a reasonable example of this. Cattle properties which have an approved program of eradication within certain limits of infection or are free of infection can sell cattle on the open market. Cattle properties

which do not have an approved eradication program or which have a high incidence of infection must sell their cattle in the closed market for direct slaughter. The price difference is approximately $10 per head. The store market is virtually closed in every state if you have an area affected by brucellosis or tuberculosis. It is virtually closed because a mob must be tested at 60-day intervals. If one animal is affected, you have to start all over again. These are the conditons that are placed against the Northern Territory by the other states. Queensland has stated that, on 1 April 1982, any property without an approved program can only go to the abattoir with a single test before moving at the owner's expense and with no compensation for reactors. The following year, stations without programs will not be able to sell cattle at all. The Northern Territory could be obliged to introduce similar restrictions to those in Queensland on 1 April 1982. I gave notice this morning of further legislation which will be introduced dealing with further stringent controls on brucellosis and tuberculosis. Finally, I might make the point - and this is a hypothetical example which I hope could prove a practical point - if there is a clean property and dirty cattle are being moved through it and the truck rolled over, and the dirty cattle mixed with the clean herd, what would happen then? It would sound a little bit overbureaucratic to include this possibility in a lease condition.

In conclusion, what concerns me as a person who has had some pastoral experience is the lack of productivity of some of the cattle stations of the Northern Territory. A good case in point would be the Gulf properties - the Seven Emu, Manangoora, Broadmere, Calvert Hills, Wollogorang - the type of property which has languished for many years, not from neglect but from battling for survival. The honourable member for Victoria River raised the point that many of these places do not comply with convenants and it is very hard to find the absentee landlords out of some 250 pastoral lessees in the Northern Territory. There are many local owners who would need to do more with their properties if a disease eradication program were to succeed. I believe that the government and I have to look more closely at those sorts of areas as far as that aspect is concerned. I commend the report to honourable members.

Mr ISAACS (Opposition Leader): Mr Deputy Speaker, I also congratulate the new member for MacDonnell on the speech that he delivered to the Assembly in relation to the Pastoral Land Tenure in the Northern Territory Inquiry Report. I would like to say that the electorate of MacDonnell quite clearly made its decision, not on the basis of colour, but on the basis of who was best able to represent its interests in the Northern Territory Assembly. I believe that, if we are going to talk about who is best able to represent Aboriginal people or others, it is best to ask those people rather than impose on them certain views of our own.

I was pleased that the Minister for Primary Production and Tourism also referred to recommendation 7/82 with regard to the eradication of brucellosis and tuberculosis because that was a matter which I wanted to comment on. I agree wholeheartedly with what the minister said. It seems to me that we have a problem in the Top End with regard to the eradication of tuberculosis and brucellosis. Judging by information given to me, it may well be that that problem is very significant indeed with regard to our exports to America. Surely the answer lies not in the matter of security - and I will come to that question in a moment - but would be better handled, as the minister has suggested, by way of other incentives. I hope that the government has a look at that particular recommendation on page 82 of the report and does not accept it in terms of granting a security of tenure of lease on the basis that something has been done with regard to tuberculosis and brucellosis.

The Martin Report, as it has come to be known, reflects a balancing of interests in so far as the pastoral industry in the Northern Territory is concerned. It was that matter of balancing of interests that the member for MacConnell addressed. I would like to deal with that question with regard to the interests of pastoralists versus Aborigines in a moment. I will make some passing reference to comments made by the inquiry with regard to mining interests and tourist interests because, by and large, when you read those recommendations and line them up with the interests of pastoralists, I believe that the Martin Report has been able to strike a reasonable balance. I believe that it has put common sense first and the recommendations which honourable members will see in chapters 7 and 8 are reasonable with regard to the balancing of those interests. Indeed, it is a question of balancing interests as the report itself says. In the preface to the report, on page 3, the committee says 'The committee has attempted to draw out principles and recommendations and to see how they fitted into a pattern of broad objectives. It is acknowledged that some objectives and principles conflict to a greater or lesser extent. In the final analysis, each member of the committee has had to assign weight to them and exercise his own value judgment'.

In terms of the balancing of interests in the pastoral industry or on land which is currently pastoral leasehold, one has to look at the relative weight, force and power which each of those interests has in its own right, and then look to government to see how those interests are best assigned. There is no doubt that the capacity of the mining interests and the tourist interests to look after themselves vis-a-vis the pastoral interests is well known and well documented. As the member for MacDonnell said, the issue comes down to how one balances the interests of Aboriginal people who have been there for tens of thousands of years against those of the pastoralists themselves. I guess we should concentrate on that matter.

The committee takes the view that the system of land tenure in regard to pastoral leases should change from the current situation of 50 years with a rollover provision between 20 and 40 years of the lease and discusses whether or not it should be perpetual leasehold, freehold or some other form of tenure. It concludes that we ought to change from the current system to perpetual leasehold. I am disappointed in that no argument is put in the report other than that paraphrased by the member for MacDonnell: that the committee found in the submissions put to it that pastoralists believe that there is a sense of insecurity in the current situation and, in order to allay that sense of insecurity, the system should change.

I stress, Mr Deputy Speaker, that the committee is not saying that it adopts that particular view of the pastoral industry but it makes it clear that that is the view of pastoralists. Indeed, as the member for MacDonnell said, when the committee asked pastoralists if they would have acted differently if there had been better security of tenure, it received little positive reaction. However, the committee stated: 'Nevertheless, the committee believes that the industry feels' - and that word is underlined - 'that its tenure is insecure and that this may be discouraging some people from investing or further investing'. It appears to me that that is the crux of the argument put to the land tenure inquiry. Pastoralists have a sense of insecurity; they feel that their tenure is insecure and therefore the system of tenure ought to be changed.

The committee went on to put to rest the fears and the feelings of insecurity which the industry has. In fact, it went out of its way to investigate the specific claims of the industry. Quite apart from asking those people who made submissions how they would have performed differently had their tenure been more secure, it made independent inquiries of those people involved in the financial side of the industry.

If you look at page 47 of the report, you will see very clearly that the committee believes that the security of tenure is irrelevant to the question of finance in the industry. On page 47 of the report, under the heading of 'Relationship between the Investment and Tenure', the committee has this to say: 'The committee believes that there is little, if any, relationship between leasehold tenure, possible alternative forms of tenure and pastoralists' ability to borrow. It believes that the existing tenure system does not deter investment'. You could not be more blunt and forthright than than, Mr Deputy Speaker. The committee went on to say at the bottom of that page: 'The committee is convinced that a change to a more secure form of tenure would not have a significant effect on pastoralists' ability to borrow'. With regard to the first arm of the argument put by pastoralists in terms of their insecurity in relation to investment and finance, the committee puts that question to rest very significantly and strongly indeed.

Another aspect of the pastoralists' case was that there is insecurity and uncertainty at the time of rollover. This argument is canvassed on page 42 of this report. The member for Tiwi addressed herself to this particular matter and said that pastoralists would be losing some 30 years of their lease were they to take up the rollover option after 20 years. I suggest that there would not be many pastoralists who would last 70 years. It seems to me that her argument does not hold up. In any event, the committee makes it absolutely clear that there is no obligation on the pastoralists to seek to have the rollover provisions applied at 20 years. Certainly, they have that option if they should desire to exercise it but they have up to 40 years of the lease in which to make their application. If the lessee goes through the procedure and decides that the offer being put to him on rollover is not satisfactory, there is an option for him to refuse the offer and carry on under the original system. The committee has gone into this very question of uncertainty of rollover which was put to it by the industry and again indicates that the pastoralists' uncertainties on this matter are unwarranted.

The only other matter which is canvassed in relation to insecurity and uncertainty is the question of how the pastoralists see their interests affected. The pastoralists' aspirations are set out on page 43. The first aspiration is that 'pastoralists would feel more secure if land could not be taken from them for agricultural purposes, closer settlement or to meet the aspirations of Aboriginals'. My guess is that it is clear to everybody that really that is what it all comes down to. Unlike the member for Tiwi who believes the report is too complex, I believe it is very clear and lucid. However, given that lucidity and simplicity, it is a great shame that the committee fails to come to grips with what must be the fundamental question in the pastoral industry : its relationship with the Aboriginal community. The arguments put forward by the pastoralists are scotched by the committee itself yet it accepts the number one aspiration of the pastoralists: they do not wish their land to be taken from them to meet the aspirations of Aboriginals.

In coming to its conclusion about the perpetual leasehold system, the committee obviously was not totally happy. Instead of recommending a blanket across-the-board proposition as we had when all land of less than 150 square kilometres was freeholded - and the minister said that was for ease and simplicity and nobody can deny that that was an outcome - the committee recommended that the perpetual leaseholding of pastoral land be done on a piecemeal basis. I refer honourable members to page 103 of the report where that recommendation is made. It is instructive to read that section: 'The grant of perpetual leasehold should not be automatic. Such a grant should be at the discretion of the minister after a study of each pastoral property by the Land Board and only after he is satisfied that the property is adequately developed, all Crown debts have been paid, and genuine efforts have been made to eradicate

tuberculosis and brucellosis'.

It is not a question of a recommendation such as we had with the freeholding of land less than 150 square kilometres. It is very much a careful recommendation on the basis of one property after another. If the government is of a mind to adopt a perpetual leasehold system - and it would be a shame if it did so - I hope that that particular recommendation will be borne very much in mind. Heaven knows how long it will take and who will get in the queue first because there are something like 250 pastoral properties in the Northern Territory. I can see a headache and a half for the Land Board and the minister as people pressure them. Notwithstanding the cries we get from the member for Elsey on how crook things are in Tallyrook, the Cattle Producers Council is one of the most able and competent organisations that I have ever had to deal with and I do not say that in any denigratory sense. Quite the contrary. I commend that organisation for its capacity to represent the interests of its members in a way which is second to none. It is better than any trade union that I have been a member of or witnessed.

Mr Deputy Speaker, we come to this question of the balancing of interests The report would be that much better received if in fact this side of the the Assembly believed that the interests of the Aboriginal people had been seen in the proper context. The pastoral interests, the mining interests and the tourist interests are able to look after themselves and, fortunately, the Aboriginal interests are now starting to be looked after competently by their own land councils. However, if we accept the perpetual leasehold system, it will thwart one of the avenues open to Aborigines with regard to their rights under the Aboriginal Land Rights (Northern Territory) Act. There can be no doubt that that will be a consequence.

Naturally enough, the one area where we have disagreement among the 3 members of the committee is precisely on this point. It comes out quite clearly on pages 63 and 64. As I read it - and I may well be wrong - the perpetual leasehold system would ensure that that particular avenue which Aborigines have under the Aboriginal Land Rights (Northern Territory) Act will no longer be available to them. At the expiration of a lease or on the holder of that lease seeking to sell the lease, Aborigines would have a right to make a claim at present. When you consider this very vexed question of the rights of leaseholders who wish to carry on after their lease expires, it is instructive to read what the land councils have had to say. Far from taking an obdurate and stubborn attitude about their rights at the expiration of those leases, the literature that I have read makes it quite clear that land councils or Aborigines are not interested in seeking to take on pastoralists at that time if those pastoralists wish to continue their operations. It is simply a matter of where the land is to become vacant Aborigines ought to be able to have their rights under the land rights act. As I read the proposition being put by the Martin Committee, those rights will be taken away.

I would be much more eager to embrace the report were I to believe that the committee had taken the interests of Aboriginal people clearly and fully into account and sought to weigh them up alongside the interests of the pastoralists. The report raised the question it ought to have raised then, unfortunately, failed to answer it. On page 41 of the report, under the heading 'Security of Tenure', the committee says: 'The questions which must be asked are: how is the current insecurity of tenure preventing further development on pastoral land? What would additional security cause to happen to both pastoral land and the pastoral industry? Who would this extra security benefit? Who would lose as a result of extra security being given to pastoralists?' Unfortunately, that last question is not taken up by the inquiry and

it ought to be. The answer would be the Aboriginal people living on pastoral properties at the moment.

The committee looked at Aborigines living on pastoral properties over the last 10 years and the operation of the recommendations of the Gibb committee. The committee of inquiry concluded that progress with regard to the pursuit of the Gibb recommendations is, to use its word, 'substantial'. I believe that the member for MacDonnell has very clearly put to rest the situation in regard to that. On page 53, the committee outlines the progress, the reasons for delays and the procedures which it says have taken so much time. In fact, having made the statement that progress has been substantial, it then lists in quite detailed form the reasons why problems have occurred and why in fact substantial progress has not been made.

What has to be done was put to the committee by the Northern Land Council in its submission. We have had 10 years since the Gibb Committee handed down its report. It is quite clear that, contrary to the views of the Martin committee, negotiations without any kind of pressure or any kind of hassle have not produced the result which everybody would want to see. I think everybody accepts that, where Aboriginal communities have secure title to land on pastoral leases, that has a very significant impact on the sorts of problems which we witness in the major towns of the Northern Territory.

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

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, in the debate on the Report of Inquiry into Pastoral Land Tenure in the Northern Territory, I intend to address my remarks to one section only. Other members have adequately covered the conflict which exists presently, and which will not be done away with by a multitude of inquiries, regarding the competing interests for land in the Northern Territory. I refer to competing interests such as the needs, aspirations and rights of Aboriginal people, of pastoralists who seek security for themselves and their families and for the future of the industry and a group which has received only scant attention so far - those who look to the large tracts of land for recreational pursuits.

I have a petition bearing the signatures of 1,045 citizens of the Northern Territory. It does not comply with Standing Orders and therefore could not be presented as a petition in a formal sense this morning. It is addressed to the Chief Minister of the Northern Territory. It is presented through me to him with the best wishes of all concerned. I shall read it in this debate because it relates specifically to access across pastoral properties for recreational pursuits.

To the Chief Minister of the Northern Territory, the honourable Paul Anthony Edward Everingham, we, the undersigned, hereby express our concern at the diminishing number of recreational areas available for the public in respect of access to river systems, coastline and other natural assets and also the monopolisation of these assets by individuals for tourism or their own financial benefit to the exclusion of fishermen, campers and wilderness explorers. We believe that the rights of the public should be protected by introducing legislation guaranteeing access rights across pastoral land to all natural assets and that none of these assets become alienated from the public by private ownership.

Mr Deputy Speaker, this petition was raised by the Amateur Fishermen's Association of the Northern Territory which is an incorporated body set up specifically to look after the interests of recreational fishermen and to

promote their sport. It must be stated that other groups which have become concerned with the restriction of access to recreational areas in the Top End are recreational gun clubs. At a couple of public meetings, including the buffalo symposium, they put forward the view that there are hundreds of people who wish to engage in their particular sport but who feel under siege because of the diminishing areas in which they can hunt for game under clearly defined guidelines.

This inquiry addressed itself to the needs of recreational fishing. It stated on page 73: 'The public should be given more access to beach fronts and permanent waterways providing it is achieved via a public road'. That was the principle. The recommendation is: 'That a public reserve of not less than 30 metres in width from the top of the bank on either side of major watercourses and of a width of 100 metres from high water mark on beaches be created'.

Mr Deputy Speaker, it is in the context of the principle of that recommendation that the 1,045 citizens so far are addressing their concern to the Chief Minister and to other members of this Assembly. The report recognises the need for protection of a pastoralist's property so that it is not put at risk by those who seek to vandalise and litter, but we all know that it is impossible to design a law which will make unreasonable people reasonable. I was disappointed to hear the Minister for Primary Production and Tourism take such a hard line as a proponent of the pastoralists' cause, and give insufficient recognition to the legitimate concern of citizens for access to natural waterways. That is what this petition is about and I think that the inquiry gave them a greater respect than has been shown by the honourable Minister for Primary Producation and Tourism.

In English common law, it has long been considered that access by citizens to beaches is of paramount importance. It is to our shame that, in some parts of the country, access to natural waterways has been on sufferance. Other states have now recognised the need for recreational fishing and access to natural waterways. In Victoria and other states, there are no permanent safeguards enshrined in legislation for such access.

Mr Deputy Speaker, the report went on to mention the pastoralist's right to convert part of his lease in certain circumstances for activities associated with tourism. The association with which I deal, the Amateur Fishermen's Association, recognises the need to promote the tourist industry in the Territory, not only for the benefit of a few isolated pastoralists but for our society as a whole. It is inclined to resist moves, as does the report, which would give an unnatural advantage to people who presently hold land on a leasehold system. That would prove to be to the detriment of those who came here looking for fishing and other recreational pursuits. Certainly, the report states: 'Conflict may arise between pastoralists and the public in relation to the access to reserve areas. Problems associated with better access may be overcome by' - and they give certain safeguards - 'clearly identifying public roads, creating additional public roads and relocating others, introducing licence fees to enable compensation to be paid to pastoralists, providing funds to build fences...'

The problem of what constitutes a public road on pastoral properties has been aired in this Chamber for some years. In fact, I raised it in the Legislative Council. There are certain pastoralists in the Top End who, notwithstanding the fact that public money has been spent on their internal roads, claim those roads as private roads and deny access. They surely cannot have it both ways. If the people's money is spent upgrading their roads, not by way of loans but spent directly on upgrading and maintaining those facilities, how

can they then be considered as private roads? The majority of recreational fishermen recognise the rights of pastoralists not to have their cattle disturbed or their property unduly disturbed, as do the people presenting this report. The pastoralists simply say, as the Minister for Primary Production and Tourism said, that such access will naturally have a detrimental effect on their property. It is far too facile.

Mr Deputy Speaker, the honourable member for MacDonnell in his maiden speech made an excellent plea on behalf of the Aboriginal people whom he represents. He and all of us are well aware that he represents all the people of MacDonnell, not just those who happen to be of Aboriginal extraction. I hope that, in receiving the remarks that I have made - particularly on behalf of recreational fishermen and, to a lesser extent, on behalf of recreational shooters - the ministers in Cabinet will realise that it is not only the pastoralists who are fighting for survival at the moment, particularly in the Top End, but a large number of citizens also. In one way or another, they see their continuing access to waterways being taken from them.

Mr Perron: What about their access to land?

Mrs LAWRIE: Indeed, their access to land. It would appear that the Treasurer is somewhat on my side. It is refreshing to find the Country Liberal Party senior ministers espousing my cause. It is probably because the Treasurer is well known as a sportsman, a spear-fisherman of some note. He will be aware of the fishermen's concern about the alienation of salt water within 2 kilometres of Aboriginal land. That will be dealt with in the context of a different debate.

However, we are particularly concerned with the Martin Report which makes certain recommendations which, to my horror, have been discounted by the Minister for Primary Production and Tourism. I only hope that the Chief Minister and the Cabinet will pay more regard to the recommendation that land and the natural waterways be preserved for recreational fishermen and others in the Territory.

Motion agreed to.

ADJOURNMENT

Mr ROBERSTON (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mrs LAWRIE (Nightcliff): Mr Speaker, the Northern Territory News, through its editor who appears to be the arbiter of public morals, public debate and public everything else, has come out yet again this evening in a most peculiar manner. He has decided that I am a so-called independent, that any further claim of mine to independence would be hypocritical in the extreme and that, as a result of the recent local government elections and the support I received from a variety of people, my 'image as a representative of all is irreversibly tarnished'. If I am irreversibly tarnished, one wonders how indeed I am leading the poll.

The editorial is slanted in a way which would have the citizens believe that I am 'a surrogate ALP member', that I am some kind of party hack propped up by the ALP but without formal recognition and that a great mischief has been perpetrated upon the innocent people of Darwin in voting by a majority for me as their Lord Mayor. That is typical of the peculiar editorials emanating from the present managing editor of the Northern Territory News. We find,

that fate provides strange bedfellows because not only am I regularly castigated in his columns but the Chief Minister also appears to have incurred his continuing wrath, as has the present Lord Mayor, Cec Black. Now we have all earned his wrath. However, I think it is time the editor of the Northern Territory News opened both his sleepy eyes and got both sides to the story so that his editorials could make a little more sense than they do at present. This one is largely incomprehensible.

In saying that I am a surrogate ALP person and mentioning that ALP members handed out cards for me at election time - which indeed they did - he forgot to mention the other people who were assisting me by handing out how-to-vote cards, putting up signs in their front yards, scrutineering for me, assisting me in speech writing, donations etc. It has been a most fascinating election. First of all, it is public knowledge that the Leader of the Opposition and his deputy handed out cards for Alderman Pat Burke who is an ALP member. The member for Sanderson, June D'Rozario, and the member for Fannie Bay, Pam O'Neil handed out cards for me. They are close personal friends. An executive member of the Country Liberal Party also handed out cards for me and scrutineered for me until 2 o'clock in the morning. Another senior member of the Country Liberal Party is one of my scrutineers and is preparing to work again on Thursday. Yet another scrutineer who has done a magnificent job is a member of the Progress Party. Two other people who handed out cards, scrutineered and put up posters for me are paid-up members of the Australian Democrats. Well, Mr Deputy Speaker, aren't I a clever lady? I am not only a surrogate ALP person. If the strange and bizarre editor of the Northern Territory News followed through with his logic, I would be a surrogate Labor Party, CLP, Australian Democrats and Progress Party lady. I agree with the comment of the Minister for Education. He has heard of schizophrenia but that is ridiculous. That is how I see the present attitude of the editor of the Northern Territory News.

These local government elections are very democratic. Here I am receiving support from all the parties with the exception of the Communist Party which did not hand out cards for me. Maybe they vote: I do not know. If we examine it, we will find that a previous ALP candidate was handing out cards for Dr Gurd and a minister from the Country Liberal Party was scrutineering for Cec Black. What is so strange about me that I aroused the ire of the editor of the News? From the comments I have made, it will be quite clear that a variety of candidates, myself foremost, attracted support across the political spectrum. It cannot be gainsaid that those darling people - Democrats, CLP, ALP and Progress Party - were handing out cards and scrutineering for me.

Given that situation and the variety of support other candidates attracted, one must wonder why the editorial was written in a manner which would tend to discredit me. It must be something to do with the comments he made to a group of businessmen some weeks ago: 'I shall decide who is the next Lord Mayor of Darwin'. That comment was made by the managing editor of the NT News who, not so long after, came out heavily on the side of a candidate who was not the incumbent Lord Mayor nor myself. I do not think we need to name him. We all know who he is. He did not do very well so there is the managing editor with egg all over his face. He was going to decide - he and his precious Friday club. What a laugh! They bombed out badly. The 2 people in the running are those whom he appears to dislike most, with the possible exception of the Chief Minister. I would love to know what the Chief Minister has done. I can only say it must have been a beauty. Thus, we have this rather nasty, slanted, stupid little editorial.

Mr Deputy Speaker, it has been my practice to ignore remarks of that sort from the editor of the NT News but when I read this editorial I thought

of the people who worked so hard and so unselfishly for me over the past 6 weeks. There were not just ALP personal friends but also CLP personal friends, Democrat personal friends, Progress Party personal friends and a large number of people who to my knowledge are uncommitted to any party. I thank them for their support. I am sending them all a copy of this speech because I would hate them to feel that they were in any way 'tarnished', to use this crazy editor's words. I am rising in their defence, not mine, because I do not need to defend myself against him. He has tried his damnedest to discredit me, yet I still represent an electorate which, on federal voting figures, votes conservative. With charm and wit, they keep returning me as their member time after time and it will take more than a slanted, biased comment from a stupid man to change that.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, I do not believe that I have ever read a more virulent editorial than that contained in the Northern Territory News today. In fact, the only more virulent thing I have come across today was the adjournment speech from the member for Nightcliff. I do believe that the member for Nightcliff has a great deal of justification for the words she has just spoken. I must say that I have read few editorials where an editor has allowed his personal feelings about political matters to carry him away to such a degree as the editor of the News did today.

I do want to say also that it really is nonsense. I was rather amused by some of the advertisements I saw prior to the election. It really is nonsense to suggest that city council elections are not political. Of course they are. It is rather funny for people to talk about taking politics out of politics because, if you stand for a public office and if you depend on votes to get you into that public office, whether it is as Lord Mayor or as a member of the Assembly or indeed as Chairman of the Northern Land Council, it is politics that you require to get you there and you are a politician when you do get there.

The argument that the editor is using is self-defeating. I do not think there was anything demonstrated on Saturday more clearly than the fact that there was no political party interfering, as a party, in the election. That is perfectly true. The reason I am on my feet is because I received a mention in the member's address. The Leader of the Opposition in one place and myself in another place were handing out how-to-vote cards for Pat Burke. At the polling place that I was at, George Cridland and various other people were handing out cards for the member for Nightcliff. Martin Ford was there handing out cards for Charlie Gurd; I was very pleased to see him. Mr D'Ambrosio's son was handing out cards for Mr D'Ambrosio. This often occurs in these events. I have handed out many how-to-vote cards. It turned into a very pleasant social afternoon.

The one thing that the election did bring home to me once again was that there should be an electoral system developed which does away with how-to-vote cards. I think it is a matter that the government seriously needs to examine. We have discussed this matter in the Assembly before. There were 9 candidates in that election and Martin Ford was in the front of the line. I stood behind him and there were 7 others between the voters and the door. I do not know how many acres of pine forest had to be chopped down to supply the how-to-vote cards that were just used in that one polling place but it must have been a large number. They are pieces of paper which have a very short life - about 5 minutes. They are used and then they are thrown away. By the time a person reaches the door of the polling booth, he is clutching a handful of paper. There has to be a better system than that.

I would suggest that one way of overcoming it would be for facsimiles of party how-to-vote cards to be displayed in polling booths up on the wall or adjacent to the polling booths so that people could simply look at them if they wanted any assistance. It would be much better than this horrendous business of handing out millions of pieces of paper at polling booths. It is an imposition, of course, for the political candidates who are standing, whether they belong to a party or not, to have to produce them. It is certainly a very annoying imposition for the voters to have to collect these reams of paper as they walk past. In fact, everybody concerned with the voting process thinks that they are a bad idea. It is about time that we changed the system. I do not think it would be a bad idea if the Northern Territory gave a lead to other places in bringing about electoral reform.

That brings me to the second matter I wish to discuss. Mr Deputy Speaker, should the honourable member for Nightcliff become the new Lord Mayor of Darwin could I ask her to persuade the council to ask the Electoral Office to conduct the next election. As has been said before, the work of the Northern Territory's Chief Electoral Officer and his staff is professional, efficient and thorough. I know that that office is perfectly happy to assist whenever it is asked. In fact, should an Aboriginal community in my electorate request the Electoral Office to assist them in conducting an election, the people there would be only too happy - providing they received the proper authorisation from the minister - to give that professional assistance. Compare the work of the Electoral Office with the way in which the council conducted its count. I have had reports from almost every scrutineer that we had there: it was a mess. The polling finished at 8 o'clock. In an election conducted by the Electoral Office, you would have the first results by 9 o'clock. By 11 o'clock, the council had not counted its first vote. Could I suggest to the Darwin city council and perhaps to the future Lord Mayor of Darwin that that should not be repeated. It could be sensible to have professionals do the work. They are available here; why don't we use them?

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this afternoon I would like to raise 2 subjects. The first relates to a noxious weed, mimosa pigra. I have been asked to present in this Assembly a plea by a station owner for some help to be given. Mimosa pigra is the weed that we have all seen on the Adelaide River plains. The control of this weed is very difficult. It can be controlled by weedicides, it has been controlled in other parts of the world by biological means and it can be controlled mechanically. Despite controls that have been put on this weed, it is still spreading through properties like white ants do.To my knowledge, it is on 3 stations and it is in the national park. To rid the properties of this weed, money is necessary, and money is at a premium. I refer to one particular station. It is not a large station and the owners have been battling to get the station on its feet. They are battling now to try to achieve some agricultural development on the property. These efforts will be negated unless they receive some help to control this weed. More than any other weed, mimosa is presenting great problems.

I believe research is being done in Brazil on biological control and this is progressing quite well. Before biological control is introduced on any weed, full experimental work must be done in the country in which it is to be introduced because, without full knowledge of how the biological agent will behave in a new country, an even worse problem may result. I understand that, when the results of the research in Brazil are made public, there could be an announcement by the end of the next year made on the possible biological control of this weed in Australia. At the moment, the only means of control are conventional spraying and pulling twice a year. Spraying means a lot of weedicide has to be bought and pulling twice a year requires the purchase of mechanical equipment and labour has to be employed to use it.

At a northern farmers' meeting about 18 months ago, the farmers put forward the idea that they would like the government to consider a freight subsidy on this weedicide and on other weedicides used for the control of noxious weeds. There is a freight subsidy applying to primary producers in the Northern Territory for certain quantities of fertiliser and the quantities are very generous. They would like a similar subsidy to apply to weedicides. The farmers at the meeting want to rid their properties of weeds. Provided they could obtain some official help, they would be quite happy to do the work themselves and to use their machinery. They do not want complete government handouts; all they want is a little bit of help. I think it is more than their due, considering that the weeds are not only on privately owned land but also on government controlled land. If the government does not set the example by controlling the weeds on its land, in particular in Kakadu National Park, I cannot see how the primary producer can expect to take the lead because the government has far more resources at its disposal than primary producers have.

My second subject this evening concerns 2 incidents related to me regarding the registration of motor vehicles. One concerns a person who does not live in my electorate, but who comes to see me often. The other person whom I would like to mention is a young apprentice. These people are not raving ratbags. They are good, solid citizens and they are trying to do the right thing. I will report in some detail what happened to them when they went to have their cars registered. Both people realise that you must drive on the roads in cars that do not present any driving problems and do not present any problems to other road users.

The first person is a transport operator who has 7 vehicles. He is not a large operator; he is an owner/operator. This man has been driving for 22 years. He mentioned taking a Landrover in to have the registration renewed. This Landrover is 7 years old and he has maintained it in a commendably roadworthy condition all of those 7 years. He took it up this year for registration and was told he could not reregister it unless it had mudflaps. Everything else was in order but he had to take it home and have mudflaps fitted. The reason given was that so many windscreens were being broken along the Stuart Highway.

This is the wrong way of looking at the problem. Admittedly, the Stuart Highway between Howard Springs and Darwin has been repaired frequently and there is a lot of loose road metal. The loose road metal is thrown up by careless drivers. I do not feel that the careful driver should pay the cost for the bad driving of other people. When roads are being repaired and there is loose road metal, it is necessary to drive more slowly out of consideration for other road users. It was his contention that stones did not fly backwards but rather from the sides of the car. I do not know whether that is strictly correct but I think it is mostly correct. I consider that the incident of the mudflaps is merely nitpicking.

He mentioned another incident. He took a truck in to be registered and he did not have all the marker lights on top of the cabin working. Because they were not working and one was in a state of disrepair, his registration was knocked back. He did not feel like repairing this marker light so he just went home and sawed it off. He took the vehicle back and it was registered. I cannot see the difference between having an inoperable marker light on top and one sawn off. Neither of them worked.

He mentioned also that people with older cars seemed to pay more attention to them. It was his view that most accidents are caused by newer cars. I have checked this with the police and it is not their opinion. His views on that were his own personal views. He does not seem to think that all this

nitpicking is reducing the death rate, which is what is hoped for. The aim is to make vehicles more roadworthy. He has no disagreement with that. He thinks that what he was told to do would not achieve the intended aim.

He took a new sedan in to have it registered before Christmas and he could not get it registered because the engine was dirty. He had to go home and clean the engine. Another point that was mentioned was that the handbrake had too much movement in it. It was a new car. He could not adjust it because it was a new car. The next time he took it in, the inspector asked why it was knocked back in the first place, and then passed it. On another occasion, he took a truck to be registered and it did not have a tailgate. It could not be registered until he fitted the tailgate. He considers that this harassment of ordinary people is not in the best interests of the Motor Vehicle Registry Office. He does not blame the people there; he blames the system. It is costing the car owners and drivers a lot of money and it is not achieving the purpose for which it was intended, namely, to reduce the death rate on our roads.

On another occasion, he was driving a truck, a multi-wheeled vehicle. He had a couple of bald tyres. He concedes that to have bald tyres on a car which has 4 wheels is unsafe, but on a multi-wheeled vehicle the strength comes from the tyre casing not from the tread. Therefore, having a couple of bald tyres on a truck is not as critical as bald tyres on a car. He would like to see an easing-up of these minor restrictions. The inspector also mentioned a stone mark on his left-hand-side windscreen, a very minor mark. He had to replace the whole windscreen which set him back $700. In his estimation and in the estimation of other truck owners, it was not necessary.

The other incident relating to registration of motor vehicles concerns a young apprentice who lives in the rural area. This young chap was driving an old Holden panel van in April. He was driving along Bagot Road and turning into the Stuart Highway. It was late at night and he had taken his girlfriend out. He had a mate and the mate's girlfriend in the back so there were 4 of them in the vehicle. As they were coming around the corner of Bagot Road-Stuart Highway, they were pulled up by the police who said that the reason they pulled them up was because they were doing 90 kph. I have heard only one side of the story - the young bloke's side - but he wouldn't have been doing 90 around the corner because of the car in front of him. He stopped for the police and his car was inspected there and then. He was given a defect notice too - his exhaust was too loud, he had to replace his handbrake and he had trouble with his tyres. He had to leave the car there. Those 4 people had to walk back to Howard Springs that night at 11.30. I think it rather unfair but I don't know what could have been done. I realise that the vehicle might have been unsafe but, in the interests of public relations, the police at least could have given them a lift home to Howard Springs.

This apprentice did all the things that he had to do to his car and took it back 27 days later. He had 28 days in which to report back. When he took it back, he had a hole in the coloured glass of one of his tail lights. I was not able to find out whether it was his right or his left tail light although it makes a difference. Only one is necessary on a vehicle, not both of them. I do not know which one it was. He had a hole in the exhaust and he had a hole in the floor. He needed something done to a ball joint, which he attended to. As well as that, he also was told that his engine was dirty. What a dirty engine has to do with safe driving on the highway, I just cannot imagine but he was told to steam clean his engine. He did all this and he reported back in 7 days.

By the way, 6 of his mates also received defect notices because they were all driving the same model Holdens. I understand that some young people might drive defective vehicles. I would not be so hard as to say they were victimised, but I think it could happen sometimes. He did all these things in the 7 days and then he received a further defect notice and had 2 days to fix everything. This young lad goes to the community college as part of his apprenticeship and luckily he is a motor mechanic. Also he has a generous and obliging employer. Really he had only 1 day to nip back to the Motor Vehicle Registry Office. I think he has his car in order now but I must say that I feel that this nit-picking by the Motor Vehicle Registry has to stop. I will come to the whole point of what I think should be done. The member for Elsey has also mentioned it as did both this young apprentice's employer and the truck owner. If there were more road patrols by police, then the drivers of these perhaps unsafe vehicles would take preventative action more frequently than they are taking at the moment.

Mrs O'NEIL (FannieBay): Mr Speaker, I thank the member for Tiwi for her comments and I must congratulate the Minister for Transport and Works on the excellent job that his motor vehicle inspectors are obviously doing in keeping the roads safe.

That is not what I wanted to talk about. I felt compelled to speak this afternoon in response to some statements that the Chief Minister made today. I was not perhaps concentrating as well as I might have been but he said that it is easy in opposition to criticise priorities in spending and that the member for Fannie Bay does not make any positive contributions as to what could be done. I did not take his words down exactly because at that moment I was reading the Parliamentary Record of the February sittings. Lo and behold, in that very document there is a speech by me on an appropriation bill in which I made a number of suggestions regarding health funding.

I am not normally in the habit of quoting myself, but I must point out to the Chief Minister that, on that occasion and on many occasions, I have discussed the question of priorities in health funding and I have made suggestions. On occasions, I have agreed with the Minister of Health when he has initiated measures to conserve money. On that occasion, I was speaking directly on the question of the division of the health budget between hospital services and community health services. I said that it is one that needs to be looked at. I said that we must give priority to preventative medicine and not curative medicine. I said that I appreciated that it was politically a very difficult problem and that the expectation of the community was to be treated by doctors and to have beautiful hospitals. It is difficult to convince people that their expectations in regard to health services are unreasonable although, in my view, they are.

I have said time and time again that we must look at the sort of services which we are now realising are appropriate for Aboriginal communities and apply those lessons to European communities. I have said to the Minister for Health in this Assembly that, if he decided to close Outpatient facilities at large hospitals as a source of primary care and substitute them with services at community health centres because they are cheaper, I would support him. I said I would support the establishment of a private hospital for those who could afford it if it was not at any cost to the people of the Northern Territory. I have said that I support the expansion of the ability of others in the health field to carry out services that are currently performed by doctors because, in that way, money would be saved.

I am a great believer in the future of the nurse-practitioner. I believe there are many functions that are performed by doctors that ought to be performed by registered nurses. Already in the Northern Territory, as is the case elsewhere, there are services being provided by doctors which could be carried out completely by our trained nurses. This is one area in the Northern Territory where we could save a considerable amount of money. I supported the Minister for Health when he proposed extending dental services from primary schools to high schools because of the ultimate saving in providing curative dental services to the Northern Territory.

I do not blame the Chief Minister for not always listening to what I say. I am not the most eloquent speaker in the Assembly. It is obvious that we have acquired yet another excellent speaker in the member for MacDonnell judging by his maiden speech today. Nevertheless, I think my record on this issue speaks for itself and I am happy at any time to talk to the Chief Minister, the Minister for Health and anybody else about how we can rationalise health funding in the Northern Territory in an appropriate way for the 1980s and beyond.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am,

PETITION
Traffic Flow in Fannie Bay Area

Mrs O'NEIL (Fannie Bay): Mr Speaker, I present a petition from 101 citizens of the Northern Territory expressing their concern at the increased traffic flow from Dick Ward Drive into the Fannie Bay area which is creating a hazard for pedestrians. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly, we the undersigned citizens of the Northern Territory respectfully showeth that the increased traffic flow from Dick Ward Drive into the Fannie Bay area is creating a hazard to pedestrians, in particular the residents of Kurringal flats. Your petitioners therefore humbly pray that a pedestrian crossing be established to reduce dangers to residents and your petitioners, as in duty bound, will ever pray.

NATIONAL TRUST OF AUSTRALIA (NORTHERN TERRITORY) ANNUAL REPORT 1979-80

Mr PERRON (Treasurer): I table the Annual Report for 1979-80 of the National Trust of Australia (Northern Territory). I move that this Assembly, in accordance with the provisions of the Legislative Assembly (Powers and Privileges) Act 1977, authorises the publication of the Annual Report of the National Trust of Australia (Northern Territory) for 1979-80, and that the report be printed.

Motion agreed to.

Mr PERRON (Treasurer): Mr Speaker, I move that the Assembly take note of the report.

The National Trust has been in existence in the Northern Territory for many years and has a large and very enthusiastic membership. At present, the trust is in a serious situation financially and has been the subject of exhaustive inquiry by the Audit Bureau of the Public Service Commissioner's Office and of the Department of Community Development. I believe that the management problems can be overcome and that the National Trust can continue to offer a valuable service to the community. I have, therefore, approved a grant to the trust of $20,665 to meet specified liabilities. An experienced heritage project officer from the Department of Community Development is temporarily acting as Director of the National Trust and consultation is taking place with Treasury and the Department of Home Affairs and the Environment to develop acceptable solutions to the problem of uncompleted projects.

Mr Speaker, I table the report of the trust and ask that it be printed for the information of honourable members.

Debate adjourned.

STATEMENT
Oral History Committee

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, the Oral History Unit in my department comprises a part-time chairman and a full-time executive officer servicing the Oral History Committee, the Schools History Committee and

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the Annual History Awards Committee. The Oral History Committee has been operating for over 2 years. The aim of the program is to gather the reminiscences and recollections of Territory life from past and present Territorians whose memories, in some cases, extend back nearly to the turn of the century.

Honourable members will be pleased to know that this program has the distinction of being the first directly government funded oral history program in Australia. It is attracting academic interest and several weeks ago in Sydney we received top billing at the Second Biennial Oral History Association Conference when a paper was presented on the development of this program in the Northern Territory. That is one of the effects on the Northern Territory economy of federal-Territory financial relations.

Extensive indexes are being maintained which contain more than 700 names of possible interviewees, many of whom are interstate. To date, more than 185 of these have been interviewed, most by the 30 contract interviewers, but others by individuals who have shown an interest in the program and who have interviewed for specific purposes. As an example, Dr Clyde Fenton, the famous Top End flying doctor of the 1930s, was interviewed recently in Melbourne by a private aviation collector. The tapes now held represent in excess of 300 hours of interviewing and will become available for bona fide researchers only. Each interviewee gives written instructions on access to the tapes and transcripts during his lifetime and thereafter the tape becomes the property of the Northern Territory. This follows the National Library practice.

The tapes are held under normal archival conditions in the Northern Territory section of the Australian archives building. It is essential that controlled access be maintained as much valuable material is being obtained from cooperative people who realise that their stories of everyday life are part of the fabric of our developing Territory and that once they pass on, if no record is made, their stories and, in many cases, their lifestyles will be lost forever.

Honourable members are probably aware that apart from official records, and many of those are missing - for example, most of the pre-war court records - private collections in the Territory are somewhat sparse. As an unexpected bonus for the interviewing being undertaken interstate, a tremendous amount of photographic and other documentary material is being returned to the Territory - even if only for copying in the first instance. Collections being received will go on either to the museum, archives or the library, whichever is the appropriate repository.

I am advised that many of the tall stories are not so tall after all and that many versions of the same story stand together remarkably well. For instance, at the time of the bombing on 19 February 1942, there was a good deal of outrage that the old hospital at Myilly Point, then newly opened, was bombed and the army barracks on the next headland were not. The explanation then suggested was that, as a Japanese invasion was thought to be imminent, the enemy wanted to maintain the barracks in good condition. However, it seems that the large red crosses on the hospital roof were not painted on until the day before the raid, which would have been some time after the Japanese reconnaissance flights. Even if this story is not true, it does provide a reasonable explanation as the photos show that the barracks and the hospital were not unalike from the air.

The committee now holds 28 tape-recorders of varying types together with microphones where necessary, 11 typewriters and 12 transcription machines, and appropriate headphones. That is really accounting.

In my last ministerial statement, I advised the composition of the Oral

History Committee which remains essentially the same and includes representatives from the various bodies interested in history. I commend this program to you all, not only for the wealth of material which it is collecting but also because it has become a means of developing for the Territory a remarkable amount of goodwill. My appreciation goes to all people both in the Territory and interstate who have been involved in any way.

The Third Annual History Award Committee has now been constituted and applications for the 1982 awards will be called in August. Members will know that the 1980 winner was Peter Donovan and assistance has been given to allow for the publication of his first thesis on the South Australian era 1869-1911. This will be published by Queensland University Press later this year. Alan Powell - whom most members would know - the 1981 winner, has also arranged for publication of his book and this also should be available at about the end of the year. In addition, the government has also given publishing assistance to Mrs Isabella Shepherdson and her husband who served as missionaries on Elcho Island for 50 years. I am also pleased to be able to advise that, largely due to the increasing interest in the Territory, a Melbourne company has undertaken to arrange for the republication of Dr Clyde Fenton's book.

A Schools History Committee was also formed late in 1980 with the aim of encouraging Territory primary schoolchildren to investigate history. No specific topic or medium was set and 20 schools responded. This may not sound like much but each school provided multiple entries. A public display of the results will be mounted in the Museum NZVIC Gallery for the week commencing 23 June.

I move that the statement be noted.

Mr ISAACS (Opposition Leader): Mr Speaker, I welcome the statement by the Chief Minister on the Oral History Program and I would like to commend the people involved. It is without question an excellent program. It has very laudable objectives and the people seem to be carrying out those objectives, after a few hitches to start with, in a most commendable fashion.

There is a great deal of unrecorded Northern Territory history and there are a very significant number of people about who have first-hand knowledge of the unrecorded past. I believe that the government should be commended for the approach it has taken to ensure that this hitherto unrecorded history is taken down and preserved. It gives the old timers who have taken part in the pioneering of the Territory a sense of identity. It will ensure that they believe they are regarded highly by future generations of Territorians.

I would like the Chief Minister to reply to one question about the history program. The Territory's history is not just about white people who pioneered the place many years ago but many people of both migrant extraction and Aboriginal extraction. I am not sure whether the Chief Minister has stated whether or not interpreters are being used in the Oral History Program to ensure that the history of our very diversified culture is also being recorded. For example, there are a number of different stories of how it came to be that Darwin has such a very significant Greek population. There seem to be as many explanations as there are people to explain. I believe it is important to the identity of the individual ethnic groups as well as for the Territory itself that their history is faithfully recorded.

Perhaps the Chief Minister could inform the Assembly whether interpretors are hired by the Oral History Program to ensure that that part of the Territory's history also is recorded in our annals. I can only repeat that the program itself has won wide acclaim throughout Australia. We are leading the states in regard

to the preservation of our history. I believe the government should be commended for initiating the program, and the unit itself commended for the carriage of it.

Mrs O'NEIL (Fannie Bay): I would also like to speak briefly on this topic. It is a matter that I have had some interest in since it was first initiated. Indeed, I have asked a number of questions on notice regarding it. In fact, some of the matters that I have raised in questions on notice deal with the very issue raised by the Leader of the Opposition this morning; that is, the need to ensure that bias does not emerge in the oral record of Northern Territory history as a result, however innocent, of poor selection of persons to do the interviewing and so forth. I think that is important. I believe that it has been brought to the attention of the people who are running the oral history program.

I have previously asked questions about storage of and access to this material. It is critical that proper management measures be developed. I am pleased to see now that the material is stored in the Australian archives building and proper arrangements have been made regarding access to it. I point out to the Chief Minister that this is important not only after the tapes have been transcribed and indexed but also while they are in the process of being transcribed. The Chief Minister has pointed out in the past that some statements made in these tapes are quite libellous. It is a good idea if they are kept under proper control at all times and not only after the transcription has been completed.

I am pleased to see reference to photographs and written material in the Chief Minister's statement. Previously, there has been some confusion in the Northern Territory as to who is responsible for the collection of such items. The Darwin Community College has been active in this area. I believe that the Northern Territory Library Service has a statutory responsibility in this regard and various government bodies have been active in this field. This has created confusion in the minds of people who wish to donate material. This area requires further clarification. I am pleased to see that mentioned in this paper.

Finally, I wish to reflect on the current membership of the Oral History Committee. It has changed slightly. At the moment, there are 7 or 8 members and they are all male. There is now a recognition of the fact that, in the past, European history has been written by men about men as a result of the different roles that men and women played in European life. It would be unfortunate if this were reflected in this program. I know that there are women involved in the recording and in other aspects of the program. I believe that women should be represented on the Oral History Committee in recognition of the bias that has occurred in the past in the recording of history. How many Australian children know of the important role played by Mrs Macarther in the establishment of the first merino flock in Australia whilst her husband was in England for many years as a result of the interesting rum rebellion. She played a very important role in the establishment of that industry and yet most of us learn at school that it was John Macarthur who was responsible. She had at least an equal hand in that. I commend that thought to the Chief Minister and also the thought - and I have raised this in a question on notice - that the Museums and Art Galleries Board should be formally represented on this committee.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I have registered those points and I will certainly bring them to the attention of the committee. I cannot give an explicit answer regarding the various ethnic groups but I know for certain that some Chinese people have been interviewed. I believe a number of Aboriginal people have been interviewed and the honourable Minister for Transport and Works reminds me that some Greek people have also been interviewed. I would assume that interviews are taking place, and certainly it has always been my understanding that this program is being undertaken without regard to a person's

colour, creed or race but simply with regard to the information that he can provide.

I note what the member for Fannie Bay said about the Museums and Art Galleries Board not being represented. I have spoken to the Director of the Museums and Art Galleries Board about the matter and he is not concerned about that. I think that this is a good committee through which material can flow for evaluation as to whether it should go to archives of the museum or wherever. In any event, it only obtains access to material which it digs up or which is volunteered to it. Anyone wanting to send material to other areas is at liberty to do so.

The members have been chosen rather for their ability than for their sex. They are not writing history but accumulating information. I would hope that the honourable member for Fannie Bay would reflect on that. The executive officer of the committee is a woman. I believe that that lady undertakes a great deal of the organisation of the whole scheme.

Motion agreed to.

STATEMENT

Establishment of a Performing Arts Centre

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, I wish to inform members of the arrangements which have been entered into by the Territory Development Corporation, Burgundy Royale Investments Pty Ltd and the Corporation of the City of Darwin to provide facilities for the performing arts in this city. Memoranda of understanding have been signed between the government and the developer and the government and the Corporation of the City of Darwin to provide the centre. Burgundy Royale Investments Pty Ltd is a company based in Sabah. The primary interest shown by the developers was to provide a much needed international hotel facility in Darwin to overcome the drastic shortage of accommodation for the tourist industry. Out of the initial discussions which took place between the Treasurer and Minister for Community Development in Kota Kinabalu in October 1980 has blossomed a total complex which will meet other needs of Darwin.

I will be making available to the Assembly copies of the memoranda of understanding and the heads of agreement which summarise the arrangements. The performing arts centre will incorporate a theatre to accommodate 1,000 persons plus a performing space to accommodate up to 250 persons. It is likely, now detailed design has commenced, that the theatre will provide for something in excess of 1,100 seats. I should point out that the 250-seat performing space will be incorporated in the design but not outfitted for the time being. This is because of the limited available funds of the corporation and the government at the present time. The matter will be reviewed as the development proceeds.

The total complex will include a convention centre to accommodate 1,200 persons at lecture-type sessions and 600 persons at banquet functions and should include 3 special purpose meeting rooms and associated facilities to accommodate 40 to 60 persons each. Secondly, it will include an international-standard hotel with 250 room modules. I believe that the number might now be upwards of 300 since additional property has been acquired to expand the area available for development. Thirdly, it will include a concourse and public gallery with bar facilities and, fourthly, a car park for 300 cars. The developer will be given a licence to construct the total complex. After the development is completed, it will hand back to the Corporation of the City of Darwin title to the performing arts centre which will be managed by the corporation.

The area of land to be made available to the company includes 4 blocks of land bounded by McLachlan Street, the Esplanade and Mitchell Street. Two of the blocks are in the ownership of the corporation and 2 are held by the government. Together with 4 blocks of land, the section of McLachlan Street between Mitchell Street and the Esplanade will be made available to the developer free of charge. The developer has purchased 3 blocks of land on the other side of McLachlan Street. I understand that those 3 blocks were purchased at an average price of about $200,000 each. The land on which the performing arts complex will stand amounts to about 3,200 square metres and the total site area will be 16,100 square metres. In addition to this, there will be a pedestrian mall and walkway amounting to 4,400 square metres through the whole site from Mitchell Street to the Esplanade. The convention centre will occupy an area of 1,200 square metres while the hotel will be constructed on an area of 3,600 square metres. The remaining area will be open space, landscaped gardens and so on.

Loans made available by the Northern Territory Development Corporation to the developer are as follows: firstly, there is an interest-free loan for the sum of $328,000 which will be secured by a registered mortgage over the whole of the area owned or leased by the company within the project area; and, secondly, there is a loan of $500,000 at an interest rate of 4% per annum, with the loan secured by registered mortgage. When the document that I am tabling is read, it will be seen that, as a consideration for these loans, the company will construct the car-park at an estimated cost of $2m.

I shall say something about other aspects of the financial arrangements. These relate primarily to financial commitment by the government and the corporation towards the project. It is anticipated that the total completed cost of the performing arts centre will be $7.34m. Of this, the corporation will contribute a fixed amount of $2.17m. The corporation will have the benefit of a loan of $1.75m from the Northern Territory government and meet the balance from its own funds. The Territory government and the corporation are to reach an agreement on the level of costs to be met by the Territory government for the ongoing operations of the centre and investigations are proceeding to identify the order of these costs. Ongoing negotiations are occurring with the developer to see what contribution the developer will make for soft rates for the use of convention centre space, chilled water for air-conditioning, bar income and so on.

The total cost estimated for the entire project is $40m. It will provide a facility of which this town will be proud. The head architects are people of great talent. However, the agreement provides that a minimum of 40% of the architectural work required for the project will be assigned to Northern Territory-based architects, and the maximum use of Territory-based special sub-consultants will occur. The general layout proposed is most impressive. The layout of restaurants, bistros, coffee bars, shops around the amphitheatre and the walk-through mall add to the features of a most innovative project. The linking of the hotel and convention facilities with the performing arts centre will enable overheads to be reduced compared to those of a stand-alone facility because of the opportunity to maximise staff utilisation and other resources. The government and the corporation will continue to have the advice of Mr Tom Brown who is recognised as a leader in design and consultancy work throughout Australia. Mr Brown has assured the government that the concept meets admirably the design brief which he put down in a report to the Corporation of the City of Darwin in 1980 and I have been delighted by the positive responses which I have received from Darwin user groups about the project.

Finally, the design and documentation for the project will be completed by 31 December 1981. Construction will commence by 30 April 1982. It is expected

that the complex will be completed and ready for occupation by 1 October 1984. I hope honourable members will take the opportunity to study the model, which is to be available to them within the precincts of the Assembly during this sittings by your kind permission. I look forward to their comments and their support.

I move the statement be noted.

Mr ISAACS (Opposition Leader): Mr Speaker, I thank the Chief Minister for making these documents available to the Assembly.

There has been a good deal of discussion about this particular proposal in the local media and rightly so. A number of points made by the media are extremely well taken. Without question, the Northern Territory needs a cultural centre. It needs a cultural centre of which it can be proud and which will cater for cultural activity for many years to come. I do not believe we should settle for a cultural centre which in any way has its integrity impaired or is second rate.

Mr Tom Brown is not only recognised in Australia as an expert theatre consultant but also world wide. His involvement will ensure the integrity of the performing arts complex. If Mr Brown's advice is heeded, the complex, in so far as it relates to cultural pursuits, will be very fine indeed. I am told that, in his view, the complex, as it relates to his area of expertise, will retain its integrity. That is not to say that I see no deficiencies in the program outlined by the Chief Minister. For example, the 250 seat open space which was an integral part of the performing arts complex, will be proceeded with, but only at some unspecified time in the future. Secondly, the rehearsal rooms, which were part of the original design brief, are not mentioned in any documentation before us today. I believe these to be necessary additions to our cultural centre. I believe a second-rate structure is undesirable. The rehearsal rooms and the open space part of the complex should be proceeded with as part of the total program.

However, the arguments about the cultural centre and the associated project do not come down to whether or not a cultural centre is needed; I think everybody agrees that it is. It has been sought for many years. I am sure the people who have an interest in this matter are delighted that a cultural centre is at last about to be realised, even if it is necessary to wait until the end of 1984 for its completion. What people are concerned about, and certainly what I am concerned about, is the manner in which this project has been negotiated.

It has been put to me that the notion of a tourist hotel and convention centre associated with the theatre itself detracts from the integrity of the complex. Frankly, I do not agree with that proposition. Experts in this area have assured me that, because of the way the proposition is being put together the integrity of the centre will not be impaired by its location next to the theatre complex. What is in question is how the project was conceived and which people were invited to put together the proposal. The Chief Minister's statement does not provide an answer.

There are some very cute comments in the Chief Minister's statement and in the document attached to it. I refer to those. Quite clearly, when prime land with magnificent views - very expensive land - is put up as part of a huge $40m development, the proposal ought to be made in a manner which is completely above board. Not only is prime land involved but there is an interest-free loan totalling $328,000 and a further $500,000 at the very concessional rate of 4% over a 10-year period or for such longer period as specified by the Northern Territory Development Corporation. Where there is that kind of concession in rates,

questions must be asked.

To my mind - I may be wrong but I doubt it - no public tender was offered; no expressions of interest were invited in Australia. To my knowledge, there are organisations in Australia which would have been interested indeed. In fact, the New South Wales government recently announced that it had put to public tender and had accepted a tender to redesign a very significant area in the heart of Sydney because the land and the buildings in that area were very important. Public tenders were called and, as it turned out, an international developer won the prize. Nonetheless, public tenders were called.

On this occasion, no public tenders were called. However, we read in the heads of agreement on the Darwin centre that a Northern Territory ministerial mission, together with the Chairman of the NTDC, carried out an international promotion of the project under the leadership of the Treasurer and Minister for Industrial Development. It is all very well for the minister to say that he went overseas and promoted this proposition. It certainly was not promoted within Australia. I am not sure that item (B) is strictly accurate anyway. What sort of promotion was there? Was it internationally promoted overseas or was it simply promoted to one particular person overseas. That is where the whole program smells and that is why I believe the Northern Territory News and the Darwin Star ought to be commended for the way in which they have shown to the public what has happened. You cannot undertake a project which involves 4 blocks of prime real estate, interest-free and concessional-rate loans - $328,000 and $500,000 respectively - and hope that you can possibly put together a proposition without going to public tender. It ought to have gone to public tender. The government stands condemned for not putting it to public tender.

There are other matters relating to the proposition. There is no doubt that we should be very grateful that the company will construct a 300-car car-park at a cost of $2m in recognition of the very favourable loans that it is being given. But let us not forget that the company will receive significant benefits from having its convention centre and hotel complex adjacent to the cultural centre. If you are looking for a quid pro quo, it seems to me that there are plenty about.

I simply reiterate the point that, as this project is of such significance - involving government land and government loans - it ought to have been put out to public tender, and not contracted for through an international ministerial promotion. It was not said prior to the departure of the minister nor on his return that part of the purpose of the mission was to get a program which would involve the combination of the cultural centre and an international tourist resort. Nobody suggested that we do not want an international tourist hotel nor that we do not wish to have a cultural centre - quite the contrary. What is complained about, quite rightly, is the secrecy of the manner in which this deal was put together. Because there exists the combination of factors which is outlined in the Chief Minister's speech, that project ought to have been put to public tender both within Australia and without.

Mrs LAWRIE (Nightcliff): The Leader of the Opposition has adequately covered some of the points I was going to make. There are a couple of things which still need saying. Certainly, one is the community unrest and disquiet at the secret manner in which these negotiations were carried out. The other is what I believe to be an untruth in the documents tabled and in statements made to the press.

If we look at the heads of agreement, Darwin centre, paragraphs (F) and (G), we will see that the representative of the company, Mr Koh, discussed the project with the Lord Mayor of Darwin, the Co-ordinator General, the Chief Minister's Department and the Chairman of the NTDC on 31 January 1981. That is acknowledged.

The corporation indicated its agreement in principle to this proposal by letter dated 2 February 1981. Mr Speaker, therein lies a little tale. At the time that letter was signed and sent - I have seen a copy of it - showing that the corporation indicated its agreement in principle, the city council had not met and considered the matter. That was an agreement with the Lord Mayor and many of the aldermen are upset, even outraged, that this letter was written in that manner. It gave rise to considerable debate in the council and moves to rescind this previous so-called agreement. Those moves were unsuccessful. As it turned out, a majority of the aldermen agreed with the agreement in principle. But they did not agree when that letter states they did; they had not met to consider it which is one of the reasons that some of the aldermen are upset.

Other aldermen to whom I have spoken agree that they had not in fact discussed it but say that they like the concept anyway. That is their prerogative and that is the way they voted in council. It is disgraceful that it should be indicated to this overseas company that the corporation agreed when it had not considered it.

Mr Speaker, I do not agree that the best thing for Darwin is to have its performing arts centre incorporated into a multi-storey international hotel situated on prime land which is being given to this company. This is the people's land. A large number of Darwin citizens agree totally with my feelings. They are outraged that their land is being given to a company for that company's demonstrable benefit. The Leader of the Opposition mentioned an interest-free loan and another loan at a very low interest rate of 4% per annum. The valuation placed on those 4 blocks of land is understated. Other land valuers in Darwin have given me a figure of $2½m for that land. It is prime land. There is no comparable land in Darwin. Nevertheless, these negotiations were entered into without many of the people who own the land knowing what was going on. I refer to the people of the Northern Territory. Even the aldermen did not know until the last minute when they were presented with a letter which showed they had agreed to something which they had not, at that stage, even considered.

Many people have asked why this company was given such an advantage. Why was this not advertised internationally if that was the way we wanted to have our performing arts centre built? Why weren't public tenders or design tenders called not only within Australia but also outside? To the best of my knowledge, none of these things happened. I agree with the Leader of the Opposition when he describes as 'cute' the way in which these documents say that these negotiations were proceeded with. I cannot agree with the way in which the negotiations were undertaken and the agreements were reached. I go further than the Leader of the Opposition: I do not believe that we are getting the best deal for Darwin. I believe we should have a free-standing centre of which we could be proud and which could have been expanded in the future as funds became available. I believe that the people of the Territory are the losers in this deal; we do not stand to gain by it.

Mr PERRON (Community Development): Mr Speaker, the 2 previous speakers demonstrate that there is both support for and opposition to the concept of what is being done even if not for the way in which it is being done. I propose to answer first the point raised by the Leader of the Opposition that the statement virtually says that, during the trade mission to South-east Asia in October, I promoted the concept of a joint hotel and arts facility in Darwin. Of course, I did no such thing. In fact, he was reading into the Chief Minister's statement which I will now quote from: 'Out of the initial discussions which took place between the Treasurer and Minister for Community Development in Kota Kinabalu in October 1980 has blossomed a total complex which will meet other needs of Darwin'. If members read it again, they will realise that it is not stating that I was overseas promoting a joint concept at that time.

The Northern Territory Development Corporation was directed sometime last year to do its utmost to bring to the Northern Territory - Darwin and Alice Springs - international-class hotels, preferably in the 250-room-plus bracket. We believe that the tourist projections for the Northern Territory and indeed the difficulties we face with tourist accommodation at the present time clearly indicate a demand for these 2 facilities. Therefore, when I went to visit various people in Asia last year, amongst other things, I took with me a feasibility study on the question of building international-class hotels in Darwin and Alice Springs.

The NTDC had in fact advertised Australia-wide for expressions of interest by Australian developers to come here and build such hotels but it received a very disappointing response. It seemed to us that Australian companies which might be interested in building international-class hotel complexes were either occupied elsewhere or were not paying sufficient attention to the Northern Territory. We had no response from the Australian industry.

By going to Asia, we are attracting Asian developers. It is somewhat unique that the Northern Territory has been able to put forward a case to Asian developers which is different to what they are used to. Most Asian countries promote themselves very strongly in other countries and provide generous concessions for international companies, including Australian companies, to establish in Asia. In this case, the message was reversed in that Asian businessmen and governments were invited to invest in the Northern Territory. It was certainly a new concept to them. However, we had some success, and not only in this field.

We encouraged not only businessmen from Sabah to come to the Northern Territory to consider this hotel project but, at the same time, businessmen from other Asian countries were invited. They carried out their own investigations in Darwin as to what the possibilities were. The availability of land was one of the main considerations. To build an international-class hotel at a cost of at least $20m, it was necessary to have a very prime site before it would even be contemplated.

The people who came to Darwin were put in touch with Jennings Industries which had at that time secured from the government 2 blocks of land on the Esplanade. I understand that it had secured a private option on the third block by itself. At that time, Jennings Industries was trying to find a developer who was prepared to build a major hotel. Jennings Industries interest was to design and construct, but not necessarily to run a hotel because it is not usually in that business. Anyone who expressed interest in the Darwin hotel that we were promoting was immediately put onto Jennings Industries and left to negotiate with that company.

In inquiring about other land that was available in Darwin - obviously a developer is interested in looking at all the options - other sites in the vicinity of the Esplanade and Mitchell Street were examined. One site which attracted an eye was the very much underdeveloped Darwin Club site. Parties were put in contact with the committee of the Darwin Club to negotiate between themselves. Also, certain other blocks in the area were on the market and had been on the market for quite a long time.

Mr Speaker, the Jennings Industries' site - 3 blocks - was quite obviously too small for a major hotel. Because of today's requirements of landscaping, planning etc, a very substantial site would be required for a hotel of 250 rooms plus. Under the present regulations, I doubt that the Travelodge could be built again; that is, unless it could get some specific waivers from the Planning Authority. The Jennings Industries site was simply too small. It was certainly

an attractive site - situated right on the Esplanade, overlooking the harbour and having 2 street frontages. It had a lot going for it except that it was not big enough.

I understand that, as far as the Darwin Club site was concerned - as has happened on several previous occasions - agreement could not be reached with the management of the Darwin Club.

The representatives of Burgundy Royale asked about the vacant site alongside the Travelodge, which had been nominally set aside for the performing arts centre. This was attractive because it had land across the road which was also on the market. However, because the land in question was set aside for a performing arts centre, it was really the only available site short of compulsory acquisition and we were not considering that. The developer suggested that it be allowed to put a proposition to the government and the corporation involving a joint facility. It was suggested that the company would either build and lease back, the government would fund it or some financial arrangement would be worked out. The government was asked if it would be prepared to entertain such a submission. With the agreement of the corporation, we were prepared to entertain such a submission. From then on, negotiations continued through a series of trips to Darwin and a formal announcement was made some time before the press claimed their great scoop on the issue. Some weeks later the government announced the details and during that period there was much speculation and nonsense in the press over what was happening, most of it completely ill-informed. The announcement had not been made nor were we in a position to make it at that stage. Quite clearly, in a situation of negotiation with companies over very high sums, we were not prepared to negotiate through the press as seemed to be expected of us.

In regard to the package which was negotiated between the 3 parties, I do not believe it is necessarily generous. Firstly, nobody in Australia has either the capital or the interest to come and build a hotel for us. The Northern Territory government does not have unlimited funds and neither does the Corporation of the City of Darwin. Despite the dreams and aims everyone may have, I think it should be realised that together with the authority to decide on the level of funds that is to go to public facilities is a responsibility for the funding of the rest of the Northern Territory. That is a matter that is very easy to overlook.

The governments with which we are competing to attract an Asian developer are well known for their very generous concessions to encourage foreign investment. Members who have visited any of the Asian capitals will be very aware of the many grandiose hotels which are available in those countries. Many, if not all have been built under very generous development concessions which include complete tax holidays for up to 5 years. They also include complete repatriation of profits for the company for a certain number of years. They include, of course, cheaper construction costs and labour costs than we face in the Territory yet they still charge some quite substantial tariffs for their hotels there. I would suggest that a 250-room hotel in Darwin would not look quite as attractive financially as a 250-room hotel in some overseas cities. We need this type of development badly. We are not going to get it through Australian investment. We are prepared to negotiate such concessional loans on the basis that the Territory gets what we believe is a reasonable deal.

Mr Speaker, I believe that it is a good deal. The Leader of the Opposition has acknowledged that the complex, with the complete endorsement of Mr Tom Brown, will be a commendable asset to Darwin. I am sure that most people will come to realise that in time even if they do not at present.

Mr B. COLLINS (Arnhem): Mr Speaker, I suppose every member of this Assembly

is stereotyped in some way or other after spending any length of time here. One can predict that certain things will be done by certain people with absolute assurance. You can certainly do that in the case of the Treasurer. The speech that he has just delivered is one that I have heard on at least 20 occasions. Perhaps it has been directed to other matters but it was exactly the same kind of speech. It completely ignored the points that the Leader of the Opposition made this morning. The Leader of the Opposition commended the proposal, but directed criticisms at the way in which it was handled. He pointed out the alternatives that were open to the government to do it in a far more open manner.

My contribution to this debate will deal with one issue. The honourable Treasurer talked about the nonsense in the press. None of the so-called nonsense in the press, much of which seems to have been vindicated, could approach the nonsense with which the Treasurer opened his speech. There is no doubt that there is a great deal of criticism in this community which is being ignored by the government. The criticism is not about the complex which will rise on that particular site but about the way the Northern Territory government and the council have approached the matter. Certainly, I wish to join the member for Nightcliff in her condemnation of the actions of the Lord Mayor in putting his name to a piece of paper which purported to be a decision taken by the Corporation of the City of Darwin when in fact it was no such thing. That was a high-handed action. It is my experience that such action has been taken in other councils by the chief executive officers and it has landed them in a great deal of hot water.

Mr Speaker, there is much concern about the way in which the government and the council went about this. It is a pity that more of the people who expressed this concern were not in the public gallery this morning to hear the opening statement made by the Treasurer. If anyone had any lingering doubts or suspicions as to whether the Northern Territory government was trying to cloud this issue or do a snow job, they would certainly have been confirmed by the Treasurer this morning. The Leader of the Opposition quite correctly said that the minister led a mission to promote this very idea internationally. The Treasurer denied that. He said that the Leader of the Opposition was trying to read into the Chief Minister's speech things that were not there. In fact, he referred to the speech in which the Chief Minister said that these things originated from initial discussions which took place with the Treasurer and Minister for Community Development. The Treasurer said that he did not announce that he would do this before he went over there and that it just came up in discussion. He said it was quite wrong of the Leader of the Opposition to read into that speech that this was a formalised promotion of a hotel.

The other thing that he ignored, again very conveniently, was the fact that most of the discussion that has taken place in the community has not been about the construction of a hotel but about the combination of the hotel with the performing arts centre. In case anyone is in any further doubt as to the accuracy of what the Leader of the Opposition said and the attempts again by the Treasurer to mislead people, I would like to read the heads of agreement document from which the Leader of the Opposition quoted. I would like people - and there are not very many of them unfortunately - who read Hansard to compare this heads of agreement document with the opening statement the Treasurer made this morning.

On the first page of the heads of agreement document are the definitions. '"Project" means the Darwin Centre Project described in clause 2'. Clause 2 says: 'The project shall be known as the Darwin Centre Project and shall comprise a theatre to accommodate 1,000 persons; a performing space to accommodate 250 persons; a convention centre ... an international standard hotel ...'. The problem was not simply having an international hotel built in Darwin. The

doubts that people had related to the combination of an international hotel with the performing arts centre which the government had originally given an undertaking it would build. Most people assumed that the performing arts centre would stand on its own.

The heads of agreement document begins: 'Whereas the Northern Territory Development Corporation commissioned a study in August 1980 in respect of the feasibility of an international hotel in Darwin'. These are government documents; the opposition did not produce them. The next paragraph reads: 'A ministerial mission of the Northern Territory government together with the Chairman of the NTDC carried out an international promotion of the project undertaken by the mission under the leadership of the Treasurer and Minister for Industrial Development'. Let us not have the Treasurer saying that the Leader of the Opposition is inaccurate in describing this as a formal mission. Let us not have the Treasurer saying that the Leader of the Opposition is trying to read into the Chief Minister's speech things that are not there. The Leader of the Opposition was quoting from the heads of agreement document provided by the government and was perfectly accurate in his statements. If anyone wanted reassurance from the Treasurer that everything was above board and the government was not attempting to confuse the issue, he certainly received quite the reverse from the Treasurer this morning.

Mr EVERINGHAM (Chief Minister): Having listened to the member for Arnhem in one of his traditional exercises of watching the hole instead of the doughnut and attempting to eat the hole and casting the doughnut aside, I must say that he certainly would have gone down very well at the bar, especially at some narrow, traditionally hair-splitting bar. It is quite true that recital (B) - and those are recitals to the agreement; they are not the agreement - says that the Treasurer carried out a promotion of the project and the project is as defined. The recitals are not exhaustive; they are meant to give a broad history of what has happened. In fact, the Treasurer gave the specific details in his speech. In any other city in Australia - and I will nominate specifically Adelaide, Melbourne and Hobart - the parliaments and the councils of those cities would be considered highly reckless and irresponsible if they attempted to cast aside a project which involved the establishment of a 200 to 300-room hotel in their city.

We have been told that we should have gone to tender. The Tasmanian government gave to Federal Hotels Ltd an authority to build a convention centre in that city. Not only that, it gave it a guarantee of an $11m loan and it reduced casino tax - not just in Hobart but on the new casino in Launceston when it commences - from 25% to 15% in order to get a convention centre in Hobart. The Tasmanian government recognises the worth of such a facility there. Did the Tasmanian government go to tender? Of course it did not.

If you find someone who is prepared to do it for you in a place like this or a place like Hobart, you grab him with both hands and you bind him to you as best you can. We have been looking for 3 or 4 years for this sort of project. We have had Australian companies come and go away because they are putting all their money into places like Sydney, Brisbane or the Gold Coast. It is like the cattle industry. Which Australian companies want to buy or develop cattle properties? They want to buy the ones in New South Wales or somewhere near Melbourne. They do not want to spend the money on the development of the nether reaches of Australia. Naturally, when the Treasurer found that these people were interested in putting together a project like this, he was anxious to see something come out of it.

Mr B. Collins: Why didn't he stand up and say something.

Mr EVERINGHAM: It was not only the Treasurer, Mr Speaker, but myself, this government, this side of the Assembly and all right thinking people in this community.

As for secrecy, where should we have conducted these negotiations? That is the lunacy of some of these people who write to newspapers. Apparently we should have conducted these negotiations in the front bar of the Darwin Hotel. How can the government announce something until it has a deal? The government just cannot win with this lot. If we said that we had a terrific deal and it failed to come to fruition, we would be criticised for raising the people's expectations.

Some journalists in this town and some members of this Assembly think they can get themselves some cheap or free notoriety from people who do not use their noggins by saying that this deal should have been done in the open and not shrouded in secrecy. In fact, probably 200 or 300 people knew what was going on because in a negotiation such as this many people have to know. Those people know that there is no point in announcing something before there is something firm. There was not anything firm when the local paper had its so-called scoop. There was nothing about this deal until I went to Sabah on behalf of the government and signed the heads of agreement document with the developers over there. Then we had something to announce. The member for Nightcliff said that it was heinous of the Lord Mayor to have written this letter of intent. From what she said, I think she meant a letter of intent. I think it was equally heinous for several aldermen - who attended several meetings and were briefed on this project by government officials, by the Treasurer and myself, and who then in the presence of themselves alone voted to approve the project - not to have the guts, if they did not believe in the project, to stand up and say so in the room at the time of the vote. They snuck out the back door and went to the paper or they reneged. I suggest that the lack of courage and the lack of faith is on the part of certain aldermen who are nothing more nor less than a bunch of back-stabbers. They do not operate out in the open.

In 1979 or 1980, the Leader of the Opposition told the government that it should be attracting industry by giving free land, tax holidays, stamp duty concessions, payroll tax concessions, concessional loans etc and, when we do it, we are wrong or it is a crooked deal. Mr Speaker, the totally hypocritical and negative attitude displayed on the other side of this Assembly disgusts me and I am sure it disgusts the public of this town and this Territory.

Motion agreed to.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE

Effect on the Northern Territory Economy of the Federal-Territory Financial Arrangements

Mr SPEAKER: Honourable members, I have received a communication from the Leader of the Opposition:

> *I wish to propose, pursuant to Standing Order 81, that the Assembly discuss this day the following definite matter of public importance, namely, the effect on the Northern Territory economy of the Federal-Territory financial arrangements.*

If the Leader of the Opposition is supported, the discussion will take place. The Leader of the Opposition is supported.

Mr ISAACS (Opposition Leader): Mr Speaker, the issues we will raise in the

matter of public importance debate today concern nothing less than the future of the Northern Territory. That future, we believe, is being jeopardised by the federal government's blinkered commitment to cutting costs regardless of the consequences. We are poised on the edge of a return to what the Chief Minister is fond of describing as 70 years of Commonwealth neglect. I am sorry I cannot spit out those words in the same way that the Chief Minister does.

While the opposition acknowledges that the Commonwealth must accept sole responsibility for cutting back the Territory share of income tax receipts, we do not say that the Territory government is blameless. Despite being armed with a financial agreement, the virtues of which have been lauded to the skies by this government continuously since 1978, the Territory has been fobbed off with $8m less than our entitlement under the agreement. That $8m is the assessment of the Chief Minister himself. There is no doubt that the Territory government approached the May Premiers Conference in a state of complacency, secure in the belief, it thought, that the financial agreement would protect us from all harm. Three years of generous Commonwealth funding have made it slothful and casual about the clear indications from Canberra that tough times are ahead. The Labor Party's constant theme has been that Fraser federalism will indeed lead to such tough times.

The facts as they stand now are that we are $8m short in vital funds with little prospect of having this shortfall made up. We have a financial agreement, the Memorandum of Understanding, which has failed to protect us on the first occasion it has been put to the test.

It is interesting to look at the remarks made by members back in 1978. On 2 May 1978, the Chief Minister made the following statement in this Assembly: 'I believe that the financial arrangements we have negotiated give the lie to those prophets of doom who have done nothing but spread alarm and false rumours about secret deals, massive increases in tax and a sellout of the Territory to the Commonwealth'. The member for Arnhem is quite right, he has not changed a bit in 3 years.

In a reference to the Territory's income tax sharing entitlement, the Chief Minister went on to say: 'In terms of our financial framework, this revenue assistance grant will be deemed to be analogous to the Territory's share of the tax reimbursement arrangement that applies between the Commonwealth and the states'. As everyone in this Assembly would be aware, the formula adopted to set the level of this revenue assistance grant took account of the percentage movement in income tax pooled and a factor to take account of the Territory's rate of population increase. Members should also be aware that this component of Commonwealth funding has been very significant indeed to the Territory, accounting for more than 50% of total funding from Canberra.

The Chief Minister himself acknowledged its importance when he said: 'This concept is perhaps one of the most significant gains to the Territory arising from financial arrangements'. As the Chief Minister pointed out, having a firm base on an agreed escalation system would, to a large extent, remove the area of uncertainty apparent in the early period of the 1970s.

Again, on 21 August last year, the Treasurer had occasion to refer to the Memorandum of Understanding in respect of financial arrangements with the Commonwealth. When he brought down the budget for this financial year, the Treasurer said: 'We are again in a position to demonstrate the sound funding principles built into the Memorandum of Understanding with the Commonwealth. This government is able to support strong development, accept new challenges and provide services to an expanding population without imposing unreasonable taxation'. He went on to say: 'This is not a temporary phenomenon; this is the keystone of a sound future'.

Mr Speaker, as a result of the Premiers Conference in May, the Treasurer's keystone now appears to have become that temporary phenomenon he spoke about. At the recent Premiers Conference, the Australian government and the states considered funding arrangements for 1981-82 and future years, arrangements which were to have a bearing on Commonwealth-Territory finances. The main item on the agenda at the conference was consideration of what formula might be used in future years to decide amounts allocated to states and the Territory by way of general revenue payments.

The result of the conference was a considerable and real decline in general revenue grants for 1981-82. Not only that, it was made clear that the impact of this reduced level of general Commonwealth funding for this year will have ramifications for future financial years. This means that next year's general revenue grant - $8m short in the Territory's own case - will become the basis on which our own allocation is calculated in future years. The Premiers Conference decided that there would be a continuance of the reduced level of payments incorporated in 1981-82 by fixing that year's payments as a percentage of the total tax base.

Under the Memorandum of Understanding between the Territory and the Australian government signed in 1978, the Territory was entitled to receive $320m for 1981-82. This amount had been calculated on the amount granted for 1980-81 of $270m - the Chief Minister's so-called firm financial base - and the escalation formula which comprised income tax revenue growth and Territory population growth incorporated in the Memorandum of Understanding. What was the Commonwealth's first offer? According to the Financial Review and the Northern Territory News, effectively $304m plus $3m for transferred functions - a clear $16m short of the Commonwealth's obligations under our sound financial agreement. The Territory was confronted with the harsh fact that it had become a state at least in financial terms. The federal government had determined that, along with the states, we were to cop a financial battering.

The states' reaction to this reduced level of funding was unanimous and loud. The Premier of Western Australia, Sir Charles Court, was quoted by the media as saying: 'The federal offer is so pathetic that I have rejected it in disgust'. The Queensland Premier, Mr Bjelke-Petersen, is believed to have suggested to his colleagues that they all pack up and go home. There was no doubt that we had all been done in the eye, and state leaders, conservative and Labor, were united in their protest. In fact, the premiers together drafted a release that said: 'The talks have broken down. The states cannot accept the cut inherent in the Commonwealth offer nor the vagueness on the basis of the Commonwealth offer. The state premiers feel the Commonwealth should reconsider several points. Pending a reconsidered offer by the Commonwealth, the states would consider some form of collective action'.

While the premiers were attacking the Fraser government for withholding tax moneys from the states and the Territory, not a word was heard from our Chief Minister. But the worst was yet to come. When the Chief Minister did comment on the Territory's significantly reduced funding, it was a tame cat response. In a media release distributed on 6 May, the Chief Minister said that, in the context of changing Commonwealth-state financial arrangements, he had taken the opportunity of confirming with the Prime Minister that the current financial arrangements between the Northern Territory and the Commonwealth would be maintained. I will quote from that press release issued on 6 May last - although it is headed 6 April. 'Mr Everingham said that, in the context of changing Commonwealth-state financial arrangements, he had taken the opportunity of confirming with the Prime Minister that the current financial arrangements between the Northern Territory and the Commonwealth would be maintained. Mr Everingham said that the Prime Minister had told him in clear terms that the integrity of the existing agreement will be maintained.

The Chief Minister had the pledge of no higher authority than the Prime Minister. It is amazing that he could have made the statement knowing as he must have known then that the Territory had been short-changed by $16m. He had the example of the state premiers who were outraged at their treatment, and a statement from myself on 5 May pointing out that our financial agreement entitlement, if the agreement was kept intact, was $320m not $304m. Mr Speaker, this is perhaps the most incredible performance we have seen yet from the leader of the Northern Territory government.

The Prime Minister and the Treasury ignored our financial agreement relating to the self-governing Territory when setting the level of general revenue funding for the Territory. The Chief Minister said that we had from the Prime Minister a promise that the integrity of the current agreement would be maintained. That promise netted us $16m less than we are entitled to under that agreement.

The Chief Minister then tells us that the original agreement - the one ignored by Canberra - is secure. But if Mr Fraser wishes to change it in line with what is going on in the states, well we are just going to have to cop that. What a disaster! The Prime Minister breaks the agreement. He tells the Chief Minister that he has not broken the agreement. The Chief Minister agrees that he has not broken the agreement. The Prime Minister then says to the Chief Minister: 'We are going to break it so do you mind?' The Chief Mininster nods the scone, as he says.

Mr Speaker, the saga did not end there. When it became known that the Prime Minister and the federal Treasurer withheld a further $70m from the states and the Territory - and our share of that would have been about $3m - the reaction of the premiers could best be described as one of outrage. The Western Australian Premier, Sir Charles Court, went in to bat again. As we all know, Sir Charles is a friend and party associate of the Prime Minister, but he said that Mr Fraser's word was valueless and the Prime Minister was dishonourable - not my words, the words of Sir Charles Court. A close ally of our own Chief Minister, South Australian Premier David Tonkin, was quoted as saying: 'The Commonwealth was dishonest with us and did not give us our fair share. I cannot tolerate dishonesty'. Typically, the Queensland Premier, Mr Bjelke-Petersen said, in his own quiet folksy, country way: 'It's a crooked deal'.

What did we get from our own Chief Minister, Mr Speaker? Barely a whimper! The Northern Territory is in a far more vulnerable position than that of the states. We are in our infancy in terms of development. We have a rapid population growth and suffer all the demands associated with that. More importantly, we are heavily dependent on the public sector as a generator of economic activity. We lost $16m in our first encounter with Canberra and another $3m in the second encounter. The Chief Minister had reason to yell the loudest but he took no issue after his first encounter and, I am afraid, not much more after the second. In fact, the Chief Minister's only response to the withholding of the $70m was that, if there were more money, he would like some more for the Territory but he will wait and see what happens and, if there is a meeting, he will catch a plane and down he'll go.

Mr Speaker, it is now painfully obvious that the Territory government has allowed itself to be misled by that dishonourable and dishonest Fraser government to use the words of Sir Charles Court. The last Premiers Conference has shown us to be highly vulnerable to the financial whims of the Commonwealth. It appears that the Territory will no longer receive adequate funds to cope with the special circumstances in which we find ourselves. It took the Chief Minister 22 days to acknowledge the difficult situation we have been placed in by the Commonwealth. Recall again the Chief Minister's comments following the

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disclosure that the Fraser government had failed to honour the financial agreement with the Territory. I had pointed to the fact that, at that stage, we had been short-changed by about $16m. The Chief Minister responded in typical fashion by saying that I had shown a lack of understanding of financial arrangements between the Commonwealth and the Territory. He did not question the figures. The Chief Minister said that the Prime Minister had told him in clear terms that the integrity of the existing agreement would be maintained. The Chief Minister said that, in accordance with changes between the states and the Commonwealth, the Territory was willing to discuss an appropriate complementary change to the Memorandum of Understanding. That was the position and then, 22 days later, the penny dropped. Another statement came from the Chief Minister. Let me quote from this second release: 'The Territory will now receive $315.1m by way of general revenue grant, about $8m less than it would have received under the old formula'. That old formula is the same formula that the Prime Minister gave a guarantee to the Chief Minister would be maintained. The Chief Minister then said, and I quote from his telex: 'If the Commonwealth believes that its Australia-wide financial constraint should apply to the Territory for which it has a special responsibility after 70 years of neglect, then we believe that we should have the same revenue raising powers as the states to cushion the effects of Commonwealth decisions'. He went on: 'If the Commonwealth was going to alter the Memorandum of Understanding to reduce the Territory's revenue growth factor in line with the states, it had to give us the rights and powers of a state'.

Mr Speaker, the Commonwealth government, by the Chief Minister's own admission, simply set aside those provisions of the financial agreement. Our Chief Minister ignored this fact and blindly accepted Mr Fraser's assurances. It took from 4 May to 26 May for the penny to drop.

The question of the Territory's economy is fundamental to our future. The opposition has been saying for many years now that the federalist policies of the Fraser government are disastrous not just for the states but for the Territory as well for the same reasons as the states but also because of our own peculiar problems of development. We have been pointing out for years to this government that it should take note of those constraints within which the Prime Minister now operates. Yet, whenever anybody seeks to raise these sorts of issues on the Territory economy, the Chief Minister blasts him from one end of the Territory to the other as being anti-Territory, un-Australian and any other kind of whimsical epithet the Chief Minister seeks to throw around.

Mr Speaker, what we would like to see in this parliament, in public, is a rational and reasoned discussion on the Territory economy and where we are heading. If it means that agreements which are drawn up in good faith between governments in Australia - the Australian government and the Territory government - can be set aside at the whim of a Prime Minister, then certainly the future of the Territory is in very great jeopardy. It means that there must be reasoned debate on the economy - not epithets thrown around - there must be reasoned debate to ensure that we are attractive to investors so that the Territory can grow.

Mr EVERINGHAM (Chief Minister): Mr Speaker, just before lunch the Leader of the Opposition complained that there was too much repetition in what the Treasurer and perhaps myself have been saying to the opposition over the past couple of years, especially in relation to financial arrangements. Of course, you would realise, Sir, that the only way to inculcate knowledge into dull pupils is by constant repetition. Even now it seems that the Leader of the Opposition does not understand the nature of the financial arrangements; even though he purports to quote from a statement made by me on 2 May 1978 regarding financial arrangements with the federal government. Like the member for Fannie Bay, I do not like quoting myself but I think it is necessary in

these circumstances:

> *The position we have now reached after some very hard and at times very difficult periods of debate and dispute is that both parties have now agreed on the broad principles that will apply in all future financial dealings between the Commonwealth and the Territory. The main principles of the financial arrangements are: firstly, the Territory will be fully self-governing within a financial framework similar to that which applies to the states; secondly, the Territory government will have full access to the Commonwealth Grants Commission; thirdly, the Territory's total annual revenue will comprise (a) no more than a reasonable revenue effort on the part of the Territory and (b) the Commonwealth's annual subvention to the Territory for recurrent and capital grants.*

I turn to page 720 of the Hansard of that time:

> *I draw honourable members' attention to one particularly important aspect of our financial arrangements. This concerns what is termed the base recurrent expenditure grant or the Commonwealth general revenue assistance grant. The basis for this grant will be established when the analysis referred to previously is completed. In terms of our financial framework, this revenue assistance grant will be deemed to be analogous to the Territory's share of the tax reimbursement arrangement that applies between the Commonwealth and the states.*

Mr Speaker, the financial agreement which was arrived at between the Northern Territory government and the Commonwealth government was tabled in this Assembly as soon as possible after its execution. In paragraph 1, it says: 'The Commonwealth-state model of the financial arrangements between the Commonwealth and a self-governing Northern Territory will be modelled on the arrangements that applied between the Commonwealth and the states'. Paragraph 15 says: 'The arrangements may be changed from time to time in the light of changing arrangements between the Commonwealth and the states'. The arrangements between the Commonwealth and the states have certainly changed. I do not think anyone would deny that. It was well known that the arrangements between the Commonwealth and the states would be changing this year because the previous formula had expired and there was much talk of this at the Premiers Conference in 1980.

In paragraph 23 of the Memorandum of Understanding, a formula is provided. The particular differential that is provided for the Northern Territory is that the Northern Territory, as against the states, receives a beneficial factor - an escalation factor - calculated on the basis of the Territory increase in population. That has been preserved and the Prime Minister in a letter to me dated 7 May confirmed the Commonwealth's intention to maintain the integrity of the Memorandum of Understanding. Next year, when the states go on to total tax sharing, the Territory will go on to total tax sharing. This has always been in contemplation. If the Leader of the Opposition had looked past the end of his nose, he would have realised in 1978 - and I am sure he did - that the then existent agreement had only about 2 years to run.

The Leader of the Opposition suggested that we commence in this Assembly a rational and reasoned discussion on the economy. I might mention that this plea came from him despite the fact that he did not once mention the Northern Territory economy during the course of his speech. He concentrated entirely on attacking me and suggesting that the Memorandum of Understanding had been in some way subverted. Well I am quite capable of looking after myself. I will decide in concert with my Cabinet colleagues the tactics that this government adopts to obtain the maximum revenue possible for the Northern Territory

from the Commonwealth government. I am quite sure that, if I had squealed at the same time as the state premiers, no particular notice would have been taken of me. Down south they are much more interested in what Mr Bjelke-Petersen, Sir Charles Court, Mr Wran, Mr Hamar and Mr Tonkin say. Mr Lowe barely rated a mention on the national scene and I can keep my powder dry for the time when it is needed. I will do that.

In any event, the Memorandum of Understanding has been honoured. If there is to be any additional cake to be divided up, I can assure you that the Territory will be in there to get its share. It has not called the Prime Minister dishonest and does not have the Prime Minister's back up because the Prime Minister has not been dishonest with the Northern Territory. He has stuck to the agreement that we negotiated.

I turn to the economy about which we are asked by the Leader of the Opposition to commence a reasoned and rational discussion. I would like to talk about the Territory economy. No member of this Assembly could dispute that the Territory is experiencing what could be described as boom conditions. According to this document published by the Territory Development Corporation, major projects committed and planned in Australia's Northern Territory amount to $4,000m and that compares rather favourably with the figures in South Australia and Tasmania. I know that a year or more ago the Northern Territory had more capital works committed and planned than South Australia - 3 times more - and 12 or 13 times more than Tasmania. Look at this morning's Star newspaper. Where do you see newspaper articles on changing skylines like that in other capital cities. You certainly do not see it in Melbourne and you do not really see it in Sydney. There are more cranes on the horizon in Surfer's Paradise than there are in Sydney, Melbourne and Canberra combined.

I would suggest that Darwin is doing very well out of the financial arrangements between the Northern Territory and the Commonwealth. These arrangements have lent a financial stability that this Territory has never known before. Just imagine the situation if there was no self-government in the Territory and the Northern Territory department was going cap in hand to the federal government this year as all Commonwealth departments are doing. Federal departments have to make out a special case to gain escalation on the past year's budget to account for inflation. Mr Speaker, in those circumstances, the Northern Territory would indeed be looking to a parlous 12 months ahead.

What Territorians can rest assured of is what regrettably they saw on the front page of the Australian. One thing I am sorry about is that our figures gained national publicity.I consider it is bad news when the names of the states are lined up across the masthead of a national newspaper. The others are getting 8%, 9% or 10% and the Territory increase is 14%. Their figures were not right anyway but, even so, it worries me when these matters are bruited abroad.

Since 1978-79, the Northern Territory's general purpose recurrent grant from the Commonwealth has leapt from $184m to this year's total of $315m and that has meant that the Northern Territory economy has seen the benefit of things like the Northern Territory Home Loans Scheme, the introduction of which was, if I can say so, most unlikely under the previous regime. Perhaps it might have reached the princely sum of $20,000 by now but to have a ceiling of $50,000 would have been unthinkable.

There is more economic activity, there is growth and at the same time there is stability because everyone is putting their money into the Northern Territory. Everyone coming to the Northern Territory and everyone living in the Northern Territory knows that there is a stable financial arrangement underpinning our arrangements with the Commonwealth government. This year, as in past years,

Territory government departments will get growth figures that remain in line with increases in actual costs.

Might I suggest that the opposition addresses itself to where we would be without the Memorandum of Understanding. Where would the Northern Territory Development Corporation have come in? Where would the Agricultural Development and Marketing Authority have received its funds? These are things that we have been able to do because of growth of funding under the financial arrangements.

The Leader of the Opposition earlier made play of the fact that I had not been party to some sort of press release organised by the premiers. The Territory negotiates apart from the states because the Territory, admittedly, is on a more favourable basis vis-a-vis financial dealings with the Commonwealth than are the states and it is for that very good reason that the Northern Territory does not necessarily join in any of the particular committals given by the states.

Mr Speaker, I am more than happy to accept the Leader of the Opposition's invitation to join in a rational and reasoned discussion of the Northern Territory economy. I believe that I have said something about it here this afternoon. I foresee continued growth and development in the Northern Territory in both our social and economic spheres. All I ask is that the Leader of the Opposition take into account the words of his own invitation and start becoming rational about our finances.

Ms D'ROZARIO (Sanderson): Mr Speaker, there is a difference of opinion between the government and the opposition about how we have been treated in these dealings with the federal government. It was quite clear when we embarked upon a course of self-government that the Memorandum of Understanding was couched in such words as would enable the Prime Minister, if he so wished, to bow out of certain undertakings that were then made. The Chief Minister has reminded us all of the principles embodied in the Memorandum of Understanding. Of course, these are the ones which we are now making some remarks about. The Chief Minister said that one of the principles embodied in the Memorandum of Understanding was that the Territory would be treated in a similar fashion to the states. I suppose there are some good reasons from the federal government's point of view for this particular approach, but members of the government will recall that, at the time, the opposition expressed some caution in being treated in the same manner as the states. Of course, some chickens are now coming home to roost. That position is all very well as far as the populous states are concerned but as far as the Territory is concerned it has no regard for our higher costs structure.

There is another principle, of which we were recently reminded, to do with the Territory's recurrent general revenue funding level. The Chief Minister mentioned that the formula by which we would be treated had inbuilt into it a beneficial factor. He correctly stated that that factor is calculated on the increase in the Northern Territory population. He went on to stress that, in his dealings with the Prime Minister in recent weeks, that particular principle had been preserved. If I could just have a look at what has happened to our funding in recent weeks, I think I will be able to show that that principle has not been preserved and that the Prime Minister has retreated from that principle.

The Chief Minister's recent trip to Canberra, belated as it was, did result in an increase in the Territory general funding level to $315m. Let us see where that gets us. In the financial year 1980-81, we received from the Commonwealth $270m. To cope with inflation and the increase in population, our 1981-82 allocation should be $321m. I mention this fact simply because the Chief Minister reminded us that we have this inbuilt beneficial factor which will take

account of our increase in population. If that is so, our allocation should not be $315m; it should be $321m. It was only recently that the Chief Minister managed to correctly calculate our situation when he conceded that we had missed out on $8m. Therefore, to insist that the principles of the Memorandum of Understanding have been preserved is really quite at odds with the developments over the last fortnight. He conceded that part of the $315m was simply a transfer of funds and not a new allocation. We have suffered a considerable cutback in key funding in an area in which we need a continued guarantee of funding.

I would like to examine the implications of this change in the amount of Commonwealth support for Territory development. I suggest to the Chief Minister that he can look at the decade of the 1970s. Over that period, the performance of the economy depended very largely on public sector funding. I do not think that even the Treasurer would deny that. In 1976, when the present Prime Minister came to power and embarked upon a program to cut public sector spending, the Territory economy had to respond accordingly. However, we were saved by the post-cyclone reconstruction program and for a time we did not feel the full effect of the Prime Minister's then cost-cutting programs. The effects of cuts in the public sector in the Territory are illustrated by looking at the rate of increase in the number of civilian employees over that period. I can inform members that between June 1975 and June 1976, before we started to feel the full impact of the federal government cutbacks - that is, whilst we were still in the post-cyclone reconstruction period - we had a 6.1% increase in civilian employees.

This boom however was naturally doomed to be short-lived, propped up as it was by the atypical feature of the post-cyclone reconstruction. If we look at the period between June 1976 and June 1977, we find the number of civilian employees increased by only 0.3%. Between June 1977 and June 1978 the rate of growth in Territory civilian employees was only 1.6%. It seems to me that the message is quite clear. The Fraser government clamped down on the financial brakes and the Territory economy was beginning to slow in concert with the economies of the states, which was exactly what the Prime Minister had in mind.

Mr Speaker, I point out these things only to again stress the danger of being treated in the same way as the states. The Territory economy is structured radically differently. We have cost disadvantages to cope with as well. The fact that Commonwealth funding is critical to the health of the Territory economy is not disputed by anybody in this Assembly. As an example, perhaps I could consider some key private sectors of the economy and indicate their significance in the financial year 1979-80. In that year, the value of mining in the Territory was in the order of $370m, the pastoral and related industries returned about $100m and the value of the tourist industry was estimated at nearly $97m. Fishing had a gross production value of $17m. In 1979-80, Commonwealth payments to the Northern Territory amounted to $441m, making the Commonwealth by far the most important source of funds for the Territory. In view of those figures, I suggest to the government that the concern expressed by the Leader of the Opposition about the implications of the cutback in Commonwealth participation certainly is justified.

The recent trip of the Chief Minister and the Treasurer to seek more funds from Canberra resulted in an increase in funds. Nevertheless, by their own admission there is still a shortfall of $8m. It is the shortfall of $8m that confirms our fear that the Commonwealth is retreating from the position outlined in the Memorandum of Understanding. The Chief Minister's accusation that the Leader of the Opposition, by expressing a fear resulting from the May Premiers Conference, has made yet another attempt to undermine confidence in the Territory economy is without foundation. The Leader of the Opposition's fears are the same fears that are being expressed by other observers of the Territory economy.

The Territory general revenue grant, of which we have heard something from the Chief Minister this afternoon, is not the only area of Commonwealth funds that is being cut back. I turn to the announcement made by the Commonwealth minister responsible for roads in the federal parliament a fortnight ago. I inform the Assembly, and particularly the Minister for Transport and Works, that Commonwealth funding available for Territory roads through to the 1984-85 financial year is also to be cut back. Despite the guarantees that we have had from time to time from the Chief Minister and the Treasurer that our special needs would be catered for by the Commonwealth, again we are simply being considered along with the states.

If we look at road funding, we see that the caution that we expressed in 1978 was well founded. It would be obvious, especially to the Minister for Transport and Works, that the Territory has the most underdeveloped surface transport system in Australia. We have, for the information of the Treasurer, only 15 kilometres of road for every 1,000 square kilometres of land area compared to 94 kilometres in Queensland and 64 kilometres in Western Australia. The Treasurer can guffaw his tiny head off but, as the member for Fannie Bay points out, there is a standard index for measuring the development of a surface road transport system. Of course, we would not expect him to know much about anything.

For the information of the Minister for Transport and Works, who responded with rapture to the federal minister's statement about road funding, I can assure him that, according to the federal minister's own statement in the federal chamber a fortnight ago, we will receive no extra funds through road grants to compensate for our disadvantages.

Mr Speaker, what have we here? We have an inadequate road network, yet roads are the facility for overcoming our remoteness about which we hear so much from this government. Members opposite stand up in front of various committees of inquiry and canvass this state of remoteness yet they sit here and laugh when we are treated in the same way as the states when it comes to our road transport system. We will receive only a very small allocation in the vital area of road development in the period between now and the financial year 1984-85. We have not had a word of protest from the Minister for Transport and Works. In fact, as I mentioned, the Northern Territory News ran a statement simply listing the allocations.

Let us look at what the new roads agreement is about. The Territory is to receive in 1981-82 an allocation of $23m for roads which is a 9% increase over the previous financial year. That 9% is exactly the same amount as the states are receiving. In 1982-83, we will receive an increase in road funds of only 7%. Not only are we not keeping pace with inflationary factors in the road construction industry but road funding itself is being reduced. In 1983-84, the increase will be only 6% of the previous year's funding. In 1984-85, which is the period to which this particular federal bill refers, our increase will again be 6%. I stress for the benefit of the Treasurer and the Minister for Transport and Works that these are not real increases. They are increases in the actual money levels but are not related to what those particular amounts will buy in those particular years. We cannot just look at the price indices and how we are treated in relation to the states. We must press the federal government to recognise our special disadvantages.

The federal Minister for Transport said in his second-reading speech relating to the State Roads Grants Bill which contains the new roads agreement:

I should make it clear that the declining annual percentage increases

do not in any way signify a lack of awareness on the Commonwealth's part of the adverse effect which inflation can have on state and local government road programs. The control over inflation remains very much the government's overriding concern. It is for this very reason that the government refuses to encourage inflationary pressures by building into its own expenditure programs open-ended commitment to meet unlimited future cost increases.

The federal minister conceded that the industry faces unlimited future cost increases but, instead of accommodating the needs of the Territory, he simply said that he will not have a bar of inflation and therefore we will only receive part of the previous year's commitment in order to teach us that we should not pursue the inflation aspect. I can assure the federal Minister for Transport that governments do not actively pursue the inflation aspect. Inflation occurs because of certain directions that governments take. We have the Minister for Transport in the federal parliament telling us that he will not be a party to any roads agreements which guarantee a level of funding equal to the previous year. I stress again that the roads program, even though it is lengthened in its time span, has an inbuilt factor which will wind down the expenditure. Not only will we not keep pace with the monetary value, we will not keep pace with the real value. We are told implicitly by the federal Minister for Transport that the Territory government will have to pick up the tab. We have not really heard a word from our Minister for Transport and Works as to how he proposes to do that. We are not likely to either. In order to cope with the rate of increase in costs which we face in the Territory, the level of Commonwealth funding for Territory roads should be in the order of $33.7m by 1984-85. Under the federal minister's scheme, we will be receiving only $27.7m in 1984-85, a shortfall of approximately $6m. Heaven knows where that will come from.

We should see 2 significant occurrences this month which will have a significant bearing on Territory development. A Loan Council meeting is scheduled for 19 June. The Loan Council is an important source of funds for the Territory and I hope that the Territory government's performance on that occasion will be much more vigorous. The other important event which we will have this month will be the handing down of the findings of the Commonwealth Grants Commission. The Chief Minister reminded us this afternoon that we have access to the Grants Commission. Indeed we have; the commission's role is to establish the disadvantage faced by the Northern Territory in the provision of its government services. I hope that we will receive a sympathetic hearing from the commission and that we are compensated for our disadvantages. I hope it will not be influenced by the Territory minister's attempts to gloss over our disadvantages. We should not be treated exactly like the states. If Commonwealth participation in funding the states is being wound down, then we ought not go down the gurgle with them.

The Commonwealth Grants Commission was specifically made available to the Territory government in order to gauge the level of our disadvantage. I hope the Territory minister will pursue that particular line instead of telling us, as the Chief Minister has done today, that he does not think that there is any point in arguing with the Prime Minister.

Mr PERRON (Treasurer and Industrial Development): Mr Speaker, the matter under discussion is the effect on the Territory economy of Commonwealth Northern Territory financial arrangements. This has only been touched on briefly this afternoon. The Opposition Leader called for reasoned debate on the economy but he did not touch on the subject at all. It is not surprising that he did not go into it in any detail because, for the last 3 years, the Leader of the Opposition has done little other than make a fool of himself in this Assembly and in the press when making statements on financial matters. He is improving

a little. A few years ago, the figure was that we were $50m or $60m short. It is now down to $16m. In a few more years, he might almost be correct.

The Leader of the Opposition's debate on this matter centred on 2 particular points. Firstly, he said the Chief Minister should have run to the press after the last Premiers Conference like all other state leaders did. Secondly, he claimed that the Memorandum of Understanding had been set aside. As usual, he is wrong on both points. That never worried him before and I doubt that it will worry him today. The Leader of the Opposition has ignored the subject of the Territory economy - the subject of the debate he initiated. We will have to assume a classroom situation to overcome his ignorance.

Since self-government, the Territory has had 3 budgets which were significant by the growth each had over the previous one. The next one should be the same. The funds available to the Territory from both the Commonwealth and local revenue sources have grown in real terms despite the fact that our taxes and charges, originally set below those levied elsewhere in Australia, have been reduced in both the 1979-80 budget and the 1980-81 budget. There were tax cuts in both of those. In the midst of that period, I remember the occasional storm from the opposition forecasting savage taxation increases.

The Territory received 82.9% of its funds from the Commonwealth in 1979-80. In 1980-81, 84.3% of our budget came from the federal government. These are by far the highest figures in the country as far as Commonwealth subventions to states or territories are concerned. Our budget in this present financial year allocated $5,500 per head of population in the Northern Territory. This is by far the highest figure in the country.

The member for Sanderson said that the deal that we will receive this next year will have no regard to the higher cost factors in the Northern Territory. That is quite amazing. Quite clearly, she has never read the Memorandum of Understanding or she has never studied the basic figures relating to annual escalations. Indeed, the bases which will escalate our funds next year have very substantial sums built into them in recognition of the disabilities of the Territory.

Why would we be in this fairly fortunate position as far as funding from the Commonwealth is concerned - and I am not saying that we do not need every bit of it but it is generous funding - if, as the Leader of the Opposition claims, the memorandum failed on its first test? If it has failed us, why do we receive a $50m electricity subsidy each year? Why do we continue to bring down growth budgets every year? Why will we receive a 14.9% increase in our general purpose funds next year instead of 9% like the states? Why does the absolute population growth factor of the Northern Territory escalate our general purpose funds if the memorandum has failed us? When introducing the Tax-Sharing and Health Grants Bill last week in the federal parliament, the federal Treasurer stated: 'In accordance with the Commonwealth's intention that the population element in the formula in the Memorandum of Understanding with the Northern Territory should be fully observed, an additional sum of $5m is included over and above the Territory's share of that proportion of the total tax-sharing grant derived by increasing this year's grant by 9%, I doubt that he said that just as an off-the-cuff remark.

The Leader of the Opposition said that we would need $310m for our general purpose funds to keep pace with inflation. He is now aware that we have $315m. That is quite clearly adequate. In preparing for this debate, the opposition has overlooked the fact that general purpose funds to the Territory from the Commonwealth contribute only about 50% of the Commonwealth funds to the Territory. The opposition is looking at it as if it is 100%. The Memorandum of Understanding provides a sound financial basis for the determination of Commonwealth funding for the Territory. Whiles recognising the special needs of the Territory, the

financial arrangements may be changed along with changes between the Commonwealth and the states. The Chief Minister has already quoted from the memorandum so there is no need to do that again.

At the Premiers Conference, the state premiers acknowledged that, in line with Commonwealth actions to restrain expenditure and reduce the deficit, and generally to play down the role of federal government in the country, the states had to play their part. It was the size of the growth in income tax receipts being passed on to the states which was disputed not the fact that there was going to be a cut. A reduction in these disbursements to the states and the Northern Territory was inevitable and the states accepted that. They just did not like the fact that it was 9%. When he returned from the Premiers Conference, the Chief Minister stated in reply to press releases from the Leader of the Opposition that the facts about our real level of funding will be revealed in the Territory's budget. We would not be drawn on the matter at the time and rightly so.

It is a matter of timing - something the opposition will have much to learn about if ever it achieves government. In dealing with the federal government, timing and strategy are extremely important. We were very much aware of the politics in the national scene. Our bid for justice for the Territory was planned after the Premiers Conference which was held on 4 May. We may not have been successful in our trip recently to have uranium royalty powers transferred to the Northern Territory but that matter will not rest. The Commonwealth has fully recognised the provision in the memorandum which gives an escalation factor above that which the states will receive. How it can be claimed that the memorandum is 'set aside' when we pick up this money in place of what the states are getting just escapes me. I guess it escapes most other people.

Whilst the Leader of the Opposition wanted the Chief Minister to join him in the press releases knocking the Prime Minister, the Chief Minister was quietly working to ensure that our position was protected. We do not kid ourselves that the Prime Minister will sit bolt upright at the very sight of a press release from the Northern Territory's Chief Minister, particularly when he has the premiers of the states hounding him. There is a time for doing these things. I think it was done very well in the situation.

A subtle lesson about hollering which the opposition might also learn is given in a little book the Victorian government is putting out called "A Fair Deal for Victoria'. It is the first blatant public sign of the larger states beginning to have ruffled feathers about the less populous states and their share of the national cake. In a section on Victoria subsidising other states, it states that the beneficiaries from Victoria's Father Christmas role have been the 4 smaller states. The Northern Territory is not mentioned as yet.

In another section, there is a summary of the main arguments in Victoria's case for an increased share of the tax pool and the exaggerated disabilities claimed by the less populous states. It argues further that states have better revenue capacities now than they had before. The document also goes on to state that Victoria has state taxation in every conceivable area with the exception of poker machines and that its state taxation is among the highest in the country. It argues that it is being disadvantaged by the federal government's system of disbursement of federal funds to Australia.

We do not make a practice of running around Australia saying what a marvellous position we are in. It is a matter of handling the cards very carefully and having the right arguments for the various situations that occur. The Leader of the Opposition quoted from my 1980-81 budget speech: 'We are again in a position to demonstrate the sound funding principles built into our Memorandum

of Understanding with the Commonwealth'. I think that was as much as he read. The next sentence says: 'The government is able to support strong development, accept new challenges and provide services to an expanding population without imposing unreasonable taxation'. Mr Speaker, the situation has not changed.

LEAVE OF ABSENCE

Mr LEO (Nhulunbuy): Mr Speaker, I move that leave of absence be granted to Mr Doolan for today and tomorrow on the ground of ill health.

Motion agreed to.

EXOTIC DISEASES (ANIMALS) COMPENSATION BILL
(Serial 60)

Bill presented and read a first time.

Mr STEELE (Primary Production and Tourism): I move that the bill be now read a second time.

In 1958, the Foot and Mouth Disease Compensation Ordinance was assented to. That ordinance provided for the payment of compensation for certain losses occasioned by the disease. The ordinance was further amended in 1966 to include other vesicular diseases which are very similar to foot and mouth disease. These are vesicular exanthemata and vesicular stomatitis. In 1961, the Commonwealth government enacted the Foot and Mouth Disease Act which enabled the setting up of a foot and mouth disease eradication trust account under the Commonwealth Audit Act. This account only covered foot and mouth disease. In 1978, the Commonwealth repealed the Foot and Mouth Disease Act and replaced it with the Livestock Diseases Act. Section 4 of this act defined 'state' to include the Northern Territory while section 7 authorised the continuance of the trust account.

The Livestock Diseases Act provides for arrangements to be entered into by the Commonwealth and states for the sharing of costs of certain exotic diseases of animals. In terms of the agreement, the arrangements will only apply where eradication measures are carried out in accordance with plans approved by the Australian Agricultural Council. Under the cost-sharing agreement, each state will be responsible initially for financing its own costs but, subsequently, all eligible expenditure will be reimbursed. The reimbursement will be 50% from the Commonwealth and the remaining 50% will be paid by the various states on a pro rata basis determined by the population of animals at risk from the various diseases for which compensation is approved by the Agricultural Council.

To give an example, if foot and mouth disease occurred in Queensland, the Commonwealth would pay 50% of costs, with the other states providing the remainder. Because of the relatively small number of susceptible animals, even if the disease did not spread to the Northern Territory, our contribution would be 1.7% of the remaining 50% or 0.85% of the total. A Territory outbreak would produce the same financial result. It must be remembered that this compensation is payable only for losses and destruction of livestock and associated property as the direct result of an exotic disease. There is no provision for compensation for loss of production or loss of income.

The Australian Agricultural Council has now approved eradication plans for a further 8 exotic diseases. These are African swine fever, blue tongue, fowl plague, Newcastle disease, rabies, rinderpest, swine fever and swine vesicular disease. Our existing Foot and Mouth Disease Compensation Act is not adequate to cover these 8 exotic diseases with regard to compensation payments. It is

therefore necessary to amend this act, both in title and substance, to cover these added exotic diseases. I commend this bill to the Assembly.

Debate adjourned.

LIQUEFIED PETROLEUM GAS (SUBSIDY) BILL
(Serial 70)

Bill presented and read a first time.

Mr TUXWORTH (Mines and Energy): I move that the bill be now read a second time.

The purpose of this bill is to enact legislation to complement existing Commonwealth legislation and so formalise Northern Territory participation in a Commonwealth scheme for a pricing subsidy on liquefied petroleum gas.

Early last year, the Minister for National Development and Energy, Senator Carrick, announced the scheme whereby the Commonwealth would provide to the states and the Territory a subsidy on liquefied petroleum gas and naptha feed stock used for certain specified purposes, principally household consumption and non-profit undertakings. Subsequently, the Commonwealth enacted legislation which authorised payment to the states and the Territory of funds necessary for the subsidy scheme to be implemented.

The Commonwealth legislation operates initially for a period of 3 years from 28 March 1980. It provides for the Minister for Business and Consumer Affairs to formalise a scheme for the purposes of the legislation with respect to the Territory and every state. Under the scheme, distributors wishing to claim the benefit of the subsidy are required to enter into an agreement with the Territory and the Commonwealth and become registered distributors of LPG. At present, the subsidy amounts to $80 a tonne or approximately 4 cents per litre of LPG. Registered distributors may claim for payment of this subsidy where the LPG is being sold for eligible uses and where the full benefit of the subsidy is being passed to the consumer.

In the initial legislation, eligible uses included consumption of LPG for reticulated gas by householders, schools and certain non-profit, residential-type institutions such as hospitals and nursing homes. Subsequently, to honour an undertaking made before the last federal election, the Commonwealth government amended the act to widen the subsidy entitlement to include certain commercial and industrial uses of LPG in localities where natural gas was not readily available. Apart from vehicles such as forklift trucks and similar machines used in factories and warehouses, the subsidy is not available for use in automotive vehicles.

Participation in the scheme requires that every state and the Territory enact legislation complementary to the Liquefied Petroleum Gas Grants Act of the Commonwealth. Because of the time factor involved in the passing of this complementary legislation, the federal Minister for Business and Consumer Affairs approved administrative arrangements to facilitate the payment of the subsidy prior to the passing of the state and Territory legislation. To assist in achieving uniformity between the states and the Territory, the Commonwealth provided a model state bill for consideration which set out the responsibilities of the states and the Territory and outlined guidelines for the administration of the scheme.

Mr Speaker, the bill now before the Assembly has been based on the Commonwealth model as amended to provide for the inclusion in the subsidy scheme of certain commercial and industrial uses of LPG. I would now like to briefly

mention the main features of the bill.

Clause 3 of the bill defines inter alia which gases are eligible for the subsidy, the eligible uses of those gases and who is a registered distributor for the purposes of this act. Clause 5 empowers the minister to authorise subsidy advances, to register distributors and to set the terms and conditions for such advances. Clause 6 provides for the payment of authorised officers to whom claims for payment of the subsidy may be made by registered distributors in accordance with clause 7. Clause 8 sets out the procedures to be followed by authorised officers in determining claims. Clauses 11 and 12 respectively provide for the giving of security by a registered distributor upon demand by an authorised officer and for the preservation of books and records of accounts for a period of 2 years.

Clause 13 deals with the inspection of accounting records while clause 14 empowers an authorised officer to require a person to attend and to provide information relevant to a claim for payment. Clause 15 provides that such an examination may be on oath or affirmation. Clause 16 creates offences with penalties of up to $2,000 or imprisonment for up to 12 months. Proceedings under this legislation have to be commenced not later than 1 year after the commission of the offence. Clause 18 of the bill authorises the Administrator in Council to make regulations for carrying out and giving effect to the legislation, in particular regarding claims for payment, information to be furnished and penalties not exceeding $200 for offences against the regulations.

The subsidy scheme has now been in operation in the Territory for some 12 months. During the current year, the subsidy payments are estimated to have averaged $6,000 to $7,000 per month. The funds are being provided by way of advance payments by the Commonwealth to the Northern Territory government which is responsible for the administration of the scheme in cooperation with the local Customs Division of the Commonwealth Department of Business and Consumer Affairs.

Over the years, the price of LPG has been of concern to the public and to the Northern Territory government. Although participation in the scheme does not narrow the price differential of LPG between the Territory and the states, this is a very worthwhile subsidy and represents a significant benefit to most users of LPG in the Territory. The proposed legislation will enable the scheme to continue in accordance with the provisions of the Commonwealth act.

Debate adjourned.

WEIGHTS AND MEASURES (PACKAGED GOODS) AMENDMENT BILL
(Serial 93)

Bill presented and read a first time.

Mr PERRON (Treasurer and Industrial Development): I move that that bill be now read a second time.

Mr Speaker, there has been a steadily increasing consumer demand for information as to the characteristics of goods offered for sale so that purchasers can effectively choose according to freshness, quality, suitability etc which product to buy or indeed whether to buy at all. In recognition of this, the National Health and Medical Research Council worked for a considerable time to develop a draft standard for date marking packaged goods. The New South Wales government, dissatisfied with both the time it was taking to finalise the standard and some provisions of the draft standard, went ahead and drew up and introduced its own food-dating regulations. Since then the New South Wales government

and the NHMRC have reconciled the differences between the regulations and the standard. It is on this reconciliation that this bill and the proposed regulations are based.

South Australia has date marking legislation in force. Western Australian regulations are due to commence in November this year and the other states are at various stages in the introduction of dating requirements. It is expected that the requirements of all regulations will be substantially uniform. If the Northern Territory does not introduce similar legislation, there is a real danger that it could become a dumping ground for foodstuffs which, because of the date they carry, are not readily saleable in the states.

The bill amends the Weights and Measures (Packaged Goods) Act to provide legislative authority to make regulations concerning the date marking of foodstuffs packaged and or sold in the Northern Territory. It also provides penalties for non compliance with the regulation by either a packer or seller of packaged foodstuffs. As a result of this bill and the subsequent regulations, consumers will have available to them more information on which to make a decision concerning the purchase of foodstuffs. I commend the bill to honourable members.

Debate adjourned.

STOCK DISEASES AMENDMENT BILL
(Serial 67)

Bill presented and read a first time.

Mr STEELE (Primary Production and Tourism): Mr Speaker, I move that the bill be now read a second time.

The purpose of this amendment is to enable the minister to gazette bees as stock. Apiculture as an industry is in its infancy in the Northern Territory. A steering committee was established in April 1980 to form a Northern Territory Bee Keepers Association. This committee sought legislation to control the bee keeping industry with particular emphasis on disease control.

There is an increasing interest in bee keeping in the Northern Territory from potential commercial producers, hobbyists and interstate concerns. There is a limited population of honey bees in the Territory and as the industry expands, as we hope it will, bees will have to be imported from interstate.

There are several serious diseases affecting bees which occur in the other states and which, as far as we are aware,do not occur in the Northern Territory. We have no legal power to prevent the entry of bees or bee hives into the Territory nor to be able to control them if they do so enter. On information received from my department, it is apparent that the bee keeping industry will move towards the Northern Territory because of various factors such as overcrowding, pesticide residues in agricultural areas, changes in agricultural pursuits in other states and shortage of natural honey flows from natural flora due to periodic droughts and bush fires.

This legislation is introduced to protect an infant industry which may well have a considerable financial potential within primary production in the Northern Territory. I commend this bill to the Assembly.

Debate adjourned.

PORTS AMENDMENT BILL
(Serial 94)

Bill presented and read a first time.

Mr DONDAS (Transport and Works): I move that the bill be now read a second time.

The bill seeks to amend schedule 1 of the Ports Act which describes the boundary limits of the Port of Darwin. The bill allows for complete updating of schedule 1 which first came into force in 1963. All references to imperial distance measurements have been replaced by the metric equivalent. Various changes to the public plan as well as changes to the land description of the Town of Nightcliff and the Town of Darwin have been taken into account in amending the schedule. A minor survey description error contained in the original schedule has been corrected.

Further, the schedule now includes various parcels of land handed over to the care and control of the Port Authority including lot 5262 Town of Darwin comprising the main wharf area proper. At the same time, revised schedules exclude parts of reserve areas formerly held by the Port Authority in Frances Bay which are now held privately under land tenure arrangements made by the Department of Lands. The amended schedule allows for the fact that the high water mark within Frances Bay may change from time to time as a result of land reclamation work carried out on private lots in the area. I commend the bill to honourable members.

Debate adjourned.

STOCK DISEASES AMENDMENT BILL
(Serial 104)

Bill presented and read a first time.

Mr STEELE (Primary Production and Tourism): I move that the bill be now read a second time.

The aim of this bill is to strengthen existing legislation in respect to disease control and eradication. Although these amendments will have control over all scheduled stock diseases my department's immediate concern is the necessity to utilise these amendments in the accelerated eradication campaigns against brucellosis and tuberculosis. I am sure that members are well aware of the importance of these campaigns.

The 2 main provisions in the amendments are for accurate identification of stock through tail tagging, with specific numbers or colours, and the power to order the destocking of holdings where it is deemed necessary to assist in disease control measures. Accurate identification of stock is essential to be able to determine ownership and the holding origin of the stock. Previously, reliance on brands has sometimes led to confusion. Destocking of holdings as a disease eradication tool may be necessary for problem herds, poorly-managed herds and holdings where the owners may for some reason be uncooperative.

Stock owners who destock their holdings for the purpose of eradicating brucellosis and tuberculosis are eligible for certain taxation concessions under section 33 AAA. However, if owners destock for this purpose, their eligibility for these taxation concessions will be determined by the Taxation Commissioner, but only if that destocking is covered by a legal order from the Chief Inspector.

Mr Speaker, this is a very important piece of legislation necessary to ensure that the government's program of disease eradication keeps pace with programs in other states, and to secure our market position.

I commend the bill to honourable members.

Debate adjourned.

MINES SAFETY CONTROL AMENDMENT BILL
(Serial 2)
MINING ASSISTANCE AMENDMENT BILL
(Serial 3)
URANIUM MINING (ENVIRONMENT CONTROL) BILL
(Serial 5)

Continued from 4 March 1981.

Ms D'ROZARIO (Sanderson): Mr Speaker, these 3 cognate bills are designed to clear up any areas of ambiguity in the relationship between the mining inspectorate and the Director of Mines. Since our Mining Act was brought down in this Chamber during the second Assembly, we have had some toing and froing between the various responsibilities in the area of mining inspections. I feel sure that the 3 bills that we have now are the right ones.

I was interested to see in the Annual Report of the Department of Mines and Energy the significance of these 3 bills. They might look as if they are minor but when one looks at the reported accidents at mining sites - the types of accident involved, the disabling injuries that are reported and the days lost - one can see that these bills are very important indeed. Certainly, the opposition supports them.

For the information of members who do not have the reports to hand, I will pick out some of the more interesting accidents which indicate the need for a good mining inspectorate. We can see from this table that a large number of accidents were reported. We have to bear in mind also that these are only reported accidents and that the causes of the accidents included mobile equipment, handheld equipment, fixed machinery, maintenance of machinery, falls of persons, falls of objects to the ground, explosives, electricity, harmful contacts etc.

Mr Speaker, some of the disabling injuries reported are 57 resulting from falls of persons, 34 resulting from accidents involving mobile equipment, 92 resulting from harmful contacts etc. The days lost as a result of these injuries are also tabulated, which is very useful information indeed. There were 1,103 working days lost from falls of persons. The information is listed quite comprehensively in the table so I will not go through it. Plainly, it is imperative that the mining inspectorate have clearly defined powers and that the powers between it and the Director of Mines be rationalised. Mr Speaker, we support these bills.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in view of the importance of the mining industry, it is essential that we have legislation that presents no ambiguity to the people who operate in the industry. That is the reason for the introduction of these 3 bills.

The bill relating to mining assistance is complementary legislation because of the introduction of the Mines Safety Control Act which replaces the old Mines Regulation Act. It is just a matter of correcting definitions. The Uranium Mining (Environment Control) Bill concerns itself with redefining titles to

be consistent with the accompanying bills and previous legislation. This bill particularly shows our government's concern not only with mining but also with the environment as it is related to mining in the Territory. The Mines Safety Control Bill only refers to a change in the way the Director of Mines is appointed. All this legislation must be considered with the Mining Act 1980. The amendments proposed in these bills are necessary so that there can be a facile use of the total legislation.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank honourable members for their support.

The legislation is really very simple but the principles behind it are most important. The department is starting an awareness campaign in the mining, construction and other industries around the Territory. Through the Safety Sam Campaign it is trying to bring the safety of workers in the Northern Territory into greater perspective and make people more conscious of the need for safety. I have said in the Assembly before that one of the great concerns we have is that safety is treated as a joke by so many people, not just management and workers but by administrators as well. Until we can all take a responsible approach to it, the accident figures - some of which were quoted by the member for Sanderson - will remain with us. Our objective is to reduce those to an accident frequency of nil. I thank members for their support.

Motion agreed to; bills read a second time.

Mr TUXWORTH (Mines and Energy)(by leave): I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

STOCK DISEASES AMENDMENT BILL
(Serial 54)

Continued from 2 June 1981.

Mr ROBERTSON (Lands and Housing): I move that the bill be recommitted to the committee of the whole for further consideration of clause 2.

Motion agreed to.

In committee:

Clause 2:

Mr ROBERTSON: Mr Chairman, I seek the defeat of clause 2.

At the last sittings I explained to the committee that the provisions of clause 2 of the bill would invalidate the legislation. It is obvious to the committee that it is quite impossible to commence this piece of legislation at the same time as one that was commenced in January this year. Therefore, I invite defeat of clause 2.

Clause 2 negatived.

In Assembly:

Bill reported with an amendment; report adopted.

Bill read a third time.

STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL
(Serial 74)
REAL PROPERTY AMENDMENT BILL
(Serial 73)
HOUSING AMENDMENT BILL
(Serial 72)
UNIT TITLES AMENDMENT BILL
(Serial 75)

Continued from 3 March 1981.

Motion agreed to; bills read a second time.

Mr ROBERTSON (Lands and Housing)(by leave): I move that the bills be now read a third time.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, these 4 amendments are consequent upon the freehold legislation. The amendment to the Housing Act will have 2 results. Firstly, the requirement for leases in Housing Commission transactions will be dropped and, secondly, the lease-rent component and Housing Commission cost calculations - in particular, in determination of economic rent - will no longer be mandatory and will become subject to discretion. These 2 points will lead to simplification and flexibility, both of which are desirable.

The amendment to the Real Property Act will allow the Territory to lease out any land that it holds under freehold without reference to the Crown Lands Act. This again is a time-saving device. It should reduce frustration and add to the unravelling of the very complex land system which this government inherited from the Commonwealth and South Australia.

The amendment to the Stock Routes and Travelling Stock Act will affect land which has recently been converted to freehold; that is, land which is less than 150 square kilometres. It will allow, with the owner's permission, the construction of wells, bores and watering points, fences, stockyards, grids and cattle dips. Without the owner's permission, it will allow for stock to be driven across this recently converted freehold land. There will be some restrictions: the paths to be used must not be more than 1 mile wide and must follow the most direct route. That of course will allow the movement of stock through these properties, which could in the future become a very important issue.

The amendment to the Unit Titles Act will allow a registered proprietor of a lease to apply to subdivide his lease into unit titles which cannot then be converted to freehold. The best way to explain this is by giving an example. If the owner of a block of flats has the lease for that land, he can have it subdivided into titles for each one of those flats and they can be sold off. But the restriction is that none of these people who buy a flat can then apply for freehold. This will mean that a cooperative approach by the owners of those flats will be needed. It is an important restriction in that it would prevent any one flat owner from knocking down his flat and doing something else without the consent of other unit owners. I support these bills.

Mr BELL (MacDonnell): Mr Speaker, as the member for Alice Springs has pointed out, these 4 cognate bills tidy up the freeholding legislation that was introduced earlier in this Assembly. The legislation enabled the Darwin town area leases, miscellaneous leases and some pastoral mini-leases to convert to freehold automatically and without cost. On 1 January this year, the Minister for Lands and Housing referred to freeholding as perhaps the greatest step forward in the history of the Northern Territory apart from self-government. The

impact of this great step forward apparently has not resulted in a great rush to the Lands Department. Apparently this is fairly fortunate because the office of the Registrar-General is not really equipped to handle the number of applications that might be received under this freeholding legislation.

The Stock Routes and Travelling Stock Amendment Bill will enable stock to be driven on freehold land, as the member for Alice Springs has explained. The Real Property Amendment Bill will permit the Territory to lease land which it holds under fee simple title in terms of the Real Property Act without reference to the Crown Lands Act. The amendments to the Housing Act will eliminate leaseholding as a function of the Housing Commission as a consequence of the freeholding legislation. The Unit Titles Amendment Bill will permit the registered proprietor of a lease under the Crown Lands Act, as recently amended, to apply to subdivide his lease into unit titles.

These bills are supported by the opposition. Any attempt to make the Territory's biggest step forward cleaner and neater must certainly be supported by us.

Motion agreed to; bills read a third time.

OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL
(Serial 63)

Continued from 3 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the amendments to the Ombudsman (Northern Territory) Act. I hope the Assembly will discuss the Ombudsman's Report for 1979-80 at this sittings because there are some matters relating to the Ombudsman that concern me. Perhaps I could deal with them in relation to this bill but I would prefer to wait until we discuss his report.

There are 2 principal matters in the amendment to the Ombudsman Act. The first relates to the procedure of complaints against the police and the second relates to the exchange of information between Commonwealth, state and the Northern Territory Ombudsman. The question of complaints against the police is a welcome move because it means that a person can make a complaint directly to the Ombudsman about the activities of a police officer. It is a recommendation contained in the Ombudsman's previous report and also a recommendation of the opposition in this Assembly when the question was first raised and I am pleased that it now has the support of the government. It means that those people who wish to lodge a complaint and who would be happier if the complaint was lodged first with the Ombudsman, being impartial, will now be able to lodge that complaint directly with the Ombudsman.

In my view, and from the reports of the Ombudsman, the system which has operated to date has worked successfully. I do not know that the current position has restricted people from making complaints about police activity. What has happened to date is that, where a person wishes to make a complaint against the police, the complaint is lodged with the Commissioner. He automatically forwards a copy of that complaint to the Ombudsman and action taken by the police is also reported to the Ombudsman. What will happen now is that a complaint may be lodged in that way but it also may be lodged directly with the Ombudsman who, before investigating it himself, will forward the complaint to the Police Commissioner to initiate the first line of investigation. That particular principle is endorsed fully by this side of the Assembly.

The second major matter arises from the most recent report of the Ombudsman. It results from a discussion which Ombudsmen in Australia apparently had at a

recent conference. It was recommended that Ombudsmen should be able to pass information among themselves but must ensure that such information relating to individual complaints is kept confidential. I direct members to clause 7(2) which guarantees the secrecy and confidentiality of those documents. If somebody decides to release the documents without authorisation, he could face a maximum penalty of $1,000 or 6 months behind bars.

There are 2 other matters of some note. There is the question of whether or not Cabinet decisions ought to be subject to a direction or investigation by the Ombudsman. The existing act, as I understand it, has a reference that the Crown in right of the Commonwealth is not subject to jurisdiction. The Chief Minister made the remark in his second-reading speech that it probably never was anyway. The Territory Cabinet is included as an area into which the Ombudsman will not pry and I believe that that is appropriate. We are talking about administrative matters. It would weaken the authority of Cabinet if it were subject to the scrutiny of the Ombudsman.

The other matter is a minor tidying up exercise in regard to administrative action of city councils and the substitution of the word 'act' for the word 'ordinance'. We now call enactments of the Assembly 'acts'. This is a welcome amendment to the Ombudsman (Northern Territory) Act. It will enshrine 2 important policies which have the support of this side of the Assembly.

Mr HARRIS (Port Darwin): The only clause that I would like to speak to is clause 3 which amends section 14 of the principal act to enable people with complaints against members of the police force to report directly to the Ombudsman. Quite frankly, as the Leader of the Opposition said, the system that we have at present has worked pretty well. The Ombudsman has received reports of complaints against police officers and the provisions for investigation by the Ombudsman have been satisfactory. A person has an opportunity to complain against actions of the police and if he is not happy with the findings, he is then able to report to the Ombudsman. There is provision for his complaint to be thoroughly investigated. I see no cause for concern. However, I accept the point that perhaps it is better that a person should be able to go directly to the Ombudsman. What worries me about this particular amendment is that it will lead to more complaints being made against the police force. There is no doubt about that. All those complaints that were not followed up on previous occasions will now be followed up. I believe that this will result in a great deal more time being spent on investigation into complaints against police officers. I worry that this will mean a reduction in the effectiveness of law enforcement.

Although our police numbers on a per capita basis are well and truly up on other states - I think it is 1 to 200 as compared to 1 to 500 - the effective force in the street is much lower. The reason for this is that no matter what size a police force is - whether it is a large police force such as Victoria with 8,000 members or New South Wales with 9,500 members or a small force such as the Norhern Territory with 540-odd members - the basic infrastructure is the same. There still must be provided scientific sections, research units, investigation facilities, etc. All of these units are very important to the system and they require manning. Many of the members of our small force are tied up in these areas. I am continually approached - and I would presume that other members are approached as well - to have more police patrols in the city areas. At this time, I have no chance of improving the present position.

The police force has an enormous workload and this has been acknowledged by other members of this Assembly as well as the Ombudsman. It has done a tremendous job with the resources that it has available to it. I support the amendment but I make the point that I am worried that, because more complaints will

be made against members of the police force, a great deal more time will be spent on investigating those complaints. I believe this will have an effect on the number of police available for law enforcement. Mr Speaker, with those reservations, I support the amendment.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would also like to speak briefly in support of this bill, in particular about the change regarding complaints against the police. I hope that the member for Port Darwin's fears are not realised. I have in front of me the last report of the Ombudsman in which he says: 'There is no doubt, however, that the investigation of complaints against the police constitutes a significant workload within the police force which, in turn, raises problems of priorities. Consequently, there are occasions when it appears that an undue length of time elapses between lodging of complaint and finalisation'. It would be hoped that this new arrangement would release members of the police force from the burden of dealing with these complaints to the extent that they have had to in the past. Hopefully, the member's fears will be unjustified.

I certainly support the new arrangements. The Ombudsman is there to do exactly that sort of job. While I have not recently received any complaints about the way in which these matters have been dealt with, it will be clear to the public that there is an impartial body to investigate complaints that might arise.

Another matter occurred to me only this afternoon. I confess that I have not investigated it at all but there is a reference to the Territory Cabinet in this piece of legislation. I believe - and I am willing to be corrected by the Chief Minister - that this might be the first time the Territory Cabinet has ever been referred to in legislation. It does not appear to be defined. We know what it is and what a powerful body it is, and I certainly support the intention of the bill regarding non-disclosure of matters discussed by Territory Cabinet. Nevertheless, from a constitutional point of view, that reference is quite interesting.

Mrs PADGHAM-PURICH (Tiwi): I support the bill but I have 2 queries. It is very important that, not only must justice be done, it must also be seen to be done. I am referring particularly to the investigation of complaints against the police. I know for a fact that all previous and current complaints against the police have been and are referred to the commissioner and have always then been referred to the Ombudsman. Nevertheless, I think this legislation makes it clear that justice will be seen to be done in that people will be able to direct their complaints against the police directly to the Ombudsman should they so desire.

I would like to comment on clause 3 as it relates to the principal act. Proposed subsection (3A) says that, where a complaint concerning a member of the police force is made directly to the Ombudsman, the Ombudsman shall, before carrying out an investigation, refer the complaint to the commissioner. I believe that the last part - refer the complaint to the commissioner - is extraneous and unnecessary because it is already covered in the current legislation. In the current legislation it says that 'department' means a department of the public service of the Northern Territory and includes the police force of the Northern Territory.

Section 19(1) of the current legislation says: 'Before commencing an investigation under this ordinance relating to administrative action taken by, in or on behalf of a department or authority to which this ordinance applies, the Ombudsman shall, in writing, inform the principal officer of that department'.

So the last part of this amendment is already covered in current legislation.

Clause 4 is headed 'Procedure for Investigations' and refers to amendments to section 19 of the principal act where it says: 'Where the complaint relates to administrative action taken by an officer or employee of the council of a municipality, the Mayor of the municipality shall be notified'. The amendment states that the Minister must also be notified. I ask the Chief Minister whether the definition of 'Mayor' is synonymous with the definition of 'Lord Mayor' because we now have a Lord Mayor.

I cannot quite understand the exclusion of 'employee of the municipality from the amendment, unless it means that the complaint about the employee will go to the principal officer of the council of the municipality before it goes further.

Clause 6 - non-disclosure of certain facts - is just an extension of the main act. Clause 7 which deals with secrecy is an excellent provision. It relates to the reciprocity between Ombudsmen in different places and the confidentiality provisions which are so necessary in interstate actions and Commonwealth-state actions.

I would like to conclude by asking the sponsor of the bill to answer the query that I put to him regarding the definition of 'Mayor' and 'Lord Mayor'.

Mr EVERINGHAM (Chief Minister): Mr Speaker, in answer to the member for Tiwi, I am sure it does.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

STATUTE LAW REVISION BILL
(Serial 85)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, this bill will do exactly what the previous Statute Law Revision Bills did. I think that it is worth my while saying that parts of the Statute Law Revision Bill have been examined at random simply to satisfy myself and the Assembly that the bill does what it sets out to do; that is, make mechanical adjustments to legislation to ensure that the law of the Northern Territory has integrity. As I say, I have had the Statute Law Revision Bill checked out as far as one possibly can with a bill of that sort. To the extent that it has been checked out, it has achieved the purpose outlined by the Chief Minister.

It is an important task that is being undertaken. As I have said on previous occasions, it must be a very boring and laborious task for a certain member of the legislative drafting unit. I would hope that in allocating tasks the Legislative Draftsman does not give that particular job to just one draftsman but moves it around so that each has a chop at it.

Motion agreed to; bill read a second time.

In committee.

Clauses 1 and 2 agreed to.

Schedule:

Mr EVERINGHAM: I move amendment 32.1.

Perhaps while giving reasons for moving the amendment, I should say that I imagine that this sort of work would delight a true legal draftsman, rather than bore him stiff as the Leader of the Opposition suggests, because this intricate work is the kind of thing that is supposed to appeal to those persons who find that their talents lie in the direction of drafting. I must admit that I would prefer to prepare statements of claim or contracts for sale myself.

The reason why this amendment to the schedule has been moved is that the amendments referred to in paragraphs (a), (b), (c) and (d) have been made elsewhere and consequently the provisions are no longer appropriate for inclusion in the bill. A re-examination of the provisions being dealt with has shown that we did not go far enough with the suggested amendment referred to in paragraph (e). The provision substituted by that paragraph brings the section into line with current form.

Just while I am on my feet, the Minister for Education has pointed out to me that on page 3, second last line, it should read '2 safety valves' rather than '2 safety values'.

Amendment agreed to.

Schedule, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

PAROLE ORDERS (TRANSFER) BILL
(Serial 68)

Mr ISAACS (Opposition Leader): Mr Speaker, the Parole Orders (Transfer) Bill is a most important piece of legislation. It results from the deliberations of the Standing Committee of State and Federal Attorneys-General and arises from the problem relating to the control of parolees and their movement interstate. It is important both from the point of view of the parolee and the justice system that there is in existence a standard procedure whereby parolees may move interstate and be subject to the law of the state or territory to which they have moved.

It is obvious that, from the point of view of a parolee who wishes to move interstate - for example, because of family - there ought to be a system established so that the parolee can make contact with parole officers. From the point of view of the criminal justice system, where a parolee fails to meet the terms of his parole order and action has to be taken, that action should be taken and backed up by legislation. Clearly, what is required is uniform legislation throughout the states and the territories to ensure that there is that protection both for the parolee and for the community.

The bill itself seems to me to be quite unremarkable and quite simple in its language. The system is that the minister in a state or territory can request an authority in another state or territory to register a parole order which was made in the original state or territory. It is a simple enough proposition and I would hope that the bill will ensure the easy operation of this system and

that it will be seen not just as a scrutiny of parolees but also as acting in the interests of parolees in that they will have more freedom to move about. The opposition supports the bill.

Mr HARRIS (Port Darwin): Mr Speaker, the area of reciprocal arrangements between governments is very important. This is another area where the ministers responsible for prisons, probation and parole have come forward with recommendations which have been put to the respective Attorneys-General. As the Chief Minister mentioned in his second-reading speech, there has been provision by arrangement with particular states on a voluntary basis for the transfer of parolees. However, there has been a need to formalise the arrangements and that is what this bill is doing.

I am very pleased to see that, in most cases where reciprocal legislation is required, the Northern Territory is one of the first to respond. There is no doubt that we will benefit from such a move. Whilst the numbers are not known, it is a fact that there are a number of people who come here from interstate and commit offences. Under this legislation, these people will now be able to be returned to their state to serve out their parole period.

I would like to comment on a growing concern of many people in the community; the inappropriate minimum sentences which are handed down to people who have committed very serious crimes. Of course, parole will not apply until a minimum sentence has been served. In some cases, not only in the Territory but in other parts of Australia as well, people who have committed very serious crimes such as murder or rape are able to be released from prison after a period of 2 or 3 years. One wonders on what grounds these minimum periods of imprisonment are set. There is no doubt that it is much more cost effective to supervise a person on parole than to keep that person in prison. The cost of keeping a person in prison is increasing all the time and it is quite frightening.

One wonders if enough consideration is being given to the effects on the community of these minimum sentences for very serious crimes. Whilst the prisoner may be advantaged by being allowed to move around on parole and the government can benefit by saving money, much comment is being made about the inappropriateness of some of the minimum sentences. I support this bill which will enable the transfer of parolees to other states but I query in some cases the minimum sentences that are being imposed on people who have committed very serious crimes.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I support the general principles of the bill. I think that it is a great step forward. It will allow parolees freedom of movement while they are still fulfilling parole conditions. It will also help with the rehabilitation of parolees in that they will be allowed to move about more freely in Australia than they have in the past. If their jobs take them to new places, they will know exactly where they stand in relation to the observance of the conditions of their parole. I assume that the states have similar legislation because there must be reciprocity between the states. I understand that the states are not as advanced as we are with this legislation.

Perhaps the Chief Minister can tell me, if our legislation is introduced first, whether we just operate under it or whether we continue to operate under various gentlemen's agreements with the states until they have legislated similarly.

I would like to comment on clause 7 where it says that the registration of parole orders in a state or territory should be in the interests of the parolee. I do not disagree with that at all and I do not think anybody else would. But I

do feel that the interests of the community must also be considered, as must be the interests of the family of the parolee. It is not unusual for a parolee to have committed his crime against members of his own family. They may have moved to the Northern Territory and it may not be in the interests of his rehabilitation to come to the Northern Territory to be near them. It may not be in the interests of his family either. I would like to see the interests of the community protected in the bill as are the interests of the person to whom the parole order relates.

On the whole, this legislation is a great step forward in the rehabilitation of the people to whom it refers. I hope that in the near future the states will introduce similar legislation.

Debate adjourned.

TRUSTEE AMENDMENT BILL
(Serial 79)

Continued from 4 March 1981

Mr ISAACS (Opposition Leader): The Trustee Amendment Bill is an amendment to a very old piece of legislation dating back to South Australian days. I share with the Chief Minister the hope that it will not be too long before we have a composite Trustee Act pass through this Assembly. However, until the necessary legislation is drafted, it is necessary to keep the existing legislation as up to date as we possibly can, even if it is done in a bandaid fashion.

The amendments to the Trustee Act result from interest being shown in the Northern Territory by a number of private trustee companies. I am sure that a number of members, if not all of them, have been visited or written to by one or a number of these trustee companies which aspire to operate in the Northern Territory.

The amendments before us today are reasonable and should be supported to ensure the effective operation of these trustee companies. For example, the trustee companies operate common funds and they have sought the approval of the government for those common funds to be recognised as authorised investments. In terms of security and so on, I support the remarks of the Chief Minister.

The second matter which will be dealt with by the Trustee Amendment Bill is the ability of these companies to invest money in land. We have dealt with that in another debate on this particular legislation, and the view taken was that perhaps 30% of a trust is too much to be invested in freehold land given the vagaries of that kind of investment. Without committing himself in any way, the Chief Minister indicated on the last occasion that he thought that 30% was not too much of a slice to take out in land investments up here as they seem to be a pretty good bet anyway. Nonetheless, we are dealing with other people's money and it is as well to act conservatively in that regard. The Chief Minister indicated to me before debate on this bill took place that, in fact, it is the government's intention to remove that section totally because, in many cases, we are dealing with very small estates.

Thirdly, this legislation considers the question of the purchase of dwelling houses for beneficiaries. This again seems to be a perfectly reasonable proposition so long as the will which set up the trust does not in fact make a direction to the contrary, and that position is very adequately covered by the particular amendment that has been proposed. There is a provision expressly designed so that dwelling houses cannot be purchased in contravention of any express direction in the will.

The final matter which the Trustee Amendment Bill deals with is the question of the liability of trustees. As explained in the Chief Minister's second-reading speech, the common law is very strict in regard to the liability of trustees. That is prefectly understanding as those people are to be entrusted to manage other people's assets. The common law is extremely strict. If there has been an error made then notwithstanding the complete propriety and honesty of the trustee, the trustee is required to make good whatever damage is done. I believe that it could place very severe restrictions on the operations of the trustee. The amendment will insert a new section 49A in the act. It is a most sensible proposition and I think it is worth while to read it out:

> *If it appears to the Supreme Court (a) that a trustee is, or may be, personally liable for a breach of trust, whether the transaction alleged to be a breach of trust occurs before or after the commencement of this act; and (b) that the trustee has acted honestly and reasonably and ought fairly to be excused for the breach of trust, and for omitting to obtain the directions of the court in the matter in which he has committed the breach, the court may relieve the trustee, either wholly or partly, from personal liability for the breach of trust.*

Therefore, it is a matter for determination by the court whether or not the trustee ought to be held liable and whether or not he has acted fairly, honestly and reasonably. They seem to be perfectly adequate provisions for a court to determine.

The amendments to the Trustee Act are reasonable. They will allow for the proper running of trustee companies in the interests of those people who have entrusted their money to them. The bill has the support of the opposition.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I am pleased that the opposition supports these amendments. However, there are amendments to the amendments and these were only just circulated a little time ago. I would propose that the committee stage be later taken so that the opposition has time to consider them. I think they will find them to be in order.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

LOTTERY AND GAMING AMENDMENT BILL
(Serial 65)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): This is a very short piece of legislation to amend the Lottery and Gaming Act.

Currently the maximum fine for breaches of the Lottery and Gaming Act is $100. It is quite obvious that a monetary penalty of $100 is very meagre indeed and does not comply with current standards. The measure suggested by the Treasurer, the minister responsible for this piece of legislation, is to raise the limit from $100 to $2,000. That might seem a little steep. I think it is probably too steep.

As the Treasurer said, monetary penalties must have some kind of equality with non-monetary penalties, such as suspensions etc. However, $2,000 does on the face of it appear to be steep. Nobody is suggesting that every offence against the Lottery and Gaming Act would incur a penalty of $2,000. As the Treasurer rightly said, that is a maximum and will not be imposed on every occasion. But

the magistrates look to the legislation to give them an idea of what sort of penalties they ought to be imposing. I would have liked to have heard from the Treasurer how that figure of $2,000 was arrived at. Unfortunately he did not tell us. It seems to me that there was an eye to the future and desire not to touch that particular section for another 20 years or so.

Mr Robertson: We need the money!

Mr ISAACS: The Minister for Education puts in that we need the money. Of course that is not the case and I know that he does not mean that, but he put it as a joke and it does raise a very serious question.

The Treasurer did not address himself to the reasons for choosing $2,000. I believe that, as an indication to the magistrates, $2,000 is a very serious penalty indeed. I think consideration ought to be given to lowering that particular penalty. It would be interesting to hear what the Treasurer says on how the $2,000 was arrived at. I would be much happier if, for example, the maximum penalty was put at $1,000.

Mr PERRON (Treasurer): Mr Speaker, I will respond to the Leader of the Opposition's queries about the level of penalty. It is some time now since this was referred to Cabinet but it was a recommendation of the Racing and Gaming Commission. If I recall correctly, the Racing and Gaming Commissioner understood or was aware that some states at least have or are moving towards similar levels of penalties in their control of gambling on greyhounds. Apparently there was a general move around Australia towards updating legislation relating to the greyhound industry and the conduct of greyhound racing.

In disagreeing with the claim of the Leader of the Opposition that it is a fairly steep penalty - even as a maximum - I make the point that I do not believe the Assembly and the government should tolerate or condone any hanky-panky or breach whatsoever in relation to the conduct of races, racing, gambling and gaming generally. The penalties provide an alternative to the suspension of licences, which was introduced as the most serious penalty, but it is left for the magistrates to decide whether a monetary penalty or any other penalty should prevail in certain circumstances.

It is a very serious business. There can be very high stakes involved and this particular penalty relates to compliance with rules of conduct in dog racing. I believe that it cannot be over-emphasised just how important it is that these industries have an image as well as actually operating in an impeccable fashion.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CONTROL OF ROADS AMENDMENT BILL
(Serial 82)

Continued from 4 March 1981.

Ms D'ROZARIO (Sanderson): Mr Speaker, the aim of this bill is simply to keep pace with technology. The effect of it is to abolish section 50A which relates to a weighing technique which is not used now. I believe even the station where this particular device was housed is not in use any more. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr DONDAS (Transport and Works) (by leave): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 77)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the amendment to the Legal Practitioners Act, particularly the amendment to section 133.

Section 133 concerns the preparation of papers relating to applications for probate and makes it clear that persons other than a legal practitioner shall not for reward prepare such papers and documents. It then sets out in subsection (2) the exceptions to which subsection (1) might apply. The people mentioned in it are the Curator of Estates of Deceased Persons and a person employed in the office of the Curator of Estates of Deceased Persons. The point made by the Chief Minister is that we have given the Public Trustee the right to prepare documents and to act on behalf of people but, although we have given him that power, it may well be that section 133 is not clear enough. Therefore, we have an amendment to that particular section to enable the Public Trustee to operate in this way.

The Chief Minister said that it is important that we enable employees of private trustee companies also to be exempt from the stipulation that they should not be able to accept money for the preparation of these papers. As the Chief Minister rightly pointed out, some of these documents are required to be prepared but not necessarily by legally-qualified persons.

So far as the amendment goes, we support it. But I would ask the Chief Minister just to check out section 133. We have just received the first Annual Report of the Public Trustee and I notice in subclause (2), and also in his second-reading speech, that the position of Curator of Estates of Deceased Persons is mentioned in both paragraphs (a) and (b). My recollection is that we abolished that particular statutory position and inserted in its stead the position of Public Trustee. My understanding is that there is no longer an office under the Administration and Probate Act of a person called the Curator of Estates of Deceased Persons. If that is the case, then we ought to look at a further amendment to section 133(2) to take account of it.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I cannot give the Leader of the Opposition the response that he seeks in relation to the office of Curator of Estates of Deceased Persons. I must confess that we have abolished the position of Curator of Estates of Deceased Persons. However, I suppose that we could defer the committee stage of this bill and clarify the situation rather than wait until some later time to pick up the matter if indeed the situation is as stated. I am quite prepared to see the committee stage deferred until tomorrow and I will try and get it sorted out in the meantime.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

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

Mr HARRIS (Port Darwin): Mr Speaker, I am in a bit of a bind as to how to approach the subject that I wish to talk on today. I have shied away from this particular issue because I have an interest in as much as I live right smack bang in the middle of the city. That is where all the action is and I am very pleased to be there. I hope that this progress continues.

Unfortunately, there is a lot of noise associated with developments. I have mentioned this on previous occasions in connection with the Naval Patrol Boat Base and Darwin Plaza. Of course, there is always noise associated with such developments. Those 2 are babies in comparison with what is happening in the city at the present time. There is nothing one can do about the noise aspect. If one builds a house, one will have to make noise. If we want to build a naval patrol boat base, we have to make noise.

There does come a time when people living in close proximity to the areas that are being developed crack a little under the strain. You cannot really blame them. The noise in some cases is incredible. It is difficult enough putting up with construction noises during normal working hours but when it continues into the night - and I do not mean 10 o'clock, 11 o'clock, 12 o'clock or 1 o'clock but right through the night - then I believe it has gone a little too far. When one gets up at 4 o'clock in the morning and walks to the bathroom to the clang of sledgehammers on steel, then I believe that it has gone a little too far.

I have cracked not by complaining but by moving my wife and child into my study. We sleep on the floor. That is fine. I did not complain earlier because no one complained to me about the noise. I thought I must be the odd fellow out. My wife can leave me and I will just sit down quietly. But that has changed now and there is definitely a feeling by people in the area that the noise is very disturbing and upsetting. The noise that we hear is incredible. I kid you not! They have these steel boxes over there which provide the formwork of the carpark. These are crashed down on to the concrete from 10 feet up at 4 o'clock or 5 o'clock in the morning. They make a lot more noise than if this whole ceiling and roof fell down in here. Go over there at night. My wife has even suggested that I invite anyone over there to hop into our bedroom and witness the noise that is going on.

To date, I have advised those people who have complained that we have provision under our laws to stop noise. I think that there is a lack of understanding by many people as to what they can do in situations where noise occurs. I instance a point where a person contacted the police station and was told there was nothing that he could do about it, so he went to court to obtain a noise abatement order. They said he had to pay $400 and go and see a solicitor. So he went to the solicitor and the solicitor was being paid a retainer by the builders and therefore he could not represent this chap. He can go to another solicitor - I am well aware of that - but when people start to make complaints and are confronted by these obstacles they tend to chuck it in because they get confused. I believe tnat this person is convinced at this present time that there is absolutely nothing that can be done about that noise. It is spelt out specifically in section 53B of the Summary Offences Act. I will read it out because I think it is important:

(1) A member of the police force may, in response to a complaint from a person that undue noise is coming from any premises or part of premises and where he considers that such noise constitutes undue noise, direct - (a) the person making or causing or permitting the noise to be made; or (b) the person apparently at the time in charge of the premises or part of the premises, as the case may be, to stop or abate the noise. (2) A member of the police force may, in response to a complaint from a

person that undue noise is coming from any unoccupied land and where he considers that such noise constitutes undue noise, direct the person making the noise or causing or permitting the noise to be made to stop or abate the noise. (3) Subject to subsection (4), a person who has been directed to stop or abate undue noise and who - (a) continues to make a noise or continues to cause or permit the noise to be made; or (b) does not abate the noise, after a period of 10 minutes immediately after being so directed, is guilty of an offence - penalty $200.

Section 53D deals with noise abatement orders:

(1) Where a person occupying premises makes a complaint to a justice alleging that his occupation of those premises is affected by undue noise, the justice may issue his summons for the appearance before him or any other justice of the person who is - (a) alleged to be making or causing or permitting the noise to be made; or (b) the occupier or person apparently in charge of the premises or part of the premises from which the noise is alleged to be emitted. (2) If the court is satisfied that an alleged undue noise exists, or that although abated it is likely to recur on the same premises or part of the premises, the court may, where it finds that such noise is not justified in the circumstances, make an order directing the person summonsed under subsection (1) to stop or abate the noise or to confine the making of the noise to within such hours as the court may fix and the court may, in making the order, impose such other conditions as it thinks fit. (3) A person shall not contravene or fail to comply with an order under subsection (2) - penalty $200.

On top of all that, if you are not satisfied with the actions of the police, you can go to the commissioner. If you are not satisfied with that, you can refer the matter to the Ombudsman. I believe there are enough controls there to have excessive noise stopped. If you get through all that lot and the noise continues, then there is definitely something wrong with the system.

There are a number of reasons for construction workers working outside normal hours and the reason given in the case of the car-park is that they are behind time. Let us have a look at that proposal. If the builders are genuine and they are behind time, one would expect them to work every day. However, on Saturday and Sunday, there are no workers on site. They work all night. That is the difference. So I do query whether or not there is a genuine effort being made to catch up on time.

Another reason could be to escape the heat, but I do not believe that that is a fair enough reason. Another reason might be, as in the case of the Darwin Plaza, to avoid general disruption to traffic. I believe that most people accept that in certain circumstances it is better for the concrete to be poured at night because of the disruption of traffic by large trucks.

Another reason why I have brought this up today is that, if we allow the principle of working through the early hours of the morning to continue, a precedent will be set. I believe that once this has been done, you may as well chuck your laws away. You will find that people who are building houses will then start to work during the evening. I am not worried about the city areas but, if this happens in the residential areas - this crashing and banging - then I believe there will be serious repercussions.

Mr Speaker, it does not require any more controls; the laws are definitely there to stop noise. I feel that most people are reasonable. There are 3 big buildings at the present time in the main city area where work continues all night. There is the Commercial Bank, the council car-park and the Jape Building

next to the Don Casino. All I am asking is that the powers that be look into this matter with a view to coming to some realistic and reasonable compromise about working during the evening, even if it is stopped at midnight. This could be effected by having a noise abatement order.

I only make those complaints because they have come to me from a number of people in the electorate. I am informing them that there is something that they can do about it if they wish to pursue the matter.

Mr B. COLLINS (Arnhem): Mr Speaker, could I add my weight to the complaints of the member for Port Darwin. After hearing an After 8 interview on this subject, I made some inquiries of the people working on some of the projects that he has just referred to. I was in fact told that one of the major reasons for working at night is that the heat currently being experienced - particularly by the people who are not used to the climate - is a little distressing and they are finding it far more efficient, particularly in the heavy jobs such as pouring concrete, to work at night. I can understand that.

However, I had a look at the Summary Offences Act. It is clear enough. I cannot understand why anyone would have any difficulty invoking that particular piece of legislation. He simply makes a complaint to the police. They certainly have the power to stop the noise from recurring. There is some evidence for supporting this sort of thing. Perhaps I could refer the member to a contribution to a debate in this Assembly from his colleague, the member for Tiwi. I remember this only too well. She said that you cannot have progress without a little noise. I am sure she remembers saying that.

There are of course many people - and I support their views - who find noise from the mining project in a national park, which can be heard clearly from a distance of 15 kilometres, quite out of place in those delightful surroundings. I am sure that those people find that noise offensive just as the residents of Darwin find noise offensive in the early hours of the morning because that work quite often goes on 24 hours a day too. When you are camped out in the beauty of Kakadu National Park - and it is indeed a beautiful place in the dry season - to listen to bulldozers all night, even though the noise might indeed be faint, is quite unnatural.

Mr Speaker, in response to a question this morning, the Minister for Health touched on the subject of why Outpatients consultations cost as much as they do at Casuarina Hospital. Of course, members of the government have in fact commented in the Assembly that Casuarina Hospital was wished on us; that we did not ask for it in the way it was provided. I mentioned to the Minister for Health the other day that I have had a number of complaints about the unsuitability of that establishment in our climate. You can understand the complaints when you remember the kind of facility that was provided at the old Darwin Hospital. Some of the wards had very wide verandahs adjacent to the entrances and it was very easy to wheel patients who were not able to walk out onto the verandah where they had a delightful view of the sea and the smell of fresh air. It was a very pleasant place to be, particularly in the dry season. Of course that is impossible at the new Casuarina Hospital.

You do not need a doctor to tell you that, if a person is ill, a pleasant environment and pleasant surroundings are great aids to that person's speedy recovery. In the case of many chronically ill patients at the Casuarina Hospital - patients who have to stay in there for any length of time - it is very uncomfortable and frustrating to be in that hermetically sealed high-rise establishment which has very little access to our pleasant climate.

There are day-rooms provided on each floor which are inside the main

building - airconditioned rooms. It is the only place where patients can go. One of the features of the hospital - and I visit it frequently because I have many constituents there most of the time - is the very large number of Aboriginal patients who are sitting, almost every day, on the very inadequate seating provided outside the building. There are just a few bench-type seats provided which are usually in the shade because of the height of the building. There really is no place where they can go easily to sit in the sun without getting too far away from the hospital. As I said before, the sun is a great help to a person who is ill, particularly if he is Aboriginal or has been in the Territory for a long time. Some people, myself included, find airconditioning hard to live with. In the dry season, being locked up for months at a time inside a building such as Casuarina Hospital can be very bad. Some of the nursing sisters at the hospital also have expressed to me their feelings about the complete unsuitability of Casuarina Hospital for Northern Territory conditions.

It was also mentioned this morning that the cost of providing Outpatient services at the hospital was $40 per consultation. It is obvious that that service can be provided elsewhere much more cheaply. The Minister for Health was accurate when he said that the outpatient cost of the service provided by the congress in Alice Springs is about $12.50 a visit as compared with $40 at the Casuarina Hospital. I recognise the bind that the Northern Territory government is in. It has an extremely expensive facility out there and there is an obligation to utilise it. Obviously, there will have to be some rationalisation of the use of Casuarina Hospital. I would be very happy not only to take up the minister's offer this morning of having a look at that report on Papunya, but in fact at some stage discussing with him the plans that his government has for taking a look at more suitable ways of treating Territory patients than at Casuarina.

I believe that one of the most positive and useful initiatives that has been taken over by the Northern Territory Department of Education in the area of Aboriginal education has been the establishment of Batchelor College. I visit that facility frequently. It is causing a problem, however, in that the Aboriginal teacher-assistants attending Batchelor College are trainee teachers from Aboriginal communities, people who have already worked in schools. The problem is that, when they go to Batchelor College, they are not being replaced in the schools where they taught before. At a recent outstation conference that was held at Maningrida just a few weeks ago there were 80 delegates from outstations. I must amend that now. A resolution was passed at that conference to the effect that, in all official correspondence, outstations would be referred to as homeland centres. I can understand the philosophy behind that: rather than people going out away from something very intact, they are going back to something.

It was quite interesting at the conference - which was comprised entirely of Aboriginal people during those particular sessions - when they decided to change the name. They listed a set of priorities as they saw them for their homeland centres. On top of the list - I must say to my surprise - was education. It is clear that in the conditions which exist in homeland centres - you will not find the Ritz or the Travelodge out there - it is difficult to attract non-Aboriginal teachers. In fact, many homeland centres, for very good reasons, do not want non-Aboriginal teachers, particularly young male unmarried non-Aboriginal teachers, living in homeland centres. I know from personal experience that that is a reasonable demand.

The obvious solution to that problem, if a reasonable quality of education is to be provided, is to supply trained Aboriginal teachers to teach there, people who come from the area. Certainly Batchelor College is doing a marvellous job. I think that the way it is operating is excellent. I certainly hope that the committee which is looking at the accreditation for its fourth year is flexible

enough to appreciate that what is being done at Batchelor is in fact unique. I hope that it is a little flexible when it considers the application of Batchelor for its fourth year of training.

However, there are 9 or 10 schools supplying teachers to Batchelor, which are now in big trouble. In fact they are being penalised for being good. The schools which by their own onsite programs have managed to produce Aboriginal assistant teachers of a high enough quality to be sent to Batchelor to improve their formal education are now being penalised for their success in this area - places such as Galiwinku and Shepperton College which have 6 students at Batchelor. I have spoken about this in the Assembly before. It is a difficult position to place the principal of the school in to have to say that a teacher cannot go to Batchelor because he is needed where he is, thereby not only retarding the individual development of that particular person but also retarding the future development of the whole school system. If he tells teachers to go to Batchelor, he is causing the school program itself, particularly in the bi-lingual schools that rely very heavily on those Aboriginal teachers, to suffer instead.

Where the principals have been faced with that decision, they have said, 'go to Batchelor'. But in places such as Galiwinku - and Milingimbi is another example - with high numbers of students at Batchelor, because of the success it has had with training teachers to that level, the school programs are suffering as a result. I would like to see the department examine the possibility of adding a supplement to the tertiary education allowance which is provided by the federal government. It is insufficient really to provide the students going to Batchelor with a living wage and it is causing a lot of friction in that some of the assistant-teachers at Batchelor are still getting their full wages from the Northern Territory Department of Education while others are getting the tertiary education allowance provided by the federal government. About 60% I think are in that position. There is a double standard at Batchelor and it is causing problems in itself. I would like the Minister for Education to examine the possibility of reaching a happy medium and supplementing the tertiary education allowance to bring it up to a level where people can in fact have a reasonable standard of living while they improve their education.

The Batchelor College currently has about 60 students. It proposes to increase that number to 100. I understand that that proposal is supported by the Department of Education. I personally believe that, so far as the education area is concerned, the training of Aboriginal teachers - and this really is the first time ever that a serious attempt has been made to do it and I believe it will ultimately be a successful one - is obviously the most positive way of improving the standard of education provided in Aboriginal communities. But I believe it needs support. It will be a self-defeating exercise if we only train one generation of teachers. That is what is happening right now. The cannon fodder if you like, the material that is being provided to Batchelor College, the young people who are going down there for their training are people who have first of all reached a level of training where they are able to go to Batchelor.

Batchelor is not, nor should it be, a transitional college. That will only impede its development. The people who go to Batchelor must first reach a high enough standard of teacher training in their own community. If we are not replacing them with new students as they leave the communities, within a very short space of time the people who are at Batchelor now will be the only ones qualified to stay there. It is fairly obvious that it is a self-defeating exercise. I would urge the Northern Territory government and particularly the Minister for Education to make some very positive efforts to ensure that the continuing supply of trained onsite teachers in Aboriginal communities will be kept up to a sufficient level to keep Batchelor College a viable proposition.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, this afternoon I would like to address some remarks to the Chief Minister. They concern the police force.

During 1980 in the Territory, the level of police resignations - it is very hard to get an accurate figure on them - was running in the order of 8% to 9%. It is very difficult to get a correct level on it because there was a lot of wastage. Some people retired, although not as many as one would normally think.

Throughout the rest of Australia, the normal level of resignations from the police force runs from fractions of a percent to 2 percent. Once again, accurate figures are hard to get because they are usually termed as wastage. They are not all resignations; there are people who reach retirement age.

The level of resignations this year seems to be following much the same trend as last year. It seems to be very high within the police force. The unfortunate part about it is that many of the people who resign have between 5 and 15 years service in the Northern Territory police force behind them. It means that we are facing incredible costs to train young officers. It also means that young officers are on patrol without adequate supervision by police officers with suitable experience. This has had quite a few consequences for the Territory. Recent incidents have pointed out the need for adequate supervision by officers who have served for a longer period. I was in Tennant Creek a couple of weeks ago and the officer on the desk there was a week out of training. That is incredible. He is there on his own and he is running the Tennant Creek Police Station. He has an enormous responsibility on his shoulders and it just does not seem appropriate that he should have to bear that responsibility.

The Chief Minister said yesterday that perhaps we should offer some fairly positive solutions to problems. It is very difficult to get reasons why people resign from any work place. They do not like to jeopardise their future prospects by putting down nasty comments about their boss etc. They usually show personal reasons, but there is obviously something wrong in the Northern Territory police force to attract this level of resignation particularly in the area where we can least afford to lose people: those who have served from 5 to 15 years.

The Chief Minister's portfolios, Attorney-General and minister responsible for police, are completely conflicting and in certain instances must put him in an almost god-like position. I do not think that it benefits the policeman on the beat if he cannot quite work out whether he is working for the minister responsible for police or being accused by the Attorney-General. I would ask the Chief Minister to consider that. I can understand his problem in allocating either of those portfolios but I would ask him to consider it. A change can be achieved in a lot of ways. Unfortunately, it usually starts at the bottom. People usually start pointing fingers around the bottom of the stockpile but I think it should start at the top. I would ask the Chief Minister to consider his portfolios.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I am on one of my favourite subjects today and that is trade with South-east Asia.

It was very interesting to note in the Star recently in the article by the well-known journalist, Mr Wesley Smith, that we have nothing to sell to South-east Asia. I think he was talking about rice at the time but he was quite right. We do not have much to sell to South-east Asia. What we have to sell is going to the United States.

Most people are worried about the fragile US market and the Australian Meat and Livestock Corporation Newsletter for 25 May 1981 says: 'High interest rates, now around 20%, a bearish USDA 7-State Cattle on Feed Report and a bearish USDA

Stocks in Store Report have both eroded confidence in the import market this week'. Therefore, I think that it is about time the Northern Territory looked to alternative markets to the USA for its beef.

How do you do this when you do not own the beef? The beef does not belong to the government, it belongs to the meat processor. He buys the cattle from the producer and the processed beef actually belongs to the processor. He can do what he likes with it. And that is what he has been doing. I remember a good few years ago - I have an idea the Leader of the Opposition was at the meeting - when we suggested that the Middle East, specifically Egypt, was a good market for beef. The then manager of the Katherine meatworks, Mr Condon, said: 'How are they going to pay for the beef?' The fact of the matter is that they have oil running out of their ears, and oil is big money. Maged Aboutaleb was the man who suggested it. He is a man of many parts. He is an Egyptian who is a naturalised Australian with a Japanese wife. If you can get more cosmopolitan that that, then I do not know where. Maged has a remarkable knowledge of Middle East affairs. He does not have much knowledge of the electorate of Elsey, but that is a different story.

I am here to talk about beef. In South-east Asia there are huge markets for beef. They eat beef and they have the money to pay for it. We are sitting here with a depressed beef market. We are close to South-east Asia and we do not seem to be doing much about it. As I said previously, what do you do about a meat processor if he prefers to send his beef to the United States? I think there is a very good case for twisting his arm. This might sound a bit radical but, if these people are controlling the only thing we have to sell, we must do something about it. When we were in South-east Asia recently, we found that most people were interested in beef but many of the go-ahead places like Sabah and Brunei are getting their own beef from stations they have bought in the Northern Territory or Western Australia and that is cutting off a lot of the meat from the meatworks. We do not want to kill the meatworks; we want to keep it alive. We may have to educate South-east Asians to eating chilled beef instead of 'hot beef' as they call the beef they eat there. It seems that it is much easier to transport live cattle at a cost of over $300 a head from Darwin to say Sabah than to process the beef here and then transport it to South-east Asia. I do not know why this is. We are stifled by the Port of Darwin. It had a bad reputation. I do no know what its reputation is now, but shop owners do not like to take the risk.

Thus there are many obstacles between the beef here and the market there. However, the market is there - it was always thought that Majuternak, the government purchasing agent for Malaysia, was only interested in live cattle. This article shows that it is also investigating the potential of purchasing significant quantities of halal beef. It seems to me that we should go into joint ventures with these people. If one of the many states of Malaysia built a small meatworks in the Top End or elsewhere in the Territory - I am talking particularly about the Top End for reasons which I will elaborate on in the next few days - as a joint venture with cattlemen, we would have solved our problem. The cattle would go in one end and the beef would come out the other for the ready market. I cannot see a flaw in the argument. It would overcome the trouble that meatworkers and wharf labourers have when they think about live exports cutting people out of jobs.

Where do we go from here? It is a very serious situation. Cattlemen in the Top End do not have a good market, yet there are 225 million people living closer to Darwin than Canberra is. It is time we did something about it and these joint ventures would go a long way towards solving the problem. If the market is there, why don't the meatworks take it? That is hard to explain but they seem to be

fairly conservative people. I gave you the instance of Dick Condon many years ago. Meatworks operate on a cost-plus basis and they pay as little as they can for cattle. They operate on the top market, usually the US market, when they sell their products.

I have an article from the World Agricultural Report of 27 May of this year. It states: 'A challenge for the Australian beef industry will be to develop strategies and planning procedures which anticipate such trends in the international meat trade and, of course, to play its part in resisting further erosion of market opportunities'. They are talking about government intervention increasing in the world meat trade. What they mean is the countervailing policies of the United States and the dumping of EEC beef on markets. What they are really saying is that we should find these markets and tie them up before they are ruined as far as we are concerned.

I am not concerned about the rest of Australia; I am concerned about the Northern Territory and particularly the Top End because the beef industry in the Northern Territory seems to be fairly good when you get away from these imaginary lines that people draw. I put it fairly and squarely to the government that it is time for a change in the beef industry. It is time the government spoke to meat processors and indicated to them the opportunities for increased trade in beef, the only product we have to sell that is not being economically developed for us. These processors should have a look at the South-east Asian market. I am not talking about flooding the market with beef. We turned off half a million cattle last year and half of them went outside the Northern Territory. That gave us a quarter of a million cattle, each producing about 200 pounds of beef. We are only talking about 25,000 tonnes of beef. It is not much, but it is what we have to sell. If we can sell it in South-east Asia, we will not only develop this trade but also other trade. After all, we live in the region. It is up to us to develop every means of trade and friendship with these people. They mean more to us than south-east Australians do. They are our future. I ask this government to do everything possible to foster trade with South-east Asia.

Mr BELL (MacDonnell): Mr Deputy Speaker, it saddens me so early in my term to have to make such strong criticisms of the government. It saddens me to have to rise to defend an attack on the operations of the Aboriginal Land Rights (Northern Territory) Act. It saddens me to discover that the Northern Territory government is guilty of such evident duplicity as has been revealed to me recently and which I will explain to honourable members today.

The situation is that, in 1978, a letter was sent by the Chief Minister to Mr Wenten Rubuntja, the Chairman of the Central Land Council. I would like to quote from it today. He is speaking, I should add, in reference to land under claim under the land rights act: 'At the end of 2 years, processing of applications for utilisation of that land for development purposes will be considered by the Northern Territory government in a way which should not be prejudicial to the future use of the land should the Aboriginal land claim be successful'.

It is quite evident from that letter that the Northern Territory government gave an undertaking that Aboriginal land claims would not be attacked and clearly this undertaking has been broken. You might ask me how it has been broken. It has been broken by the offer of a Crown lease on the Northern Territory portion 1097 to Messrs Conway and Lander. There are 2 sections in the Crown lease that has been offered. One is this Northern Territory portion 1097 which was under claim and registered with the Aboriginal Land Commissioner under the Aboriginal Land Rights (Northern Territory) Act on 12 June 1980. The other part of this lease was removed by Mr Justice Toohey from the Ayers Rock claim.

Some dates will make this more evident to members. The letter that the Chief Minister sent to the Chairman of the Central Land Council was dated 24 August 1978. He gave 2 years; that would make it 24 August 1980. However, that land was under claim from 12 June 1980, a clear 2 months before the 2-year period would have expired. That is the claim for Northern Territory portion 1097. The other part of the Crown lease that has been offered was removed by the Aboriginal Land Commissioner from the Ayers Rock claim. That was not because the claim was necessarily unjustified, but because, at that time, the anthropological research which might have justified that claim had not been presented. I am sure members will appreciate the difficulty of carrying out this sort of research. I have done a certain amount of it myself in positions that I have held as a graduate student in the linguistics department at the Australian National University. I have had to collect stories which are concerned with land to substantiate such land claims. This is difficult work.

We have a situation where this area is under claim and the Northern Territory government has chosen to break its undertaking by offering this Crown lease to Messrs Lander and Conway. The Minister for Lands and Housing wrote to one of my constituents who had complained about this offer of a Crown lease. I quote from the letter: 'The government of the Northern Territory cannot, in fairness, recognise repeat claims as being reasonable'. Mr Deputy Speaker, it might be unreasonable if Aboriginal people were trying to tie up the areas by perpetually making claims as the Minister for Lands and Housing suggested. This is not the case and I doubt whether the Minister for Lands and Housing has made any attempt to find out if that is the case by talking to the people in question. In fact, the research on part of this area has not been completed and Northern Territory portion 1097 is not, in fact, the subject of a repeat claim as the Minister for Lands and Housing suggested in his letter to one of my constituents, Mr Braeden.

In case it should appear that I am representing only Aboriginal interests in this Assembly, let me hasten to reassure honourable members that that is not the case at all. As the Minister for Lands and Housing said in a communication with Mr Braeden, the proprietors of Tempe Downs Pty Ltd were also interested in this parcel of land. Mr Deputy Speaker, I am sure that you will be rather surprised to discover that my information is that the Minister for Lands and Housing told the proprietor of Tempe Downs Pty Ltd that this parcel of land would not be available to them as an addition to their lease because it was under an Aboriginal land claim. That is the reason that he offered to them. I am sure you will find that as amazing as I do.

Let us just consider for a minute what motive the Minister for Lands and Housing might have for preferring the request of Messrs Lander and Conway for a Crown lease. The answer is quite simple. It is jobs for the boys; Mr Conway is a member of the Country Liberal Party. I have some questions which I would like to have recorded in the Hansard.

Mr Deputy Speaker, did the Chief Minister not give an undertaking in a letter to the Chairman of the Central Land Council, dated 24 August 1978, that the Northern Territory government would not deal with unalienated Crown land, the subject of a traditional land claim lodged within 2 years, in a way which would be prejudicial to the future use of the land should the land claim be successful? Secondly, was not this undertaking given on behalf of the Northern Territory government? Thirdly, was he aware that a traditional land claim known as the Lake Amadeus Land Claim, was lodged on 12 June 1980 by the Central Land Council on behalf of Aboriginals claiming to be traditional owners to an area of unalienated Crown land south of Tempe Downs pastoral lease? Fourthly, would he agree that the Lake Amadeus Land Claim was covered by the terms of the undertakings given by him on 24 August 1978? Fifthly, is he aware that the Minister for Lands and Housing has granted a Crown lease or a right to a Crown lease to Mr Ian

Conway and Mr Tim Lander over land the subject of the traditional land claim? Sixthly, does he agree that the action by the Minister for Lands and Housing in granting the lease or right to a lease to Mr Conway and Mr Lander dishonours the undertaking he has given to land councils? Seventhly, is he aware that the Minister for Lands and Housing informed Tempe Downs Pty Ltd that the land would not be added to its pastoral lease because of the pending land claim? Eighthly, will he take immediate steps to reverse the action by the Minister for Lands and Housing so that the land claim can be heard unimpeded by a grant of lease to Mr Conway and Mr Lander? Finally, if he will not take steps to make sure that his word is kept, does he expect Aboriginal people ever to trust him again?

It saddens me then, Mr Deputy Speaker, that we are witness to such evident duplicity. I invite the denial of the Northern Territory government that it has attempted to undermine the Aboriginal Land Rights (Northern Territory) Act and that it has acted with such evident duplicity towards both Aboriginal Territorians and European Territorians.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, the first thing I would like to say this afternoon in the adjournment debate is that I was very interested in the comments of the members for Port Darwin and Arnhem relating to noise. I would have been interested to hear the member for Arnhem give us a comparison between the noises in town and the noises in the part of Tiwi electorate where he used to live because he used to comment on the noises there. I was also interested in the noises referred to by the member for Port Darwin - the bangs in the morning which disturbed his sleep. I would only like to point out to the member that, if he stayed in the electorate of Tiwi, he might have enjoyed more peaceful sleep at night.

Mr Deputy Speaker, the main subject on which I shall speak this afternoon concerns education in the rural area. From what I have heard from parents in town and observers who have been out to the rural area for functions, the interest and support that parents and friends in the rural area show in school functions and anything connected with the schools are outstanding. I refer to both physical support and attendance at functions put on by the school. For example, the Howard Springs School has just had its fourth birthday party and some 700 people attended. That would be a good attendance for a city school but it is pretty ordinary out there because we always have good attendances.

The parents in the Humpty Doo area are very interested in the new primary school that has been established at Humpty Doo. They have expressed a great interest in the building of a permanent primary school at Humpty Doo. At present, it is in demountables. They are also very interested and concerned about the future building of first a demountable high school and then a permanent high school at Humpty Doo.

I will digress a little. Recently, a survey was taken in the rural area which was sponsored by the committee of the future high school. It established a number of interests of the people, and the way they want their children educated. A number of questions were asked. One related to the skils which parents wanted to see emphasised in school programs. Far ahead of any other were agricultural skills. I was personally very pleased when I saw in the results of this survey that after agricultural skills, were trade skills, followed closely by academic skills.

When asked another question on the different subjects they wanted their children to be taught, they were given a list of subjects applicable to most curricula. They stated quite categorically that they believe - as I and a few other conservative teachers believe - and I used to be a teacher some years ago -

that their children should be taught the 3 Rs first.

They were also asked if they believed that parents should assist with and be prepared to involve themselves in formal education. The answer was that parents were prepared overwhelmingly to assist with formal education. This indicates the amount of untapped resources in the community in the form of parents who would be prepared to help in the formal education of their children and also in other ways.

They were questioned on the importance of cultural activity. A list of cultural activities was prepared by the people who compiled this survey. Sex education came first and debating followed that. The sport in which most parents would like to see their children instructed is swimming. I was a bit sorry to see that because I thought it might have been Australian rules.

I would like to comment on the delay in building the permanent primary school at Humpty Doo. There was some delay in the erection of the demountables out there for the temporary primary school but they have now been put in place and added to. I think they have a full enrolment for this year. In fact, I believe they are over-enrolled for this year. Some of the children could not be accepted and had to go to the Middle Point School. What is of concern to the parents now is the building of the permanent primary school. Initially, this was to be an airconditioned school but the parents were told that the government's view was that there was only so much money in the kitty and an airconditioned school would be very expensive. They were asked if they would be happy to have a fan-cooled school and they said 'Yes'. Unfortunately, this is as far as their wishes were taken into account.

There was a design and tenders were let for the erection of a school. The design that was accepted recently was for an airconditioned school with the walls knocked out here and there and a few louvres put in. As everybody would know, you cannot convert an airconditioned building to a fan-cooled building just by making more space. The plan was for an open school. If teachers followed the usual practice, they would have put up cupboards and partitions of some sort to give the classrooms some privacy. This would completely negate the airflow from louvres on one side to louvres on the other. Unfortunately, from the parents' point of view, the lowest tender was accepted, not the second lowest tender which I understand was the one most favoured by the Department of Education. I have heard rumours that the department is completely against the design that has been accepted. The design that the parents would have liked would have been similar to the design of private schools that are already operating in Darwin. One that comes to mind as a good example is the Christian School. The design used for that school is not as expensive as an airconditioned building but it makes effective use of the winds in each season. It makes use of the air flow and it also has an overhang to stop the sun beating into the school. As well as that, it has good insulation of ceilings and walls.

The next concern the parents have is with the building of the high school at Humpty Doo. When the demountables from the primary school are vacated at the end of 1981, these will become available in May 1982 for use by the first year in the high school. They will take 6 or 7 weeks to be converted for high school use. This means that they will not be available for high school use until July 1982. This means that those children who have already started school in town will not be able to start high school at Humpty Doo. The parents do not want their children bussed to Darwin and kept as a unit in Darwin and then brought out to Humpty Doo at a later date. They want the children to start high school at the beginning of 1982. They are prepared to put their money where their mouth is in order to expedite this. They offered to do all the work relating to water reticulation, sewerage and electrical reticulation, free, gratis and for nothing.

As was noted in the press last year, there are some drainage problems on the block at Humpty Doo where the present pre-school is situated. As I understand it, the permanent primary school will be built adjacent to that area and the high school will be adjacent to the permanent primary school. There is a serious drainage problem which will cause further problems not only with water run-off but also with sewerage ponds out there. It is the firmly held opinion of drillers who live in the area and who have very extensive knowledge of the drainage that it would be inadvisable to build the Humpty Doo high school on the site presently being considered, section 358, or the adjacent section.

An area has been put forward to the Department of Education. It has been considered by some of the parents and it has received their acceptance. It would cost $300,000 to overcome the drainage problem. The idea is to build the rural high school adjacent to Fred's Pass Reserve rather than at Humpty Doo. There are sections of Crown land in this area. I think sections 307 and 309 are Crown land. From the map that I was looking at, it seems to be well drained. There would be no problem with the sewerage. There would also be a saving of government money because there are already grassed playing fields that are being used in the Fred's Pass Reserve. The idea of putting the high school adjacent to the Fred's Pass Reserve has the full agreement of the Fred's Pass Reserve Trustees. Admittedly, much work has to be done to examine the proposition, but I hope that the Department of Education can fully investigate the possibility of positioning the new rural high school at Fred's Pass Reserve before it decides definitely on the site at Humpty Doo.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, this morning I presented a petition from over 100 residents of the Northern Territory requesting that a pedestrian crossing be established at the intersection of Dick Ward Drive and Ross Smith Avenue in my electorate. I believe that all signatories to this document were residents of the Kurringal Housing Commission complex in Fannie Bay. These signatures were collected by a member of an old Northern Territory family. He came to my office complaining about the problem of this new road, as indeed many other people have in the past. I have been raising this matter myself over a period of 12 months. It is an indication of how seriously the residents view the problem that that gentleman collected the 100 signatures in less than 24 hours. To my amazement, he had the petition back in my office within 24 hours of my having typed up for him what he wanted said on it.

Mr Deputy Speaker, it is perhaps true that this is more properly a matter for the city council but, nevertheless, it is a matter that is of some concern to the Department of Transport and Works because it was involved in the design and construction of that road. It is still its road. I have raised the matter with the Minister for Transport and Works and, in fact, I raised it during an adjournment debate in November last year. At that time, the Minister for Transport and Works indicated that he was concerned himself about the design of that intersection and would pursue the matter. He subsequently wrote me a letter. I will just quote a couple of sentences from it. He informed me: 'My department has subsequently engaged a traffic engineering consultant and briefed him to prepare further recommendations as to how to improve traffic flows and minimise danger to motorists at that intersection. Due to work commitments, the report is not expected before the beginning of January 1981'. I hope the traffic engineering consultant was looking at the dangers to pedestrians as well as dangers to motorists. I asked the minister a question again this morning. He informed me that he had not received the report. He expected it in January; it is now the beginning of June and the traffic on that road has increased considerably. I cannot overstate how seriously the residents feel about this matter. Many of them are pensioners. They are old people who need to cross that road. It is becoming increasingly difficult for pedestrians as it is for motorists in the area. I hope that the Minister for Transport and Works and perhaps also the

Minister for Lands and Housing who is responsible for those Housing Commission flats will give serious consideration to this petition.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, one morning this week I was with some people over breakfast and one person said that Australia had made 3 contributions of real importance to the world political system. The first one is the preferential voting system. He considered that system to be a very fair system and one which is not understood by many people. I must confess that, until my own election recently, I did not understand all the implications of it. It provides a fair method of voting. Those people who do not understand it are mainly those who dislike it because it does not give an immediate result. I think the member for Nightcliff at the moment might be sitting on a few pins and needles wondering about the result of the election for the Lord Mayoral position in Darwin. However, it does ensure that the majority of people will be reasonably happy with the person who is finally elected.

Secondly, it was suggested that Australia was the first country to give the vote to women. That was hotly disputed by a little NZ taxi driver who was sitting at the table. He tends to have a shot at most things and he said that New Zealand was the first one. This was the second thing that was claimed and that is not the real point. The real contribution, and I do not know if it is historically correct, is that we were the first to come up with the idea of the secret ballot. This is the point that I really want to talk about this afternoon.

I believe that the secret ballot is the cornerstone of democracy: the fact that a person should be able to have his say or make his choice without fear of intimidation in any way, shape or form. Last night I was listening to the radio; I think it was Radio Australia. It mentioned that the federal parliament in Canberra had finally passed legislation for union secret ballots. This is something which was promised 5½ years ago; it has not come too soon as far as I am concerned. I have not had a great deal of experience with unions but I know enough. I have seen the situation where the open hand is up and you have to be fairly brave to go against the heavies in that particular system. There are plenty of incidents whereby people have been put under pressure and intimidation by the open vote. The secret ballot should eliminate that. It should be every person's right to make his choice without fear or intimidation.

My little experience with unions was a few months with the teaching federation before I came to this Assembly. One of the reasons I joined and attended the meetings was to see just how much interest was shown in the children of the school, the people that it was supposed to serve. Not once at any of the meetings, including one that the shadow Minister for Education attended were the interests of the kids ever raised. Anybody who is fair minded has to say that the secret ballot is the best and fairest way of voting. There would not be a member in this Assembly who would be game to say that a secret ballot would not be a fair thing for Aboriginal voters. This is the question: do we have a really secret ballot? Does it prevent intimidation? At first sight, the people over there are trying to claim that we have.

However, let us consider a hypothetical situation where there are 2 political parties, party A and party B. Let us imagine that they are with some unsophisticated people and they have their own people in a particular area. Unsophisticated people do not make any pretence about what candidate they may support and the word only has to get around. They say it is a secret ballot but they will tell them that they will know how they voted. Intimidation can come. If you tell a lie often enough, and we all know that that is quite possible, people start to have doubts.

Mr B. Collins: Is that the principle you work on?

Mr D.W. COLLINS: No, it is not the principle that I work on; it is the principle I would work against. I am speaking hypothetically. If you are interested in the secret ballot, if you claim to be democratic, you cannot be anything else than interested in a fair vote for other people. If you cast enough doubt in people's minds come the voting day, they may be pressured into voting a certain way. Perhaps members of the particular party have been saying that they will know how people vote and suggest that maybe retribution could be forthcoming. This could be hinted - nothing in writing. They would not put anything in writing; that would be a stupid thing to do. They can add fear. Perhaps this pressure could come also from within the polling place - the polling clerk, the scrutineers etc. If the people have a doubt in their minds as to whether the vote is really a secret ballot, it will bring pressure on them which should not be there. Obviously, a candidate must have his or her scrutineer; that is a fair thing.

Let us take another situation which does occur. There is a thing called the assisted vote. In this case, the polling clerk and the scrutineers for the various candidates do see how the vote is made, which means that intimidation is possible. Let us get down to tintacks, Mr Deputy Speaker. At an election some time ago, there was an elderly lady. A young lady decided that she needed some assistance but I don't really think she did. This young lady held the elderly lady by the shoulders and guided her to the polling clerk. Without assistance, the lady gave her name to the polling clerk and the name was duly ruled off and then the polling clerk, without prompting in any way, shape or form asked if she wanted assistance with her vote. At the same time the young lady, supposedly helping the elderly lady, nodded her head back and forth and simultaneously rocked the shoulders of the elderly lady. Her head rocked back and forth and this was taken as assent by the polling clerk and an assisted vote was taken.

Mr B. Collins: You never disappoint us Denis, I must say.

Mr D.W. COLLINS: I am glad I never disappoint you, Bob, because this happens to be the truth. I witnessed this. It didn't sink in with me that anything could have been wrong with it until thinking about it later on. The point that I am making is that, with assisted voting, there is a definite chance for intimidation, particularly if this sort of carry-on is allowed to happen.

I would make the following recommendations to the Assembly. This is the sort of thing that could be seen to go on with any political party. These are the recommendations that I would make in order to be fair and so that the secret ballot is indeed secret and is seen to be secret. Firstly, the Electoral Office should embark on an education program to assure people that the secret ballot is indeed secret. Secondly, the polling clerks and scrutineers should be strangers. This would present definite problems but this Assembly should not be backward in examining how these could be overcome. The polling clerks and the scrutineers should be strangers to the people in question. In that way, they are silent people standing there. They are not telling anybody how to vote. If intimidation stories have been spread around and an assisted vote is required, these people will not have much influence on the way people vote.

The last thing concerns the assisted vote. I believe the act - from what I can understand of it - says that it should not be initiated unless the actual voter himself asks for assistance. It should not be the polling clerk saying 'Do you want an assisted vote?' The voter must satisfy the polling clerk that he really does need assistance. It is a bit of an insult to some of the Aboriginal Territorians when the choice is merely between putting a stroke in one box to make a valid vote. On many occasions I think that the offer of assistance is an insult to the person's intelligence.

My final comment is that the polling clerk should not ask the voter if he requires assistance. I have seen this happen. I believe that is the way the act is. These things should be taken up by the Electoral Office. It should ensure that the people they employ are fully aware and that these things are enforced.

Mr ISAACS (Opposition Leader): Mr Deputy Speaker, I must respond to some of the nonsense that has just been put out by the member for Alice Springs.

I will take up the union matter because the member for Alice Springs canvassed widely the problems of secret ballots. Let me put it quite clearly to him in relation to ballots in the Northern Territory and every other election that is held in Australia - they are secret. There are laws governing the secrecy. Let me deal with the union ballots first and let me deal with the matters raised by him regarding elections. The recent by-election in MacDonnell seems to have irked him greatly.

Ballots for positions in unions are secret and are required to be so by law. The Conciliation and Arbitration Act requires that the ballots for positions in unions - for executives and so on - be secret. What the member for Alice Springs was talking about, I guess, is the ridiculous federal legislation on secret ballots relating to union action in disputes with employers. It seems that the member for Alice Springs and the federal Liberal government wish to impose on trade unions restrictions on voting which they impose on no other organisation operating in Australia. You do not have secret ballots at meetings of shareholders with regard to the adoption of reports. Hundreds of thousands of members of those organisations put their hands up in the air. But the federal Liberal government and people like the member for Alice Springs require unions to operate totally differently to the rest of society.

Mr Deputy Speaker, the argument put is that, if we had secret ballots, we would not get as many strikes as we have today. That of course is totally and utterly false. Secret balloting will add not one bit to the measure of better industrial relations. On the contrary. Let us think of the practicalities of such a proposition. You have a dispute with an employer. You must report back to a meeting of union members as to the negotiations which have taken place. The member for Alice Springs says you cannot decide on the spot what you are going to do. You must have a ballot of all the members concerned. You must give them time, I presume, to conduct a postal ballot. By the time you have conducted it, the whole atmosphere has gone and it may well be that you have lost the impetus for settlement of the dispute.

The indications with regard to the settlement of disputes are that secret ballots will not add one jot to the improvement of industrial relations. It may well be that, given the nature of negotiations which take place and given the atmosphere which prevails at the time of attempted settlement, to have a ballot at the time of a negotiation report being presented is more likely and more conducive to achieving settlement than otherwise.

The member for Alice Springs believes that at every meeting that a union would hold - and there are 280-odd unions throughout Australia representing something like 5 million workers - where it decides that it will go on strike, there is intimidation and standover tactics are used. That is a load of nonsense. In fact, just to prove how nonsensical that proposition is, let me say that it is an offence under the Conciliation and Arbitration Act to use force of that nature and to intimidate people into voting in a way that they might otherwise have not voted. There is a provision in the Conciliation and Arbitration Act preventing that kind of action from taking place and the Fraser government, to its eternal discredit, established the Industrial Relations Bureau as an industrial policeman

to police its act. Mr Deputy Speaker, you will be surprised to learn that the Industrial Relations Bureau has not lodged one prosecution for intimidation at union meetings. So much for the complete and utter garbage that the member for Alice Springs put forward about intimidation and ratbaggery in union meetings.

I am not saying that every member of a trade union is an angel; quite the contrary. But they are ordinary human beings. I have attended far more union meetings than the member for Alice Springs will ever attend in his life. I have conducted union meetings. I have been present as an ordinary rank and filer when union meetings were held. I can assure you that by and large intimidation does not take place. Where it is seen to take place, a responsible union official will rub it out. That has happened.

I would like to refer to the matter of the balloting arrangements in the Northern Territory elections, and in particular to the recent by-election for the seat of MacDonnell. Let me say this to the member for Alice Springs: if he has a complaint, if he believes the law has been breached, then let him lodge an application with the police or the electoral officer to have the matter pursued. If he cannot put up, then he ought to shut up because the laws of the land with regard to electoral legislation, as he rightly says, are fundamental. If our electoral laws are in some way biased, if they allow intimidation, then the whole fabric of our democratic society goes. Everybody agrees with that. What I am saying and what the member for Alice Springs ought to think about is that, if he has complaints, if he believes the system has been subverted, then he should make the complaint and let it be pursued.

Mr Deputy Speaker, the member for Alice Springs believes that, in the recent by-election - and I gather because he has not interjected that I have hit the nail on the head - Aboriginal people were manipulated in their vote. He believes, if I heard him correctly, that polling clerks wrongly asked Aboriginal voters whether they wanted assistance. He believes it is a crime to allow people who otherwise might be unable to record their vote to be assisted.

I believe the provisions of the Northern Territory Electoral Act with regard to assisting illiterate, blind and infirm voters is second to none in Australia. The act has been through 2 elections: the general election for the Northern Territory in 1980 and a by-election for MacDonnell in 1981. I believe it received complete and unanimous support from both the government side and the opposition side in this Assembly. I know that the Minister for Education acted as a scrutineer and I acted as a scrutineer. I saw the way people who had to be assisted voted and I am sure the Minister for Education saw the way such people voted. I know that neither the minister nor I will tell anybody else how any such person voted. That is the measure of the Electoral Act. It is there and it is decent.

Mr Deputy Speaker, let me finish on this particular point. I believe that fair electoral legislation is fundamental. If the barb is being thrown at the ALP by the member for Alice Springs that we have manipulated votes in some way because, for very good reason, we have attracted a very high Aboriginal vote, let me throw this barb straight back at him. In 80-odd years that we have had elections in this country, only 1 political party has ever been found by a judge of the Supreme Court to have perverted and subverted the electoral law and that party was the Liberal Party in Western Australia. I am using words of Judge Smith when he attended to the disgraceful behaviour of people who have now been condemned by their own political party. Those people set about, in the words of Judge Smith, the perversion of the electoral legislation in that state. Along with every member of this Assembly, and I would hope with all people in the Northern Territory, I hold fair electoral legislation to be fundamental to the democratic system.

In the Northern Territory we have electoral officers who are competent and efficient. These people ought to be running elections throughout the Northern Territory - local government elections, union elections and other elections referred to by the member for Arnhem. These people are second to none in their application and their professionalism in running elections. Let us not have this garbage that there has been malpractice in the running of elections in the Northern Territory.

I believe that, in the last election that I took part in, the by-election for the seat of MacDonnell, all the matters raised by the member for Alice Springs were taken care of. First of all he says that there should be education to ensure that the secret ballot is secret. I have scrutineered people who have been given assistance and, until the day I die, I will not be saying how those people voted. He says that polling clerks and presiding officers ought to be strangers. By and large, they are. You cannot have it both ways; you need to have inside the polling booth a person who understands both the language which is being used in that area and the system of voting. The member for Alice Springs would know, and certainly the minister to whom I have referred does know, that people when they come in have a name but another name may appear on the electoral roll. You must have somebody in that polling booth who has the local knowledge to assist in the voting system.

He says that the polling clerk should not be allowed to ask a voter if he requires assistance. Under the current law, you cannot do that; there is no problem there. It is a matter of using common sense. If a person stands, as I have seen happen, at the desk of the presiding officer waving a how to vote card in his hand and looking straight at the presiding officer, what is he supposed to do? A person of common sense, either unprompted or prompted by either or both of the scrutineers, will say, 'I think that person needs assistance'. I believe that, in the Northern Territory at least, the system of assisting voters has worked exceedingly well indeed.

Mr Deputy Speaker, it is not often that I speak in adjournment debates but when people speak about union ballots and supposed manipulation and intimidation in the Northern Territory and elsewhere, then I believe that such absurdities as those which have been put in the Assembly tonight have to be scotched and scotched promptly.

Mr DONDAS (Casuarina): Mr Deputy Speaker, apparently the member for Alice Springs this afternoon has hit a hypothetical nerve of the Opposition Leader. I rise to answer questions asked of me yesterday by the member for Fannie Bay. She asked what action the government is taking to overcome the increasingly serious problem of Darwin's central sewerage system. On more than one occasion we have admitted that the existing system bequeathed to us by the Commonwealth was inappropriately designed but that, nevertheless, it was under investigation. If the member for Fannie Bay could be a bit more specific and drop me a note detailing the problems, I will certainly have them examined.

The member for Sanderson asked: 'In view of the federal government's decision to sell Australian air terminals to the private sector, can the minister confirm that Darwin's new terminal will be completed on schedule?' The answer to that question is as follows: at present, the federal government plans to complete the new international domestic terminal by the end of 1985. The general aviation facility is planned for completion prior to that date. There is no suggestion of the Commonwealth considering any alteration to those plans at present. The Northern Territory has full representation on all committees involved in planning the Darwin Airport Development. It appears that the federal government will fall behind in its commitments through implementing policies such as the Lynch Committee's recommendation mentioned by the member but the Territory government will

take all possible steps to ensure that the current timetable is adhered to.

Mr STEELE (Ludmilla): Mr Deputy Speaker, I know that members would want me to make a small contribution this afternoon. I am very sorry that the member for Victoria River is not here tonight because I wanted to say a couple of words about Mrs Hawks who passed away a couple of weeks ago. There has been a bit of guesswork attached to this story but I think she had been resident at Top Springs for some 30 years. I cannot remember when she would have settled there but I first met her in 1956. She and her husband Syd used to run the old Top Springs store. As well as providing provisions for travellers in vehicles, she looked after all the drovers. I remember that she had a wonderful credit system years ago. You would go through with your stock plant on the way out to Wave Hill or Ord River to pick up bullocks to take back to Queensland and Ma Hawks and Syd used to stock you up pretty well with tucker and send you on your way. You would not have to pay until you came back. It would take many weeks before you came back.

They used to make some mistakes with the accounts from time to time. One instance was when one of the old baggy plants went through on a mission to Limbunya to pick up some bullocks. It was a packhorse turnout. The drover got his account when he came back through Top Springs and on it were 2 drums of petrol. It was pretty hard to work out where they had used the petrol. Of course, the drover refused to pay and Mrs Hawks realised that the account was not his. Can you imagine the fun and games they had in those times?

I am sorry that this lady has passed on. She lived a fairly lonely life at Top Springs. Syd left her quite some time ago, married another lady and now lives in my electorate. He has a young family and he is a great fellow. However, Mrs Hawks lived out there on her own all those years. She established the new hotel complex at the Fourways where the roads meet. It was the sort of existence that none of us here would have liked to have lived. I know some people could be fairly critical of her and the fact that she seemed to be interested in making a dollar and very little else but, if the facility had not been established at Top Springs, none of us would have enjoyed a beer or filled up with juice there on our way through.

I have another short story, Mr Deputy Speaker, and I have related this to my Cabinet colleagues. It was a pretty serious matter. At Easter time I was in Sydney with the government exhibition and my wife and family were in Darwin. My wife and the 2 children jumped in her brand new little truck and drove to Riveren Station which is in Jack Doolan's electorate. On the way to Riveren which is on the other side of Wave Hill they came across a bull-catcher vehicle that had rolled over. A fellow was lying there with one arm torn off. Another fellow was immobilised; he was gurgling blood out through his nose and he was just about finished. There was also a little girl of 15. She was pregnant and pretty battered by the accident.

My wife and her sister loaded these people into the back of the truck and took them on to Riveren Station. They went the wrong way; they thought they were going to Limbunya. The girl managed to say that there was no one at Limbunya so they went on to Riveren Station. The pedal radio system could not raise Darwin or Wyndham, so they brought these people straight back to Wave Hill and took them to the sister at the settlement. Nobody came along that road until midday the next day. The sister at Wave Hill did a tremendous job in getting these people ready for evacuation. There was some difficulty in getting the plane out of Darwin. I understand the rules with Nomads are that an engineer has to do the daily pre-flight inspection before a Nomad can leave Darwin. I do not want to invite any industrial relations problems - we have had enough of those tonight - but I am sure that there is another way of doing this. I have expounded to my colleague that perhaps there should be a trigger system that provides

that, if there is an emergency beyond about an hour's journey or a nominated destination, a faster charter service would be provided for people who are injured in the bush because this could very well have been a very serious situation. I am pleased that my wife was able to make a small contribution. I am very pleased at the contribution of the other people in relation to this accident.

Motion agreed to; Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

TABLED PAPERS
Chief Minister's Trip to South-East Asia

Mr EVERINGHAM (Chief Minister): I table a report of my trip to South-east Asia during the period 28 March to 12 April 1981. I move that the report be noted and seek leave to continue my remarks at a later hour.

Leave granted.

Motion agreed to.

STATEMENT
Proposed Darwin Power-station and the Ord River Electricity Scheme

Mr TUXWORTH (Mines and Energy): I seek leave to make a statement on the proposed Darwin power-station and the Ord River electricity scheme. The paper was circulated yesterday.

Leave denied.

MATTER OF PUBLIC IMPORTANCE
NT Treasurer's Decision to Allow Poker Machines to be Operated in NT Casinos

Mr SPEAKER: Honourable members, I have received a communication from the member for MacDonnell:

> *Pursuant to Standing Order 81, I wish to propose that the Assembly discuss this day the following matter of definite public importance: the Northern Territory Treasurer's decision to allow poker machines to be operated in Northern Territory casinos.*

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

Mr BELL (MacDonnell): Mr Speaker, I rise to address the question of the decision to install poker machines in casinos in the Northern Territory. I would like to commence by pointing out to members that my party, the Australian Labor Party, does not have a policy on poker machines. Therefore I would like to invite members on the other side of the Assembly to feel similarly unconstrained in their comments and not tied to any particular policy that their party might have. I believe that it is a matter of sufficient importance to the Northern Territory community for us to be free to comment on it as we will.

The member for Stuart Park might be a little bit worried about the democratic process. As I will point out, his comments on the introduction of poker machines leave a great deal to be desired in the area of consistency. My personal feeling about poker machines is not one of strong moral abhorrence. I am quite happy if a majority of people in the Northern Territory indicate their preference for poker machines. I am not convinced that that is the case. I believe that we, as members of the Legislative Assembly, as people involved in public life, are leaders. We are leaders of public opinion. We should reflect the aspirations of the community and it is in that way and for that reason that I stand here saying these things today.

Mr Perron: At least he's speaking English.

Mr BELL: I am sure that the member for Stuart Park will be able to understand me in that case and I will try to use as many monosyllabic utterances as I can. I am sure members will agree that it is one thing to play poker machines but it is another thing as parliamentarians to support their introduction into the Northern Territory.

In speaking to this motion, I would like to draw the attention of the Assembly to what I see as a distinct similarity between pinball parlours and poker machines. To my mind they are similar to the extent that they represent a fairly dubious form of recreation. A coin is inserted into a machine, a handle is pulled and whatever happens as a result, happens. Mr Speaker, I have a shadow responsibility in the area of youth, sport and recreation. It is in an area that the member for Stuart Park, the Treasurer, as Minister for Community Development, holds under his umbrella also. I am sure he will appreciate the need for deep consideration of recreational facilities in the Northern Territory. I suggest that poker machines as games of chance or whatever are not the sort of recreation facility that we should be encouraging in the Northern Territory community. I draw members' attention to the familiar words of the Roman satirist Juvenal - and I am sorry if the member for Stuart Park cannot pick this up - 'mens sana in corpore sano'. That is what we should be encouraging. For his benefit, that means 'a healthy mind in a healthy body'.

My chief point of disagreement with the government over its introduction of poker machines in central Australia is the lack of consultation. If anybody needs convincing that there has been a lack of consultation in this area, let me draw attention to the changes of mind that have gone on in government ventures with regard to poker machines. The opposition to poker machines has had no greater advocate than the Chief Minister himself. The Chief Minister, in a letter to a citizen of Adelaide River, outlined quite determinedly his opposition to poker machines. I will quote from that letter:

> *There is not, and hopefully there never will be, any support for the introduction of poker machines in the Northern Territory amongst my colleagues in the Legislative Assembly.*

The Chief Minister, of course, is not alone in his stated opposition to poker machines and it is very unfortunate that the member for Stuart is not with us. Ill as he is, I am sure that he would be rising to support this matter of public importance. I quote from the parliamentary record of 15 May 1979 where, in addressing himself to the Casino Licence and Control Bill, the member for Stuart had this to say: 'The Treasurer, in his second-reading speech, adequately covered the expected government revenue from these establishments and the types of gambling to be allowed in both premises. I do not intend to comment on this except to say that poker machines or one-armed bandits, as they are called, have not been mentioned. They are unnecessary and I would oppose their introduction'. That is in the Parliamentary Record of Tuesday 15 May 1979.

The Treasurer was opposed to the introduction of poker machines and I stress the tense of that -'was' opposed. In an open meeting in Alice Springs last year, he made public his opposition to poker machines. He said at the meeting that he did not bind future governments or future ministers. However, he is still the minister and presumably he would be bound by his words at the public meeting. Obviously, the Treasurer's words are written on the wind.

I leave the members on the benches opposite me now and turn to some of the people who are opposed to this. Let me establish that there is considerable community opinion, certainly in central Australia, opposed to the introduction of poker machines. Take the example of the Editor of the Centralian Advocate. That is not a radical journal, I would have thought, but a journal generally

given to supporting the Country Party. However, in his editorial the editor had this to say: 'Is it just a vocal minority that is against poker machines? We think not. It seems that the CLP branch is against them, as are many businessmen, as well as the social conscience-type people, not your usual bunch of protestors'.

The next person whose opposition to the introduction of poker machines I wish to cite is none other than the president of the Alice Springs branch of the party to which the people on the benches opposite me belong. The President of the Alice Springs branch of the Country Liberal Party, Mr Herman Weber, said - and his views were reported in the media in central Australia - that the April meeting of the government's party voted heavily against the introduction of poker machines. The government's own party is opposed to the introduction of poker machines. Very many people in the Country Liberal Party in Alice Springs are opposed to poker machines. The opposition has not made this a party concern. It is a matter of conscience on the part of many people in central Australia. Other people opposed to them are the Mayor of Alice Springs, Mr George Smith, and people not known for radical activity, such as the Salvation Army.

Finally, I would like to draw to the attention of the Assembly a letter sent to me by the Treasurer. I would also like to draw attention to the sobriquet he uses to refer to himself. At the head of the letter, he refers to himself as the Treasurer and Minister for Industrial Development. You will note that the member for Stuart Park is also the Minister for Community Development. It was fairly wise and politically sensible for him not to mention this fact in his letter. The introduction of poker machines could hardly be deemed to be sensible community development. I am sure members will agree with me.

The letter, which purports to contain a sincere contribution to the current debate says: 'Similar arguments should apply to other games apart from poker machines whose introduction in Territory casinos was announced concurrently with the intention to install poker machines - mainly craps, poker, fan-tan and cinq beau'. Similar arguments do not apply to these other games of chance. People in Alice Springs realise that poker machines are not the same as other games of chance, as the Treasurer suggested was the case in his answer to my question on notice yesterday. The concern of the people in Alice Springs about poker machines only indicates that, in their judgment, poker machines and certain aspects of their operation have particularly undesirable consequences; for example, accessibility to less sophisticated players and the potential to develop a gambling compulsion. Alice Springs citizens clearly differentiate between poker machines and other games of chance. To dismiss this argument, as the Treasurer has done, is to discount the concern of many people of Alice Springs as being misguided and illogical. Perhaps he does regard the citizens of Alice Springs as misguided and illogical. If that is the case, it is very sad indeed. The Treasurer's denial of this widely-held and popular opinion insults the intelligence of the Alice Springs community.

To turn to a further point in the letter, the Treasurer referred to the 1977 report to the New South Wales government. Mr Lusher QC was concerned about the proliferation of poker machines in practically every place in the world except Tasmania. We make a great deal of the fact that the Northern Territory is a unique place. I suggest that part of its uniqueness is the absence of poker machines. It is often cited, for example, that the introduction of poker machines is a world-wide phenomenon. Let me draw the attention of members to the Tasmanian experience. Tasmania was the first state in Australia to introduce a casino. It is worthy of note that no poker machines are available in the casino in Tasmania. It was not thought a wise contribution to the casino.

Having made those criticisms of the government's decision to introduce

poker machines, I would like to plead for some understanding that we are the leaders of the Northern Territory community and we have a great responsibility in this regard. Albeit that I am a new member of the Legislative Assembly, that has become clear to me. We have access to media and it is our responsibility to reflect the aspirations of the Territory community. In the Northern Territory community, we have many nuclear families in a sense that is uncommon in the states of Australia. We have nuclear families in the sense that there are very few grandparents. Our children do not have that depth - and I am talking chiefly now about European Territorians - of family going back to give our children guidance. It is very hard for parents in the Northern Territory to guide their children. How in Heaven's name can we expect our children to grow up with decent interests and a decent attitude to the world they live in if we, as leaders of the Territory community, are prepared to allow the introduction of poker machines?

Mr PERRON (Treasurer and Industrial Development): Mr Speaker, I take this opportunity to point out to the member for MacDonnell that the title is Treasurer and Minister for Industrial Development as a single title. It is laid down in the administrative arrangements and the separate portfolio has a separate title of course. Unfortunately, due to a number of circumstances, there are not enough members in the Assembly to enable us to have more ministers. The member for MacDonnell clearly made the point that I was listing a range of portfolios in my title but left one off, and he was quite clearly wrong yet again.

It was interesting to hear his last plea - a bit of emotion was thrown into it - the Territory does not have extended families; how on earth will we be able to raise our children with good ethics and principles if we have poker machines? That was an interesting plea. Then he said that he did not oppose poker machines provided the majority of people supported them. He said those very words Mr Speaker, and they will be recorded in Hansard in the morning. I was interested to hear him commit himself. He quite clearly said that he was happy to have poker machines in the Territory if the majority of people support them. That is fine but he certainly changed his story at the end of his little tirade.

Mr Speaker, the member for MacDonnell has not demonstrated in any way this massive widespread support for his view that the majority of the people - perhaps he was limiting it to Alice Springs - oppose poker machines in casinos. He certainly has not demonstrated it but the government has demonstrated that the contrary is true.

In making its decision to allow poker machines to be introduced into casinos as another game under the laws of the Northern Territory, the government did so on the basis that it had evidence from a professionally-conducted survey that a large majority of Alice Springs people support the introduction of poker machines in casinos. The member for MacDonnell sought to pluck out a couple of people's titles. One was the editor of the Centralian Advocate. If that one person opposed it, that must mean an incredible number of people opposed it. From her statement in the Assembly the other day, the member for Nightcliff probably does not agree that editors of newspapers are a prime example of people who reflect community opinion.

The member for MacDonnell also mentioned that the chairman of the Alice Springs branch of the CLP opposes the government's stance on this issue and so do a number of CLP members. That is not exactly earth-shattering or new. I would suggest that quite a number of CLP members throughout the Northern Territory are opposed to the stance of this government on many issues. However, we have a party system that works through processes that allow the executive government to get on with the job under the laws of the Northern Territory. The party machine and the parliamentary wing have conventions laid down as to how matters are raised or dealt with. As a minister of the Northern Territory government,

I certainly do not claim that, every time I exercise a delegation under my authority, I am making a decision that has the total support of the CLP. It would be a very slow government if every delegation that a minister held from this parliament to act in the interests of Territorians were to be done on some form of a consensus vote or some form of referendum. I notice the honourable member for MacDonnell did not call for a referendum on this. I think he has done so in the press. The opposition spiel out the word 'referendum' pretty regularly. It started with self-government and then casinos and now it is poker machines. We would have the Territory at the polls weekly before each minister exercises the delegation that he has.

There is certainly a degree of opposition in Alice Springs. It has been expressed to me in the form of letters. There has been 1 public meeting of late which has been variously reported as having from 100 to 250 members of the public in attendance. Three speakers spoke on the subject of poker machines. A meeting of 100 people or indeed 150 would be considerably less than the attendance at public meetings in Alice Springs against casinos. It would seem that it does not have the opposition that casinos had. I admit casinos were brought to the Northern Territory without 100% support of the people, but they had widespread support and still do, and so does the introduction of poker machines in casinos. An excellent letter was written to the Centralian Advocate in support of poker machines. I appreciate that there have been a number of letters against poker machines, but the points in this letter are very well made. I have no idea who Mr D. Anthony is:

> *Why do we find that whenever or whatever is done to improve the entertainment value of Alice Springs (which is maintained mainly by tourists) you always get a call for a referendum or 'you can't do that there, it's sacred'. Always there are a minority complaining that we of the community do not want this, that or the other. I am a member of this community and have been for 7½ years. To be able to dress up and take the wife to a place that caters for wining, dining, dancing and a little flutter on the pokies is fantastic for us and the tourists. Why should I, and I would say at least 50% of the townspeople, be penalised because of a few who lack self-control in regard to spending their hard earned money. It looks like we have lost the lake. Don't let us lose the chance of doubling the income for the town. All residents will benefit with the tourists that look for entertainment. Please give us adults the credit for allowing us to make up our own minds as to whether we spend our money at the casino, the drive-in, the pubs and the clubs. I for one give the government my full support for boosting this town as a true tourist resort. After all, you can't make a tourist go anywhere he or she does not wish to go even if you do tell a tourist where to go. Signed D. Anthony.*

I think that letter reflects an element of the feelings of some people in Alice Springs. I am not saying 100% oppose the government's view. There is a lot of nonsense spoken about poker machines as distinct from other games and about people's ability to control their spending. I mentioned in this Assembly a day or so ago that, so far this financial year, about $2.8m has been spent by Territorians on large interstate lotteries. In addition to that, approximately $800,000 will be spent this year by Territorians on approved raffles in local clubs and about $1m will be spent on bingo in the Territory. $42m will be spent this year with Territory bookmakers. An indeterminate element of that is from interstate, but certainly a large slab of it is from Territorians. In addition, there are many interstate lotteries such as Mater Homes on which we do not have details. We do not have statistics of their sales in the Territory at this time. If we put this sort of leisure spending together with all the money that is spent on alcohol, entertainment, movies, shows, pinball machines,

beer-ticket machines in clubs and the whole range of absolute luxuries, we realise that it is just entertainment and big business. But people certainly have a choice. However, a view is held by a minority that, despite the fact that we have a community obviously able to handle its funds - quite reasonably able to spend - the advent of poker machines in casinos will change all that.

I guess the man I was most surprised at - I gave him more credit - was the Mayor of Alice Springs who conveyed the view in his first release on the subject that widespread bankruptcy in Alice Springs and a general deterioration of the welfare of the community would result. I would have thought that the Mayor of Alice Springs would have had a little more sense than to say a thing like that and I issued a press release to that effect in Alice Springs at the time. If his view was right, the whole population of New South Wales would be lying in the streets with the inside of their pockets hanging out. There are 48,000 machines there and, if an Australian cannot walk past a machine without pouring his pay packet down its throat, then New South Wales would be an absolute disaster. This famous Labor government, which is supposedly concerned for the poor worker and the destitute people, has not seen fit in all the years it has been in office to have a single inquiry into the social effects of poker machines. That is how concerned it is.

Prior to this debate, the member for MacDonnell issued a press statement accusing me of acting contrary to Northern Territory law in issuing an approval in principle for poker machines to be introduced into casinos. At the time, I described his statement as stupid and I repeat that it is stupid. He will just have to do his homework a little more in future if he wants to be regarded as having any credibility in this Assembly. He also said that I had responsibility in this Assembly for youth, sport and recreation. I refer him again to the documents which allocate portfolios and responsibilities to ministers. He will see that I do not have those responsibilities. I suggest he turn to some of the background papers to inform himself before he puts his foot in it too much further.

He said I attended a public meeting last year. He was wrong again; it was about 2½ years ago. I guess he must have been there as he said fairly authoratively that I had stated that I opposed poker machines. He is very wrong. As a matter of fact, the newspaper at the time reported the proceedings. It said that I had stated that there would not be poker machines in casinos in the Northern Territory initially. They were very carefully chosen words and we have not had poker machines in casinos in the Northern Territory initially. We have had a casino in the Northern Territory for nearly 2 years now. It has proved to be a commendable operation. A lot of nonsense that we heard about what casinos would do to the community has not eventuated. We are pleased that the operation is run very strictly according to law and under government control.

Mr B. COLLINS (Arnhem): Mr Speaker, the Treasurer more than most ministers is very fond of exercising his power of delegation. In fact, I am sure it must be almost worn out. The Treasurer obviously was not listening to the member for MacDonnell when he spoke. I would like to make it clear to the Treasurer right from the outset that I do not care how many people in the Northern Territory are in favour of poker machines. I am personally opposed to them on one ground only: I do not see how, in justice, the government can allow casinos to operate poker machines without also letting the licensed clubs operate them.

I would like to refer again to the Chief Minister's letter. One paragraph in this letter interests me most. In this letter to Mr Melville, he says: 'Firstly, may I say that it is not the policy of my party to encourage gambling. However, widespread gambling has been a fact of life in the Territory for some years and there appears to be no good reason why some of the funds "invested" in this way should not be siphoned off to be spent for the good of the community

as it is in other parts of Australia'. Of course, that is where the problem lies. The licensed clubs in the Northern Territory have objected very strongly to poker machines being allowed in casinos. They cannot see in logic how poker machines can be allowed in a couple exclusive establishments operated by a very large hotel concern when they are denied to licensed clubs. In other parts of Australia, they are a major source of revenue.

Mr Speaker, I have never fed a poker machines with my two-bobs but I have been in quite a number of leagues clubs in Sydney. It is quite a sight to see literally hundreds of poker machines in their serried ranks. What interested me most when I did go to these clubs in Sydney was that over 90% of the people playing these machines were women. I asked the people working behind the bar in a club whether that was usual. I was told that you could come in any day and see the same thing happening. It is generally accepted that, in most of the clubs in Sydney, during the day, most of the customers are women. In fact, as the Treasurer said - and I am not going to argue with him because I do not know - there may not have been a formal review of the social problems caused by poker machines in New South Wales or anywhere else for that matter. According to the people I spoke to in Sydney who are concerned with community welfare, there is no doubt that the problem of bored women feeding enormous amounts of money into these machines is very severe indeed.

It would be useless to ask the government to give an assurance that poker machines will not in 6 or 12 months' time be introduced into the clubs in the Northern Territory or however long the government thinks it will be before the issue cools off. It is a waste of time asking for that assurance because, as has already been demonstrated only too clearly, such assurances are absolutely worthless. We have had assurances from the head of the government that this would not happen. We had an interesting hair-splitting exercise from the Treasurer this morning. Obviously, when people attend public meetings that are addressed by the Treasurer, they need to take their tape-recorders or their steno-secretary to take down his exact words and a legal adviser to advise them of the loopholes in the public statements.

The clear intention of the Treasurer's assurance to that meeting was that poker machines would not be introduced. A very short time later, we see that they are being introduced. Obviously, the government is following the direction that was stated only too clearly by the Minister for Transport and Works in a previous debate in this Assembly: if there is a buck in it, let's do it. It is clear that is what is happening in this case. There is no doubt that the pressure for these machines to be introduced did not come from the public. It did not come from the people referred to in the letter the Treasurer read out. They do not want to be entertained by feeding money into a slot and pulling a handle. It came from the proprietors of the casinos. The government has acceded to it. For the record, it would be nice to get a statement from the government that the use of poker machines will not become widespread in licensed clubs. I ask anyone who is capable of any kind of logical thought at all, how in justice this government can refuse to support the use of poker machines in licensed clubs when these machines differ so significantly from other games of chance.

Licensed clubs do not have much hope of having games like roulette or black jack but they do expect, and have some reason to expect, this government to give them approval for revenue-raising in their clubs by the use of poker machines. If the government has now given approval for these machines to be introduced into the Territory, in terms of justice, how can it stop them from being used in licensed clubs? I am sure that the club industry in the Northern Territory will now bring relentless pressure to bear on the government for the clubs to have the same rights in this matter as casinos. In view of the track record of the government and the individual members of the government on this subject,

it would be a complete waste of time asking for assurances. Just a week or so ago, the Treasurer assured the community that poker machines would be installed under the strictest regulations and that they would be small and of a conservative design. They would not encourage people to use them by having flashing lights and bells. The public has some reason to treat statements like that with a great degree of cynicism when they emanate from the Treasurer because such assurances from him are worthless. I personally give it 6 months or maybe 12 months at the outside before the government believes that the timing will be right and the situation cool enough for it to make an announcement that, in view of the successful introduction of poker machines to casinos, it will allow licensed clubs to use machines on club premises.

Mrs O'NEIL (Fannie Bay): Mr Speaker, as the honourable member for Arnhem has indicated, I have a particular interest in the matter of poker machines in relation to clubs. The government has moved now from the position outlined by the Chief Minister that there would hopefully never be any support for the introduction of poker machines in the Northern Territory among his colleagues of the Legislative Assembly to one in which the machines are to be admitted into the casinos in the Northern Territory! If we studied the speech of the Treasurer and Minister for Industrial Development for an explanation of this decision, we would be very depressed indeed because we did not get one. He made a passing reference to a survey which he said had been conducted under appropriate and proper conditions, but he did not tell us what that survey said. I challenge him to table that survey in the Assembly to see exactly what it said. Did it talk about poker machines in casinos? Did it talk about poker machines in the Territory? Did it talk about poker machines in clubs? What exactly were the questions asked, what were the answers and how were they answered in various parts of the Northern Territory? Mr Speaker, that is not too much to ask in view of its importance and the great interest evident among the citizens of the Northern Territory about this issue. It is absolutely hypocritical for the government to say that it will allow them in casinos but it will not allow them in clubs.

The Chief Minister has also said: 'Widespread gambling has been a fact of life in the Territory for some years. There appears to be no good reason why some of the funds invested in this way should not be siphoned off to be spent for the good of the community'. I support that. The best way that money invested in poker machines can be siphoned off for the good of the community is to have them under appropriate control in clubs. I am a great supporter of the good work that clubs do in the Northern Territory. They are a part of our way of life. There are many of them and this creates financial problems. Nevertheless, they are part of our way of life and they do provide many valuable sources of recreation and relaxation, particularly in the sporting area, for citizens of the Northern Territory.

If we have poker machines in the casinos, there is absolutely no reason why they should not be in the clubs in limited numbers and under appropriate control. If we have poker machines in the casinos, people who like playing the pokies will go to the casinos to play them. There is no question of that. It is totally ridiculous for the government to say that it is putting poker machines in the casinos for the benefit of the tourists. They might benefit a few tourists but there is no doubt that, if you go to the casino over the road at any time of the day, you will find many local residents in there. If there are poker machines there, the people who like playing poker machines will be there and the profits will go to Federal Pacific Hotels and the government will receive its cut. They certainly will not go to the clubs which, as the minister has acknowledged, could do with that additional source of revenue so that the profits can be used for the benefit of their members and the general community.

Mr Speaker, I am not ashamed to say that I have many clubs in my electorate

and I am prepared to stand up and represent them. Because they are in my electorate, I am aware of the very good work that they do. I have personal experience of this. One of my children learns rugby league through the help of one club and another is learning to sail through the help of a club. This is just a tiny example. The clubs really perform a very admirable function in our society. They should be supported by the government and not constantly undercut by support of this casino establishment to their detriment. Indeed, they have been undercut already. When the casino was first established in Darwin, it had a game called keno which is very similar to bingo. All the clubs which had been running bingo games very satisfactorily to raise money suddenly found that attendances and takings for the bingo games dropped alarmingly because people were going to play keno at the Federal Pacific Hotels establishment. Exactly the same sort of thing will happen if we have pokies at the casino and not at the clubs. I know that the clubs have had discussions with the Treasurer and he was not perhaps unhelpful to them. He said that they should present submissions to him and he would have a look at them. At least, I understand that is what he said. Mr Speaker, I think that is just passing the buck. I do not think it is fair to ask the clubs, with their limited resources and voluntary workers, to do this sort of thing. It is up to the government to have the guts to make a decision one way or another. As the Treasurer himself pointed out, poker machines outside of casinos in the Northern Territory are illegal. It is a bit rough to ask the clubs to tell the government how to make them legal. There are plenty of precedents. The ACT has very tight legislation about poker machines in clubs. The numbers of machines are limited by the turnover in the bars in New South Wales. It can be done.

The present situation of the government changing its mind from time to time and not saying what decisions it is making and why it is making them is a total disgrace. Once again, I ask the Treasurer or the Chief Minister or any other minister to table in this Assembly for the benefit of the public, the facts which caused them to make that decision. Let us have a look at that survey, and then we will know where we are with regard to poker machines in the Northern Territory.

In clubs, I believe there are social restraints against excessive gambling and excessive drinking. Certainly, the clubs in the Northern Territory are different from the ones which apparently the honourable member for Arnhem has experienced. They are small clubs and people are therefore drinking, gambling and socialising amongst people they know. This provides social constraints against excesses. People will drink more excessively in a public bar of a hotel than they will in a club. Similarly they will gamble more at a big anonymous casino than they are likely to in a club with only a couple of pokies and where people and friends can see if they are overdoing it.

I am aware of the problems that poker machines perhaps have created in some places and that concerns me. The honourable member for Arnhem spoke about women in New South Wales who, he seems to think, have nothing to do. I assure him that some women may not be employed outside the home but they still have plenty to do. I do not think there is the same reason for it to happen here because of the different nature of our clubs and the part they play in our social life. I ask the minister to start looking at the needs of the Northern Territory and the people of the Northern Territory. He is the Minister for Community development and not just the Minister for Industrial Development. At the moment, we do not seem to have a government of the people of the Northern Territory, but a casino royale government.

Mr ROBERTSON (Education): Mr Speaker, the honourable member for Arnhem made the comment that, in his view, the Treasurer did not listen to the words of the honourable member for MacDonnell. I listened to both of them and it was fascinating to hear them. Let us deal first with the honourable member for

Arnhem. What a glorious statement from a man who stands here piously day in and day out telling us he is a fine upstanding democrat: 'I do not care how many people in the Northern Territory are in favour of them, I am personally opposed to them'. We have the gentleman saying that, irrespective of public opinion, he is totally opposed to poker machines. What a marked contrast that is with the words of his colleague behind him who says that personally he has no strong feelings about the matter and is happy for them to be in casinos if the majority of the population is in favour. One is a democrat and the other is not.

It is a fascinating exercise to look at what the member for MacDonnell had to say. He has claimed in this Assembly that he is something of a linguist. I would also suggest that he is prone to self-flagellation. He made great play of being a very conscientious shadow Minister for Community Development and for Youth, Sport and Recreation. He told us initially that he had no personal objection to the machines being in casinos provided that the majority were for it. However, he ended up by telling us that to have them in casinos is not very sensible for community development. What has the gentelman said? What he has said in effect, is that he is not sensible. He claims to be the shadow Minister for Community Development on the one hand. He claimed that to put poker machines into casinos would not be sensible but earlier in his speech he told us he is happy about it. The member really does not know what his attitudes are. It rather fascinates me that the Australian Labor Party calls on this government to declare its intention as to whether or not there will ever be poker machines in clubs but collectively declines to indicate to the public what its policy is. It is that glorious game of fence sitting. It is so typical of the sort of thing we have come to experience from the other side of this Chamber: watch what everyone else does and snipe from the sidelines. It has not got the intestinal fortitude to commit itself.

Mr Speaker, regrettably there was no argument from the other side. What we really had was a consensus of opinion that, if poker machines are to be in casinos, then the Labor Party's view is that they should also be in clubs. It was quite clear from what the member for Fannie Bay was saying. The member for Arnhem, irrespective of what the population of the Territory wants, as a matter of conscience is opposed to them under any circumstances. That is fair enough. Although anyone reading his speech would probably be hard pressed to come to that conclusion. The reason he gave for opposing them is that, if they are let into casinos, they ought, as a matter of moral justice, to be allowed in clubs as well.

Mr Collins: Not moral justice.

Mr ROBERTSON: Just justice.

Mr Collins: That's correct!

Mr ROBERTSON: When the public reads that little contribution, how will it judge his attitude. On the one hand, he said that, under no circumstances, would he have them and, on the other hand, he says that, if they are to be in casinos, then as a matter of justice they ought to be in the clubs.

Mr Collins: That's right!

Mr ROBERTSON: What an extraordinary thing! I hope the public will read that.

Mr SPEAKER: I call this Assembly to order. I will not have any more of this. It is just a running commentary on the honourable member's speech. I do not think it does the dignity of the Assembly any good and it certainly does

not help the debate. I give honourable members this final warning. The honourable Minister for Education.

Mr ROBERTSON: The fundamental difference between a casino and a club is that one is a house of gaming, gambling and chance and the other is not. In other forums I have indicated my personal opposition to the presence of poker machines in clubs. I am a member of quite a number of them. I personally believe that that is not what I joined them for. I was one of the founding members of 3 clubs in Alice Springs. In my view, they were for the purposes of sport, social gatherings, good conversation and a convivial environment, not for the purpose of gambling. That is my view.

I know there is a game of chance which has been played traditionally in clubs in the Northern Territory and used to raise revenue. There is a vast difference between the continuation of that game in clubs and the proliferation of gaming machines there. For the life of me, I do not see clubs as places of gambling. I see them existing for the other purposes that I have mentioned. I would not want to see roulette wheels or black jack or baccarat or anything like that in clubs in the Northern Territory any more than I would want to see poker machines in clubs in the Northern Territory for the simple reason that they are games of chance and I think they belong in casinos.

It would be useful to indicate the results of the survey conducted by a reputable, national polling organisation, one of the biggest and most famous in the country. There is other information in this advice to government. The document is marked confidential and I rely upon the provisions of Standing Orders in case anyone asks me to table it. Without hedging or cribbing on the facts given here in relation to poker machines and casinos, I will give that information as fully as I deem necessary. In other words, I will not manipulate the figures.

The number of interviews conducted in Darwin was 573, estimated to be approximately 1.87% of the population; in Alice Springs - 278; in Tennant Creek - 58; and in Katherine - 29. Of those interviewed, 54.4% were males and 45.6% females. Their ages ranged from 18 to over 50. The document provides a breakdown by religion: Anglicans - 23.3%; Catholics - 23%; and Uniting Church, Presbyterian, Methodist - 14.4%. These people do not poll in the same way as people have petitions signed. By and large, the methodology of asking a question can very often taint the type of answer you get. I demonstrated that in the Assembly some time back with the exercise I did on the question of price control of the service industry. The question was simply: 'Should poker machines in casinos be legal or illegal?' The total of people who said they ought to be legal was 63%; 27% said they should be illegal; 5% were undecided; and, would you believe, 5% of people had not heard of them. In Darwin, it was 63% in favour - which was the Territory average - 26% against and 5% undecided. In Alice Springs, it was 60% for, 33% against and 4% undecided. In Tennant Creek it was 62% in favour and 23% against. In Katherine, 84% were in favour , 2% were against and 6% undecided. I do not know whether you take this as a reflection, Sir, but 8% of your constituents have not heard of them. Mr Speaker, 64% of those who said they should be legal were men and 62% of women said that they should be legal. This was a professionally-conducted poll by people who are expert in this field. That company, with its worldwide connections, is regarded as one of the most professional in the world. It is a company that Newsweek, Time and the Bulletin use. In this kind of research, their integrity and accuracy is rarely questioned. Of course, they were not too flash at the last election, thank goodness, but they were, incidentally, among the most accurate.

Mr Speaker, because the document contains other information quite irrelevant to this discussion, I cannot table it. Those are in effect the facts.

Why then did the government make the decision that it did? I freely admit that at the time of discussions in Cabinet as to the licensing of certain games in casinos, I indicated to my colleagues that I was opposed to the legislation of poker machines in casinos. I believed, for a number of quite false reasons, that the public was also and that there was something a little bit risky about it. I am on record in Hansard as saying that I was nervous at that time about casinos themselves. The idea then, in my mind at least, and I think this would reflect the ideas of other government members, was to give the interim casino at the Don a go without them and not take a decision at that stage on whether there would be poker machines in casinos.

Much to our satisfaction, we have found that the casino has been a tremendous success. The predictions of social disaster have not been fulfilled and the way it has been conducted has been excellent. The government figured that it was about time to sample the attitudes of people not only to poker machines but also to gaming, gambling and so on. As a result, we formed the opinion that by far the majority of Northern Territory people are in favour of legalising poker machines in casinos. Unlike the honourable member for Arnhem, this government then took upon itself a lengthy review of its existing policy. At that time, we were not all that keen on legalising poker machines in casinos. Based on all of the evidence available to us plus the evidence of the will of the people of the Northern Territory, a decision was taken to legalise poker machines in casinos.

I want to say just one other thing about the reaction of Alice Springs people. The public meeting received more publicity than any other public meeting I have ever heard of in Alice Springs. An estimated 147 people attended. I would not say that figure was totally accurate, but it would be pretty near. The number objecting to the casino itself is not known. Whether everyone at the public meeting last Saturday was against poker machines is not known. I have had more people at a public protest meeting in the Gillen Primary School over the attitudes of government to a subdivision than I had over this issue. More people turned up to protest at the Planning Authority's advertisement of an intention to subdivide Spencer Hill, a small area in one corner of Alice Springs. Far more people turned up and were far more heated and determined at that meeting than at this meeting. It lasted half an hour, 3 people spoke, everyone wandered around and wandered off. I was to start the fun run for the YMCA right next door and I know that 30 of those 147 were waiting for me to start the race. They were all over there and we had some difficulty in communicating with them with a loud hailer without spoiling the speeches that were going on at the rally. We did not want to interfere. There is absolutely no question that at least 20 or 30 of the remainder were tourists. I would say that the number of people at that meeting was less than half the number who attended my public meeting on the proposal for a subdivision.

Mr Speaker, let us get this matter into perspective. The government has the best information available to it as to public attitudes in the Northern Territory and it has reacted to that. While there is very deep-seated and genuinely held concern on the part of the people in Alice Springs, I do not honestly believe there is anything like the resistance to the proposal that is portrayed by those who are determined to prevent poker machines in casinos.

The question of poker machines in clubs is quite a different one. As I have indicated before, I am quite firmly opposed to having them in clubs. That is a personal view. On the other hand, I do not know what would happen if it became very evident that 80% of the Northern Territory public demanded the right to have them in clubs. Personally, I do not believe that will ever happen and I am not saying that my attitude would be affected. I might be like the honourable member for Arnhem: I might not change. Nonetheless, I think we have to be sensitive to public opinion. The government was concerned with the question of poker

machines being legalised for use in casinos. Public opinion and the experience we have had in the casino operation led us to this logical and quite proper conclusion.

Mrs LAWRIE (Nightcliff): Mr Speaker, some of the statements made by the minister raise more questions than they answer. It is interesting to find that the government's attitude has been changed towards the introduction of poker machines in the Territory as a result of a survey.

Mr Robertson: I said that mine has.

Mrs LAWRIE: Mr Speaker, in answer to the interjection, if the survey was not the determining factor in changing Cabinet's attitude to the introduction of poker machines, I hope the Chief Minister when he speaks will advise us what the determining factor was. There had to be one because, a couple of years ago, he was adamant in his disapproval and his opposition, as were other members of his party who are still members of this Assembly. I am still waiting to be advised about the determining factor if it was not the survey.

If the government thought it should rethink the issue and then decided to commission a survey on the attitude of people to poker machines in casinos, did it, at the same time, commission a survey on the attitude of people to the introduction of poker machines to clubs and, if not, why not? The issue all along, and this has been debated for some years now, has been not simply whether to have poker machines or not. If we are to have them, where will they be allowed to operate? It is trite indeed for Cabinet ministers to address themselves to the question of poker machines in casinos and ignore the large and vocal group who ask about the clubs. I do not believe Cabinet could think of one and not the other. I ask the Chief Minister in his speech to tell us if there was a survey conducted on the community attitude to the introduction of poker machines in clubs and, if so, what were the results. I want the details as given to us on the other survey by the Minister for Education. If it was not conducted, why wasn't it, given that that has been the issue more to the fore than whether to have poker machines or not per se? To commission one survey and not the other destroys the validity of the response. It could be that 80% of the people wanted them in clubs whilst only 62% wanted them in the casino. What a different inference we could draw from that.

Those who have approached me as a representative of the people would prefer to see these machines in licensed clubs rather than the casino. They see the profit accruing from the machines as going back into the facilities provided by the clubs and, at least in Darwin, that does not necessarily mean sumptuous clubs. It means the provision of sporting equipment and the fostering of junior sport which is in a parlous state as the Minister for Youth Sport and Recreation knows. He thinks it is not in a parlous state! I have 2 daughters playing hockey who between them have notched up 10 interstate trips. I start wondering what I am going to mortgage next to keep the kids going away. If that is difficult for me on my salary, what is it like for other families? I know 4 families in the Nightcliff-Milner-Rapid Creek area who have had 2 children chosen at the same time to go interstate to represent the Territory in junior sport and they have had to toss a coin or draw lots because they simply could not afford to send both kids. Nevertheless, the minister thinks that junior sport does not need help. Not only have the kids got to equip themselves, there is the cost of the fare. I think that the Minister for Education himself is probably approaching my expertise in selling raffle tickets continually to raise money for various junior sporting teams.

The club people who have approached me have had that point of view. This is the kind of revenue they need to raise. The only way the clubs can see

themselves doing it is through poker machines. The Treasurer has said publicly ad nauseam that there are too many clubs and the introduction of poker machines will not solve their problems. There speaks a representative of the free enterprise system, I don't think. What a protectionist policy! If the clubs are cutting each other's throat, that will soon level itself out. Is the honourable Treasurer about to suggest that we have only one butcher in a community and one retail chemist because otherwise, if there are too many, they won't make sufficient profit? That is what his so-called free enterprise system is all about. They will rationalise themselves. The ones who came back to me took umbrage at the Treasurer telling them how they should conduct their business.

I am very unhappy with the decision to introduce poker machines into casinos for 3 reasons. Firstly, why introduce another gambling factory if the interim casino at the Don is the success which the Minister for Education and the Treasurer assure us that it is! It is doing quite well, thank you. How about somebody else getting a piece of the gambling cake?

Mr Robertson: Because they are not casinos.

Mrs LAWRIE: The Minister for Education is not usually so fatuous as to make a remark such as 'because they are not casinos'. He knows damn well where the bingo games are conducted and where the chook raffles are conducted. To pretend that the local club does not have the odd gambling game is ludicrous. In fact, he did acknowledge that they have their small gambling games. According to Cabinet ministers, the casino is doing so well it does not need poker machines. If we are to have them in the Territory, let us put them where the greatest return goes to the people who utilise them. I would suggest that that is in the licensed clubs which are set up normally to facilitate sporting activities. I would like to see some revenue going back there instead of into the coffers of Federal Pacific Hotels who are also doing well. If 62% of the people said they wanted poker machines in casinos, were they also asked at the same time about their attitude towards poker machines in clubs? If so, what were the results of that survey and, if not, why not?

Mr EVERINGHAM (Chief Minister): Mr Speaker, it has been an interesting debate. I thought from the information read out to us by the Clerk that it was supposed to be about the government's decision to authorise poker machines as another gaming choice within casinos. Honourable members on the other side of the Assembly seem to be more interested in a wider issue. Their opinion seems to be split and there is a good deal of fence-sitting. I am getting the message that some of the members opposite are hell-bent on pressuring the government into adopting a poker machine proliferation policy. 'Put them in clubs if you put them into casinos' - that is their message. Maybe they want them in hotels and restaurants too.

Let us take a look at what has been said. The member for MacDonnell does not oppose poker machines anywhere provided that the majority of people support them. The Morgan research advice referred to earlier should make him happy: 63% of Territorians questioned favoured poker machines in casinos. Therefore, I would not expect to hear anything further from him on this matter. The member for Arnhem is well straddled on his fence. He is opposed to poker machines but in the next breath he cannot see the logic of putting them into casinos but not in clubs.

Mr B. Collins: That is right.

Mr SPEAKER: Order! I raised this matter this morning. After all, it is the opposition's wish to have this matter of public importance debated. I would like it to be heard in silence.

Mr EVERINGHAM: Then there is the more open advocacy for a policy of proliferation by putting poker machines into clubs. The members for Fannie Bay and Nightcliff devoted their time almost entirely to addressing the question of poker machines in clubs. I cannot recall one of the members opposite talking for more than a moment about the government decision which led to this debate in the first place. That decision was to authorise poker machines as another game within the controlled confines of casinos. Casino poker machines is the matter at hand and nothing else. All members must support the decision because no one today has stood up and said that the decision was wrong. No one has said: 'Do not put them in casinos!' All we have been getting is a pretty strong indication that some members want poker machines in clubs and some members cannot make up their minds but are satisfied to leave the issue of where they stand to the will of the public. The member for MacDonnell said that, as a member of this Assembly, he has a responsibility to show some leadership to the people who elected him. There is not much leadership in this instance because he does not oppose poker machines provided the majority of people support them. In other words, the leader wants to be led.

Let me lead you all, if I may, by this little bit of logic. It is now 21 months since we established an interim casino in Darwin. According to those who opposed it, it would bring in prostitution, heroin and mafia-style criminals. They had genuine concerns but they were concerns based on the dangers associated with illegal gambling. A half hour's reading on the subject will convince most reasonable people that casinos become acceptable leisure options in a community provided they are run properly and are under tight controls.

Some members will no doubt recall the lengthy debates in this Assembly some 2 or 3 years ago when we passed the Casino Licence and Control Bill and seemed perfectly satisfied at the time with the controls that were built into that law. Now those same controls will be exercised over poker machines within the casinos. Not one person in this Assembly has said that the casino is not run properly. That fact is that, within the confines of a casino, a poker machine becomes simply another gaming option for people who want to gamble. I have to accept that all members opposite are perfectly happy with the rules and regulations governing casino operations because they have not been brought into the dispute.

On the other side of the Assembly, there is a funny alliance of poker machine proliferators and poker machine fence-sitters. I am sure there is room in each member's head for an understanding of the government's position and decisions. Let me give the proliferators a word of warning. Anyone who takes up the cause of poker machines in clubs should get up to date on what is happening in New South Wales. I am told by the Minister for Police, Mr Crabtree, that about one third of the clubs are in financial difficulties despite the fact that they operate poker machines. In other words, they are not a financial panacea. Honourable members opposite - and I am talking to the proliferators - should clearly understand that this government will not be stampeded or pressured in the direction in which they wish to take us. Our decision on casino poker machines is in line with popular opinion and we are satisfied that the machines will merely be an appropriate additional gaming choice in a house of gaming.

PERSONAL EXPLANATION

Mrs LAWRIE (Nightcliff) (by leave): Mr Speaker, I believe that I have been totally misrepresented. In his reply, the Chief Minister stated that those who spoke on this side of the Assembly were either in favour of the proliferation of poker machines or were fence-sitters. I believe I made my statement quite clearly and unambiguously. I sought certain answers and responses from the government which have not been given. I am not in favour of proliferation.

What I was seeking was an indication, if the poker machines are to be introduced, in what way and by what method.

ASSOCIATIONS INCORPORATION AMENDMENT BILL
(Serial 103)

Bill presented and read a first time.

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

During the past year, certain events have occurred which have highlighted 3 defects in the Associations Incorporation Act. The first of these defects is that the current winding-up provisions do not cover adequately the situation where the members of an unincorporated association which is about to be dissolved wish to transfer the property of the association to another body formed for similar purposes. This defect was highlighted when the Hooker Creek Association wished to transfer its property to the Lajamanu Government Council established under the Local Government Act. The second defect was pointed up as a result of certain irregularities in some incorporated associations. It was found that the Associations Incorporation Act made no provision for the investigation and rectification of irregularities in the affairs of the incorporated associations. Finally, in some small communities, often there is only one locally registered auditor and, because of the size of the community, that auditor is likely to be a member of local incorporated associations and, as the act now stands, that auditor is prohibited from auditing the financial affairs of those associations.

This bill seeks to rectify these defects. Clause 3 inserts a new section 22B which is based on its South Australian counterpart. It permits an incorporated association to transfer real and personal property to another body, whether incorporated or unincorporated, formed for promoting similar or charitable objects or to a council or authority constituted by an act of this Assembly. Once an unincorporated association has transferred all its property, it is deemed to be dissolved after 3 months. The new section also makes provision for the protection of individual members and minority groups in the association by permitting recourse to the Supreme Court in certain circumstances.

Clause 4 amends section 25(1) of the principal act to allow a member of an association who is not the public officer of the association to audit the financial affairs of the association so long as that member has been approved by the Registrar of Companies.

Clause 5 inserts into the act a new part IIIA comprising sections 25AT to 25AZD. This provides for the investigation and judicial management of associations. These provisions are based upon similar provisions in the Aboriginal Councils and Associations Act 1976 of the Commonwealth. Section 25AT defines 'association' to include both incorporated associations and incorporated trading associations and section 25AU empowers the minister, through the Registrar of Companies, to look into any matters calling for investigation under certain circumstances. Sections 25AB and 25AW support this power of investigation. After an investigation, the registrar, if he believes it is necessary, may apply to the Supreme Court for an order of judicial management of the association and the Supreme Court, if it makes such an order, shall appoint a judicial manager whose powers are defined and are subject to the control of the Supreme Court.

Sections 25AZA, 25AZB and 25AZC give certain additional powers to the Supreme Court during any period of judicial management. Honourable members will note that these amendments to the Associations Incorporation Act will make the act a more effective piece of legislation. I commend the bill to honourable

members.

Debate adjourned.

TRAFFIC AMENDMENT BILL
(Serial 111)

Bill presented and read a first time.

Mr DONDAS (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to make a simple amendment to remove the anomaly in the 'No Standing' provision of the Traffic Act. The provision makes it a defence to a charge of a vehicle standing in a 'No Standing' area if the vehicle was setting down or picking up passengers or goods. Police have requested the change because some people have been creating a hazard at children's crossings by stopping in the area marked 'No Standing' while the flags are out, knowing that they were not committing an offence because of this anomaly.

The number of persistent offenders is small but there are perhaps unwitting offenders who help to create unnecessary safety problems for schoolchildren. So long as it is not an offence, road safety and police publicity efforts will be compromised because publicity cannot be followed up with effective enforcement. The change will mean a uniform interpretation for all 'No Standing' signs and an interpretation consistent with the National Road Traffic Code as endorsed by all Australian transport ministers through the Australian Transport Advisory Council. This will also conform with the meaning of the signs elsewhere in Australia. All Northern Territory local government authorities have been consulted and have agreed to the change. Before commending the bill to the Assembly, I would ask all motorists to recognise that 'No Standing' signs are put up only where there is good reason. I implore them to respect the purpose of the signs because it is the lives of our children, in particular, that are put at most risk by the careless and the lazy. I commend the bill.

Debate adjourned.

LIMITATIONS BILL
(Serial 110)

Bill presented and read a first time.

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

Honourable members will know that for many hundreds of years - I need only refer honourable members to part 1 of the schedule - legislatures have seen the necessity in the interests of justice to ensure that potential plaintiffs do not sleep on their rights. To this end, they have enacted periods within which actions at law must be commenced. The bill deals with the time in which a person may bring an action at law and seeks to provide for a comprehensive code of limitation periods in respect of all actions rather than simply providing limitation periods in respect of the general law and leaving individual statutes to provide for individual limitation periods in particular circumstances.

The schedule of the bill clearly indicates the necessity for a new limitation act. The present law in the Territory relating to the limitation of actions is scattered throughout a number of statutes, imperial acts of South Australia and acts of the Northern Territory. The basic piece of legislation

currently operative in the Territory which provides for limitation periods is the Limitation of Suits and Actions Act 1866 of South Australia. This piece of legislation is inadequate for the complexity of today's law. At the time this act was passed, industrial diseases, which today are well known, were unheard of. Hence, that act made no provision for extension of limitation periods where a plaintiff was unable to ascertain a fact material to his cause of action until the limitation period was up. An interesting and pointed illustration of the outdated nature of the 1866 act is that it refers to actions on the case. This form of action has largely been replaced by the negligence action. Major reviews of limitations statutes occurred in the United Kingdom as late as 1980, Queensland and Tasmania in 1974 and New South Wales in 1969. Indeed, the bill draws heavily from the New South Wales Limitations Act 1969. These jurisdictions have seen the need to have comprehensive, readily understandable and modern laws regulating the time in which to bring actions at law and it is precisely this that the bill seeks to provide.

I turn now to the principles covered by the bill. Honourable members will need no convincing that the bill is highly technical. This is quite clearly illustrated by the first point to which I draw the attention of honourable members. The provisions of the bill fixing limitation periods follow a definite pattern. It has been customary in the past in statutes of limitation to say that actions of specified kinds shall be brought within a specified period and not afterwards or to say that no action of a specified kind shall be brought after the expiration of a specified period. Although these modes of expression have the respectability of age, as the New South Wales Law Reform Commission pointed out in its report on limitations of actions, they clearly do not mean what they say. An action can be brought and successfully carried to judgment notwithstanding the apparent words of prohibition. The reason is that limitation statutes - and this would be the case with this bill - are not designed to extinguish causes of action but are designed to give the defendant matter which he may need but not plead by way of defence. I draw honourable members' attention to order 23 rule 15 of the Rules of the Supreme Court which supports this very point. The bill accordingly does not speak in terms of prohibiting the bringing of an action but says that an action is not maintainable if brought after the expiration of the limitation period thus permitting a person to take action even after the limitation period if the defendant chooses not to rely on the limitation period as a defence. And I suppose there could be agreements to do that made before the limitation period expires.

The first provision of note is clause 3. This clause provides for the repeal of certain imperial and South Australian acts in their application to the Territory. Certain other acts are amended and the amendment of the acts in part III and IV have the effect of removing particular limitation periods provided for in the acts specified. Clause 3(5) warrants special mention. There is great uncertainty as to which imperial acts are actually in force in the Territory and the Department of Law is currently endeavouring to establish which laws still technically apply to the Territory. Clause 3(5) is designed as a catch-all provision to wipe the slate clean, we hope, of all existing law relating to limitation periods just in case certain earlier imperial and other legislation is found at a later date to affect them. These laws would then have no effect leaving this bill as the only statute relating to limitation periods. Clause 3(6) is complementary and allows any imperial act or South Australian act which is found to affect limitation periods after the passing of the bill to be replaced or amended by way of regulation as provided in paragraphs (a) to (e).

The definitions included in clause 4 are of considerable importance and will have been noted by honourable members. Reference to this clause will be made frequently in considering other clauses and to single out any one definition would serve to place undue emphasis on it. However, I invite attention to the

definition of 'deed' which is widely drawn and thereby avoids using and making provision for the inapt and archaic concept of an action on a specialty. I also draw attention to the definition of 'the Crown' as including the Crown not only in right of the Territory but also, as far as the legislative power of the Territory permits, the Crown in all its other capacities.

Clause 6 expressly binds the Crown and gives it the benefit of this bill. Clause 6(4) is worthy of special note as the effect of this subclause is to ensure that no person may obtain a right, title or interest in Crown land by reason of adverse possession of the land. Honourable members will note that provisions relating to land are not found in the bill. Provisions relating to land and limitations statutes are intended to operate to allow a person to obtain a right, title or interest in land by adverse possession. It is the policy of this government that no title to land may be gained by adverse possession of that land and that all dealings and interests in land will be governed by the provisions of the Real Property Act. Virtually all land in the Territory comes under the provisions of the Real Property Act and with section 251 of that act preventing in effect interests in land by adverse possession, the need for detailed provisions relating to land is obviated.

Division 2 of part II is perhaps the most important division. Clause 12 establishes a 3-year limitation period in respect to the bulk of causes of action which come before the courts. Three years is a considerably shorter period of limitation than is found in the limitation legislation of other jurisdictions. However, as I noted earlier, the policy of this government is to encourage litigants to commence their actions as soon as possible. Clause 12 must be read in conjunction with clause 10 which ensures that the general limitation period is subject to the provisions relating to disability, confirmation, fraud and mistake in division 1 of part III. Of special note here is the power of a court to extend the limitation period in certain circumstances as provided in clause 44 to which I will return shortly. The remaining provisions of division 2 provide for limitation periods in respect of various other actions. In the case of actions for account, actions under the Compensation and Fatal Injuries Act, actions in respect of successive conversions and actions for arrears of income, the period is 3 years while other causes of action have differing limitation periods. Notably, an action upon a deed has a limitation period of 12 years.

Division 3 of part II relates to mortgages. In brief, the bill fixes a limitation period of 12 years for an action to redeem mortgaged property whether the property is land or personalty. The limitation period only runs while the mortgagee is in possession of the property. Other limitation periods provided for are 12 years with respect to remedies of the mortgagees for principal money by action on the person or covenant and 3 years for the remedies for interests of a mortgagee by action on the person or covenant. Time begins to run in the case of principal moneys when the principal moneys become payable and, in the case of interest, when the interest in question falls due for payment.

Division 4 of part II relates to periods of limitation in respect to trusts. To a large degree, the bill's provisions on the subject follow those in the New South Wales act which in turn are based upon the provisions of the imperial Limitations Act 1939.

Part III provides for postponement of the bar with division 1 covering disability, confirmation, fraud and mistake. This part deserves special mention as certain innovative provisions appear. Clause 36 provides that the period of limitation is suspended while a person is under a disability but then, once the disability is ended, that person has 3 years to commence his action. 'Person under disability' is defined in clause 4 as an infant, disabled person or a convicted person who after conviction is undergoing a sentence of imprisonment.

Clause 4 also defines a 'disabled person' as a person who, by reason of age, disease, illness or mental or physical infirmity is incapable of managing his affairs in respect of legal proceedings. This division, however, sets an outside limitation period of 30 years in which to bring an action.

Clauses 37 to 40 should be read together. They provide the major innovation in this area of postponement of the bar. Members will have noted that, while clause 36 is evidently reasonable from the point of view of the disabled person, it may work injustice on the putative defendant defined in clause 4 as a person who has reason to believe that another person is under disability and would but for the disability be entitled to bring an action or have an action lying over his head for many years. Clauses 37 to 40 provide for a putative defendant, if he chooses to exercise his rights under these clauses, the procedure whereby he can cause an action to be commenced against him where the possible plaintiff is an infant or a disabled person.

Clauses 41 to 43 have their counterparts in most other limitation legislation but I draw honourable members' attention to clause 44 which gives the court power in certain defined circumstances to extend any period of limitation. Clause 44(7) provides the court with power to extend the limitation period. In cases of personal injury or fatal injury, it shall be retrospective. Honourable members may be aware that extension provisions were first recommended in England by the Edmond Davies Committee in 1962 and were designed to meet the situation of the person who contracts an industrial disease but does not find out about the disease until well after the limitation period has run out. The case which gave rise to the Edmond Davies Committee concerned a plaintiff who had contracted pneumoconiosis and had no way of knowing about the condition until well after the limitation period was up. Most jurisdictions restrict this power of extending the limitation period to personal injuries and fatal injuries but this government believes that such a restriction may work injustice in many other cases and has adopted the approach of South Australia's extension provisions, making the extension power a general power.

Part IV of the bill covers certain miscellaneous matters. Division 1 aims at applying with the necessary modifications the provisions of the bill to arbitration. Division 2 preserves a cause of action shared by 2 or more persons or a liability shared by 2 or more persons where the right is biased against or in favour of only one or less than all of them. Clause 51 is the regulation-making power.

I have been at pains to confine my remarks to those portions of the bill which reflect the broad principle rather than technical detail. I have endeavoured to highlight matters which will be of interest or concern to honourable members and hope that in doing so I am not guilty of any major omission. I think honourable members will have caught the flavour of the bill and will understand what it sets out to achieve. This bill will make a significant contribution to the administration of justice in the Territory and I commend it to honourable members.

Debate adjourned.

STATUTE LAW REVISION BILL
(Serial 117)

Bill presented and read a first time.

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

If I am correct, with the passage of this bill, the government will have

repealed probably more legislation than it has passed. This is a further bill in the ongoing exercise of updating terminology and correcting minor inconsistencies in connection with the reprinting of the laws. There is nothing remarkable in the bill, but I take the opportunity of bringing to the attention of honourable members the amendment proposed to section 12 of the Parole of Prisoners Act. Before the commencement of the Interpretation Act at the time of self-government, the word 'act', when used in an ordinance, was a reference to a Commonwealth act. However the Interpretation Act redefined the word to mean 'an act or ordinance of the Territory or of South Australia in its application to the Territory'. Honourable members may recall that, at the time of the commencement of self-government, amongst the mass of formal amendments, were amendments making it clear that the pre-existing references were specifically converted to acts of the Commonwealth.

Unfortunately the reference in the Parole of Prisoners Act was overlooked and the proposed amendment is designed to correct this. However, it does not end there. There is a nice legal question about what the word means or means in the period between self-government and the time that the proposed amendment will come into effect and what, if any, rights have been affected. This is being looked into and it may be that, at the committee stage, an amendment will be required making the change retrospective to the date of self-government. Problems of this nature have been unavoidable in an exercise as complex as that occasioned by self-government. However, the legislative draftsman will soon be in a position to put all existing Territory legislation into the computer, which will considerably increase his capacity to locate references and should be invaluable when amendments associated with granting of statehood to the Territory are required.

Debate adjourned.

TEACHING SERVICE AMENDMENT BILL
(Serial 116)

Bill presented and read a first time.

Mr ROBERTSON (Education): Mr Speaker, I move that the bill be now read a second time.

Clause 41(2)(c) in the existing act reads: 'one officer nominated by the Secretary'. Of course we are all aware that that was a mistake. By way of explanation, there was a confusion in the use of the word 'processor' in the very last amendment schedule which appeared. It appeared in no other document that I had seen. Quite obviously, the matter being appealed from is a decision of the secretary or his delegate. Equally obviously, it would be improper for the secretary in effect to adjudicate upon a question of his own wisdom.

Debate adjourned.

MOTOR VEHICLES AMENDMENT BILL
(Serial 112)

Bill presented and read a first time.

Mr DONDAS (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The main purpose of this bill is to update several existing provisions of the Motor Vehicles Act relating to the use of traders' plates and to requirements for number plates. The existing provisions for the use of traders' plates are very restrictive. The changes presented here have been made as a result of

representation from the Motor Traders Association and discussions between that organisation, my department and the police.

This bill amends the act to allow a prospective purchaser of a vehicle from a licensed motor vehicle dealer to drive that vehicle with traders' plates without having to be accompanied by the dealer or the dealer's employee. The person's name, address, licence number and signature will have to be recorded first by the dealer. The fifth schedule is to be repealed and the registrar given power to determine in how much detail the traders' plates used should be recorded. The restriction on the use of traders' plates on Sundays has also been removed. Many persons find Sunday is the most suitable time for examining cars for potential purchase but they are forbidden to drive them with traders' plates under the current act. The registrar's powers have also been extended to allow him to permit the use of traders' plates in special circumstances consistent with the intention of the act but not specifically covered by it. The Motor Traders Association has circulated a proposed code of conduct for its members with respect to the use of traders' plates under the new provisions. This is a commendable move which will complement the new legislation.

The bill also gives flexibility in the design and use of number plates by repealing the third schedule and allowing the registrar power to approve the design, type and material of number plates. A further provision is to remove the requirement for a number plate on the front of a motor cycle. This follows representations from the Motor Cycle Riders Association that the front number plate on a motor cycle is of little benefit and may be a hazard in an accident. The police, registration authorities and Road Safety Council have all agreed to this change.

The changes reflect the government's general desire to simplify legal requirements and remove unnecessary restrictions. I commend the bill.

Debate adjourned.

CRIMINAL LAW AND PROCEDURE AMENDMENT BILL
(Serial 102)

Bill presented and read a first time.

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

Honourable members know that section 56(2)(a) of the Criminal Law and Procedure Act permits His Honour the Administrator to remit, with or without conditions, any sentence of imprisonment. At present, section 56 does not make any provision for dealing with the prisoner who breaches any conditions of his release. The only remedial step now available is for the Administrator to revoke the original release order, a procedure necessarily involving considerable delay during which time the community may be at further risk from the prisoner. The bill seeks to rectify this anomaly.

Clause 3 repeals section 56 of the Criminal Law and Procedure Act and substitutes 3 new sections - 56, 57 and 58. The salient feature of the new section 56 is that it retains the power of the Administrator to remit a sentence of imprisonment, with or without conditions, but allows him to vary or revoke the conditions, add conditions or revoke the remission of sentence. The new section 56 continues to allow a member of the police force to arrest without warrant a person who breaches the conditions of his release or whose remission of sentence has been revoked and allows a justice to issue a warrant for the arrest of a person in the same circumstances. By section 56(7), where a person has been arrested

after his licence has been revoked by the Administrator, a magistrate must commit him to prison to serve the rest of his sentence. By section 56(8), where a person has been arrested for a breach of a condition of his remission, a magistrate has a discretion to revoke the remission order. Any decision made pursuant to section 56(8) may be the subject of an appeal to the Supreme Court. The other provisions of the new section 56 are self-explanatory.

In clause 3, the proposed section 57 retains the Admininstrator's power to remit fines, penalties and forfeitures and proposed section 58 retains the provision that the Administrator's powers to remit sentences, fines, penalties and forfeitures do not affect the royal prerogative of mercy vested in the Governor-General.

I commend the bill to honourable members.

Debate adjourned.

LOANS REDEMPTION FUND BILL 1981
(Serial 69)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): The opposition supports the bill and welcomes the establishment of such a fund to cope with the new business that the Territory has entered into of raising loans from the public, issuing securities and so on. As the Treasurer said in his second-reading speech, we have now raised public loans. We have a total outstanding of something in the order of $57m. It is timely and appropriate that the government should establish a loan redemption fund to cope with the increasing amount of money with which it has to deal and to ensure that, if people wish to withdraw their money at the expiration of the prescribed period rather than reinvest it, there will be a ready cash system available. The bill before us does that and it is very worth while.

There is one matter which concerns me and it may well be that there is an easy answer. One never looks at the second-reading speech of the Treasurer to obtain any elucidation. Clause 2 reads: 'This act shall be deemed to have come into operation on 1 July 1980'. It is well into 1981 now. We should have been given an explanation as to why it is that the act should be deemed to have come into operation from 1 July last year. Is that designed to overcome some irregularity? If it is, we would like to hear about it so that we can satisfy ourselves whether what the Treasurer is doing is required or is correct. If there is not anything required, I do not see why the act should not commence in the normal way.

The opposition welcomes this kind of legislation. It is a further step in the entry of the Northern Territory into the financial world. It is a sensible piece of legislation which has our support, but I would ask the Treasurer to explain why the act has to be deemed to have come into effect on 1 July last year.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, this bill relates to public borrowing. The Territory has entered upon the policy of borrowing money from the public and that money is to be used by statutory authorities. In the process of this, securities are issued against which the borrowings are made. At various intervals, interest is paid. At the maturity date, the face value of these securities can be redeemed. This could mean a large repayment to lenders at that particular time. The purpose of this fund is to cover the liabilities of the Territory in relation to borrowing. The liabilities are the interest, the brokerage fees for the handling of the securities and, eventually, the face

value of the securities. This bill seeks to set up a fund to cover these.

When securities are about to mature, investors will be given the opportunity to convert to new securities. This bill will ease that operation. The statutory corporations will have to have made contributions to this fund. The bill allows the Treasurer to determine the rate of contributions and also will allow for variations in that rate from time to time. Nobody can determine how many people will want to cash in their securities and how many people will want to convert. The situation could arise whereby the fund may not have enough money in it temporarily.

The bill will allow the investment of funds that are held in this loan redemption fund for the benefit of the Territory. This is a decision that the Treasurer will have to make. He will have to decide whether it is best to loan out the fund money which is not needed immediately or to use it to reduce the public debt. If the situation arises where this fund is temporarily embarrassed, there is a provision which will allow the Consolidated Revenue Fund to come to its aid. This is a good thing because it gives the lenders a guarantee that they can get their money when their securities mature. If the situation arose, the Treasurer would have to go back to the various statutory corporations and increase, for a time, the rate at which they had to contribute. This is normal procedure for any government borrowing money from the public and it is a method of covering the liabilities to the best advantage of the Territory. I believe the bill sensibly covers all it sets out to do.

Mr PERRON (Treasurer): Mr Speaker, in response to the question raised by the Leader of the Opposition as to the operation date, I apologise for not having covered that in my second-reading speech. The reason is that it is proposed that this legislation be brought into operation this financial year as it is proposed to levy the statutory authorities which will be contributing to this fund this financial year. That in essence is the reason why the fund has been deemed to have been established for the period of this financial year. I do not know that it is terribly important for the purposes of the legislation. If we had a commencement date of 1 June this year, it would still pick up the authorities' responsibilities to contribute to the fund this financial year. However, it has been deemed that 1 July is a suitable time and I do not see any particular problems with that in view of the principle that is involved, and that is to commence the fund this financial year.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

HOTEL-KEEPERS BILL 1981
(Serial 66)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, this is a most important piece of legislation. When members travel interstate and stay at a hotel and see on their hotel room door a little notice such as 'Innkeepers Act 1825', perhaps they may wonder why there are no such notices in Northern Territory hotels. Now they will realise that the reason is that we have not had a hotel-keepers act. It is important that we establish such a piece of legislation so that people who stay at hotels and other places which are covered by this act know the liabilities which the hotel-keeper has, the extent of those liabilities

and also what a hotel-keeper can do if bills are unpaid. It is a most important piece of legislation and I believe that, so far as it goes, it will do the job admirably.

The purpose of the bill is to establish the liabilities of hotel-keepers with regard to property owned by guests. Where the goods of a guest are damaged, the liability of the hotel-keeper is a maximum of $200 except in those circumstances where the hotel-keeper is at fault by way of negligence, wilful acts or damage or where the guest has deposited with the hotel-keeper goods to a value in excess of $200 and the hotel-keeper has mislaid them or whatever. In those cases, the liability is the value of the goods deposited.

On the other hand, a person who stays at a hotel has certain obligations. His major obligation is to pay his way and, if he does not pay his way, then the hotel-keeper has to have some method of recoupment. At law, in any event, the hotel-keeper would have certain rights which, in some cases, may be pretty difficult in fact to pursue. In a case where a guest leaves behind certain goods and the bill is unpaid, this piece of legislation enables the hotel-keeper to sell the property of the guest if the bill remains unpaid in excess of 28 days. He has to go through a procedure whereby those goods can be sold by way of public auction. The person who owns the goods has to be notified by registered mail. There has to be an advertisement in a newspaper published in the area where the hotel operates and so on. Once the goods have been sold, the hotel-keeper is entitled under this legislation to recoup the money owing and, if there is any money left over, that money can be sent to the person's last known address. If that cannot be done then it goes to the Public Trustee as unclaimed money.

There is a provision that a notice concerning loss or damage to the property of a guest shall be displayed in hotel rooms and that must be an added asset to the development of our hotel and tourist industries. As the Chief Minister said, with the increase of the tourist industry, it is important when people stay in hotels that they know they have certain obligations and that hotel-keepers have certain liabilities. I was interested to note from the Chief Minister's second-reading speech that this legislation is modelled to a great extent on New South Wales and Victorian legislation. There can be no doubt that in legislation of this kind, uniformity throughout Australia would be a very great asset. I look forward to the day when we have uniform legislation throughout Australia relating to the liabilities of hotel keepers. Until that happens, I believe that this particuler piece of legislation will stand the Territory in good stead.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of this bill. The Chief Minister introduced it by commenting on the importance of tourism in the Northern Territory. I agree with those comments. Tourism does play a very important part in our economy. The Northern Territory has a great deal to offer people who want something different. We do have a free and easy way of life, although I do not want that confused with the sloppy and animal-like behaviour of some of the people here at the present time. We also have a number of novel activities such as the Camel Cup, the Beer Can Regatta and Henley on Todd. We also have a number of festivals such as the Bougainvillea Festival. Together with the beautiful scenery that we have - the red Centre, the Kakadu National Park, Katherine Gorge, the escarpment country - these activities look good in the many brochures and films that are put out to promote the product. That product is the Northern Territory. The Northern Territory government and private operators have been very successful in selling the Northern Territory. What worries me a little is that, in some cases, the job has been done too well. I do not mean that as a criticism because I do not believe that we should criticise a job well done. I think that many of the tourists who come here are leaving somewhat disappointed and it is generally because of lack of accommodation facilities. This happens not only in Darwin; it happens also in Katherine and

Alice Springs. I understand Katherine is booked out already for many days this coming tourist season.

Many conventions, conferences and seminars are held in the Territory at this time of the year because of the lovely weather. They are placing a great strain on accommodation which is used for tourist purposes. I say these things because I believe that, at present, the promotion is outstripping the facilities and the services that are available to the tourists. We have a responsibility to ensure that development is encouraged, and the government is doing that. The Northern Territory Development Corporation has encouraged people interested in developing accommodation units. We should assist developers to obtain the necessary approval for their developments. In the long term, adverse comment on facilities and services available in the Northern Territory could do a great deal of harm to what is a booming industry at present. We need more tourist accommodation and, until we have that, I believe that we have to be very careful as far as promotions are concerned.

It is obvious from comments that I have received that there is still a great deal of confusion as far as the liability of hotel-keepers and guests is concerned. Some still feel that failing to pay a hotel bill is not an offence. There was a case 12 months ago. I refer to this as the case of the 'hotel-stayer non-payer' for want of a better title. After he had stayed at a hotel for a few nights, this particular character would roll up to the reception desk covered in blood and looking a mess. He put over the story that he had been mugged in the park, lost all his money and could not pay the bill. After investigation, it was found that this chap had carried out similar performances in other parts of Australia and indeed in other parts of the world. He inflicted injuries on himself. He cut himself with razor blades and presented himself at the reception desk with the story that he had been mugged in the park. The police said that there was nothing they could do about him.

I understand that there was an amendment to the Criminal Law Consolidation Act in 1979. Under this particular act, any person who signed the register and received benefits was liable for prosecution if he did not pay his hotel bill. That is the type of situation which is covered under the Draft Criminal Code. I mention that because there has been confusion, and there still is, as to whether non-payment was in fact an offence.

There are 3 clauses I would like to make comment on. The points I am raising have only recently come to my attention and I have not been able to discuss them with the Chief Minister. They deal with tightening up the bill itself. Clause 7 deals with the liabilities concerning vehicles and property left in vehicles. The situation could arise whereby property could be left on a vehicle fitted with a roofrack. Perhaps consideration could be given to including 'or on a vehicle' in clause 7.

Clause 9, dealing with a lien over guests' property, was commented on by some hotel people. They felt that this clause was useless to some degree because many people who could not afford to pay a bill would not have a great deal of property anyway. Nevertheless, they still accept that this clause should be included.

The only part I query is the omission of the word 'drinks'. It says: 'food, accommodation or services'. I think that services include such things as laundry and would not include drinks. I think that perhaps it should be spelt out. In clause 10, the same thing would apply. I feel 'drinks' should be included. It is also interesting to note in clause 10 that, when a hotel-keeper's charges remain unpaid for a period of 28 days, the hotel-keeper is able, without any prior notification, to place an advertisement in the paper saying that he is

going to sell the property over which he has a lien. I believe that there should be a requirement that the hotel management send out an account or at least try to notify the person that money is owing before his name appears in the paper. I believe that reasonable effort on the part of the hotel management should be made to notify this person that there is money outstanding.

I have had a couple of firsts this year. First, I missed a plane to Alice Springs which I guess everyone has heard about. The other first was the time I failed to pay a bill at a Katherine hotel. The reason for this was that I had to get back to Darwin quickly. I left at some unearthly hour in the morning - I think it was 5 o'clock - and I was unable to contact the management. I did not leave my bag there but I left a message with someone at Katherine that, if they sent me the bill, I would pay. All I bring to your attention is that I did not get an account until the second month and I had forgotten all about it. After 28 days, I could have read my name in the paper as owing the money. Perhaps consideration should be given to trying to notify the person that there is an amount outstanding.

I query the word 'area' in clause 10(2)(a). There are occasions where hotels do not have newspapers circulating in the area. I feel that it was intended to mean a newspaper published and circulating in the Northern Territory. After all, a person who has nicked food from a hotel at Elliott is not going to hang around in Elliott. I think it would be far better to have advertisements placed in a paper circulating right throughout the Northern Territory.

Mr Speaker, I agree with the Leader of the Opposition. It is an important bill. It has the acceptance of those in the industry and I applaud it.

Mr D.W. COLLINS (Alice Springs); Mr Speaker, I think the importance of this bill is realised when one examines the present situation and realises just how difficult it is under common law and the law of torts to try to obtain some compensation for goods that have been damaged, lost or stolen. If you had your suitcase stolen with all your property and clothes in it and you lived interstate or even overseas, it would be extremely difficult to fight legal battles to obtain compensation. One would give up before one even started.

The intention of the bill is to make quite clear the hotelier's responsibilities, liabilities and rights. In that regard, it is most important. The definition of 'hotelier' is important. A hotelier is not just a person who runs a licensed hotel. He may run an unlicensed establishment; for example, a guesthouse. There are certain notable and reasonable exclusions: caravans, tents and cabins. It is more difficult to protect the property of guests in these places and it is a reasonable point to draw the line. The definition of 'guest' is someone who has hired sleeping accommodation. That is perfectly clear. It is not just someone who is at the hotel for some short-term purpose such as having a meal.

The bill seeks to allow for a maximum of $200 as the liability of the hotelkeeper against damage or stolen property provided, of course, that a notice is displayed. This must be displayed prominently in the hotel and in the guest rooms so that people know exactly where they stand. If it is not displayed, then they have the right to try to redeem the full value of the goods stolen or damaged. The $200 limit is waived if it can be shown that the hotelier or his servant is guilty of an offence or has been negligent. The other point is that if the guest asks that certain items be stored away safely and they are stolen when under the safe custody of the hotelier or if the hotelier or his servant refuses to accept those goods and they are stolen or damaged, then full liability falls to the hotelier.

A motor vehicle is entirely the responsibility of the guest. The hotelier has no liability for damage to the vehicle or any goods that may be in it. By the same token, he has no lien over the motor vehicle or the goods therein in regard to any debts which are not paid. There is a defence for the hotelier: if the hotelier can demonstrate that the guest was at fault and could be shown to be the cause of why the goods were stolen or damaged or if the guest had assumed exclusive possession over the accommodation.

I would disagree a little with the member for Port Darwin on the business of non-payment of debts. I thought it would have been quite clear that hotel bills are normally paid on departure, but I suppose, in these days of credit cards, things may be a little different. Then again, some do charge in advance. I do not think it a bad thing that, after 28 days, the hotelier may take property because people have not paid their debt. Those people know that the hotelier is holding property and, if he wants to auction it off to redeem part or all of the debt, they know that they have lost the property. I do not see any grave point there. They know that they are liable for the debt and they should do something about it. Of course, there is a possibility that some people may want to get their names in the paper. Some people seek publicity and this could be one way of gaining it. I would agree that it could be a bit embarrassing to be involved in a case of non-payment of one's debts, but that should help to expedite the payment.

This particular point interests me considerably, Mr Speaker. Recently, the Salvation Army Captain in Alice Springs said to me that one of his biggest problems regarding non-payment of debts is that the Department of Social Security people ring up pleading for the Salvation Army to take on certain people who are seeking accommodation. The department will not pass over cheques to the Salvation Army so that it can take out its costs; it gives the money to the guest. The guest stays for a time and then shoots through. This sort of guest does not have a great deal of property but, even if it is a token amount, it can be claimed by the Salvation Army to try to recoup some of its losses. It could be an advantage. It would be even better if the Department of Social Security would pass some of the money over to the Salvation Army but that is a federal matter.

I believe that this bill puts the liabilities, responsibilities and rights of hoteliers and guests quite clearly. It is easy for the average person to understand. I commend the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I have noted the comments of honourable members and their general support for the bill. A few minor criticisms were raised by the honourable member for Port Darwin, some of which I intend to cure by proposing a few very minor amendments in the committee stage. The amendments do not run into more than 1 or 2 words each. There are only 4 of them. They have only just been prepared so I have not been able to circulate them. I think they will assuage some of the concerns of the honourable member for Port Darwin. I do not share his concern about newspapers so I do not propose to do anything about that at this time. I believe that, if someone leaves a hotel at some extraordinary hour of the morning, perhaps he should make arrangements to pay the bill the evening before. Indeed, I feel the liability is on the departing guest to be in touch with the hotel about settling the account rather than the hotel chasing the guest who departs without notice. That is my view at this time.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 6 agreed to.

Clause 7:

Mr EVERINGHAM: Mr Chairman, I move that clause 7(1) be amended by the insertion of the words 'or on' after the words 'left in'.

This relates to a concern that you had, Mr Chairman.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8, agreed to.

Clause 9:

Mr EVERINGHAM: I move that the word 'drink' be inserted after the word 'food'.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10:

Mr EVERINGHAM: Mr Chairman, I move an amendment to insert the word 'drink' after the word 'food' in subclause (1).

Amendment agreed to.

Clause 10, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

PETROLEUM (PROSPECTING AND MINING) AMENDMENT BILL
(Serial 81)

Continued from 4 March 1981.

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to express the opposition's support for this bill. Its effect is to insert a schedule of implied terms and conditions on every lease issued for the prospecting and mining of petroleum. Quite often, terms and conditions such as this are prescribed by regulations. However, I believe in terms of the elimination of doubt and ambiguity, it is preferable to cater in the principal act for what can be foreseen rather than to do it by regulation under section 117 of the original act in respect of the Mereenie leases and that the intention is to repeal those regulations when this bill passes through this Assembly. Since the terms and conditions are fairly extensive, we prefer to see them in an act rather than in regulations.

I will turn now to the schedule which I found to be quite comprehensive. Its effect is that every lease will be subject to these standard terms and conditions. The matters covered are fairly wide-ranging and I am delighted to see some of them there. An interesting one is condition 4 which requires that the lessees must comply with all other laws in force at the time. Honourable members might think that this should go without saying. It is amazing how often a lessee can avoid compliance with other laws simply by arguing the superiority of a particular act over a regulation or bylaw under some other act. It is as well

for us to spell it out in the principal act and thus remove any such loopholes.

There are also some provisions for the restoration of areas that have been mined. We have raised this quite persistently in the past in relation to mining matters. In condition 9 I am pleased to see that there is a clear direction and a time limit within which the lessee has to undertake certain action on evacuation of the lease, namely the restoration of topsoil and vegetation from areas that have been disturbed. In condition 7, we find a requirement on the part of a lessee to conserve and protect the natural resources of the land.

I was a bit concerned that there might not be any method for exacting a penalty for default but I see that, in condition 10, the minister has reserved the right to cancel the lease if the lessee defaults on any of the conditions which are provided in this schedule. I draw attention to another significant condition. Condition 11 outlines the obligations of the lessee in relation to Aboriginal land and the agreement struck between the land councils and lessees under the Aboriginal Land Rights (Northern Territory) Act of the Commonwealth. In this Assembly, we have been accustomed to prescribe terms and conditions by regulation. However, because of the extent of mining, modern techniques and the areas that can be subject to this sort of lease, we certainly support the insertion of the schedule into the principal act.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this bill, I would like to say that it is in keeping with the government's intention to ensure conservation and rehabilitation of the environment after mining. The changes put forward in this bill are intended to make the act compatible with the Mining Act which has no regulations yet. The mining industry still operates under the old act. This bill also seeks to provide terms and conditions for leases. Clauses 7 and 8 deal with ministerial discretion which is necessary in any legislation. Clause 6 deals with the grant of licences. It inserts a schedule into the principal act for the terms and conditions that can be applied to a petroleum lease. The schedule is quite comprehensive. It can be seen that the minister can impose all sorts of conditions, including environmental and rehabilitation conditions. Previously there were no requirements for these. The schedule indicates the government's concern for the use of the environment by future generations.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank members for their support. It is most important that we are able to impose in law requirements upon leaseholders to do certain things.

Motion agreed to; bill read a second time.

See Minutes for amendment to clause 2 agreed to without debate.

Bill passed remaining stages without debate.

PETROLEUM (SUBMERGED LANDS) BILL
(Serial 87)

Continued from 4 March 1981.

Mr SPEAKER: Honourable members, I have message No. 5 from His Honour the Administrator:

I, Eric Eugene Johnston, the Administrator of the Northern Territory of Australia, pursuant to section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill entitled a bill for an act to make provisions with

respect to the exploration for and the exploitation of the petroleum resources and certain other resources of certain submerged lands adjacent to the coasts of the Northern Territory and for other purposes.

Dated this 4th day of June 1981.

E.E. JOHNSTON
Administrator

Ms D'ROZARIO (Sanderson): Mr Speaker, this bill is a new one for the Northern Territory legislature. In a sense, it is complementary to 2 other pieces of legislation, one being a federal act and the other being an act of the Northern Territory Assembly. This bill will be complementary to the federal Petroleum (Submerged Lands) Act of 1967 and also the Northern Territory Petroleum (Prospecting and Mining) Act. The federal act deals with the area beyond the 3-nautical-mile territorial limit and the effect of this bill is to give authority to the Northern Territory government in respect of petroleum mining operations within the 3-nautical-mile territorial limit.

At the moment, Mr Speaker, there is a loophole in the authority that we can exercise. The Northern Territory has sole authority only in respect of on shore petroleum mining activities under the Northern Territory Petroleum (Prospecting and Mining) Act. Whilst the Commonwealth has some control over offshore petroleum mining, there is the question of offshore petroleum mining within the 3-mile limit. The 3 acts together - the Commonwealth Petroleum (Submerged Lands) Act of 1967, the Northern Territory Petroleum (Prospecting and Mining) Act and this proposed act - will give a comprehensive legislative package for dealing with all petroleum mining activities on shore and offshore. The other effect of these 3 pieces of legislation taken together is that they will clarify certainly the respective roles of the Commonwealth and the Northern Territory in respect of offshore activities.

This bill is complementary to a federal act. We are bound to legislate for petroleum mining within the 3-mile limit by an agreement of 1967 which is spelt out in full in the recitals to this particular bill. I refer members specifically to paragraph (c) on page 2 in which the agreement binds us to legislate in respect to 'the exploration for the exploitation of the petroleum resources of such part of the submerged land in an area adjacent to the Northern Territory as is on the landward side of the waters referred to in paragraph (a)'. The waters referred to in paragraph (a) are the landward areas within 3 nautical-miles.

The specific provisions of this bill follow a parallel approach to the granting of exploration permits and licences and the registration of interests contained in the Mining Bill recently enacted in this Assembly. I have attempted to read through every section. I cannot guarantee that I have understood the full implications of each section. It is an extremely complicated piece of legislation. We support the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, the federal government passed legislation called the Petroleum (Submerged Lands) Act in 1967. It designated the states and the Northern Territory to administer the offshore drilling and things like that. All the states since that time have passed complementary legislation and usually the Minister for Mines is the designated authority. When the Northern Territory was Commonwealth land, there was no need for a special act and the Minister for the Northern Territory was the designated authority. With self-government, a complementary act is necessary and hence the reason for this bill by which our Northern Territory Minister for Mines becomes the designated authority. This bill is an extremely involved piece of legislation dealing with national and multi-national companies and offshore oil drilling and gas exploration.

It will be followed by relevant regulations and directions.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank honourable members for their support. I would like to touch on a point raised by the honourable member for Tiwi. For the last 3 years at least, the Northern Territory offshore administration so far as oil and gas exploration is concerned has been conducted on the basis of the Northern Territory minister being a delegate of a federal minister who is the designated authority. I would like to record my appreciation to the federal government and the federal civil servants who have worked with our own officers of the Department of Mines and Energy for the cooperation we have had from them during the last 3 years. It has not been an easy area of administration. It has taken a great deal of goodwill on the part of many people and I for one am grateful for it. I thank honourable members for their support.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Mines and Energy) (by leave): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

PUBLIC TRUSTEE AMENDMENT BILL
(Serial 78)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, the legislation before us provides a number of amendments to the Public Trustee Act, an act of the Northern Territory which is operating extremely well. If one reads the report of the Public Trustee, it appears that the legislation is the envy of other state administrations. Having read the report, I believe that the Public Trustee Act is operating extremely well under very good administration.

The Public Trustee Amendment Bill before us seeks 3 minor amendments to the Public Trustee Act. The first is in relation to the setting of rates of interest for the various estates which are handled by the Public Trustee. Current legislation allows the Public Trustee to set only one rate for all estates in his care. In other states, the Public Trustee is empowered to differentiate between those estates which will be in his care and control for a long term and those which will be only in his care for a short term. It is quite unreasonable to penalise those estates which will be in his care for a long time. The amendments to section 21 of the principal act will enable the Public Trustee to operate under differing rates.

The second amendment is a mechanical matter. Currently, under the Public Trustee Act, the Public Trustee is given control of properties vested in him but is required to apply to the minister to operate or manage those estates. It seems quite silly that where a property is vested in the care and control of the Public Trustee by a law of the Territory, he then has to apply to the minister to administer that estate. It seems quite proper that where the property is vested in him by some other law of the Territory, it is deemed that he is in fact the manager of that estate. The amendment contained in clause 11 adds a new section 59A which is appropriate.

The third amendment adds a new section 67A which sets out a procedure for the Public Trustee to dispose of property of an intestate person where there are no relatives or next-of-kin. As pointed out by the Chief Minister, there is a difference between a person who dies and in fact has no next-of-kin or relatives and one whose next-of-kin are unknown. A process is set out in proposed section 67A

which will enable the Public Trustee to appropriately dispose of the property. The net proceeds of the sale of that property go to the Consolidated Fund.

Mr Deputy Speaker, the Public Trustee Act is working well and it is being administered efficiently and effectively. On behalf of the opposition, I support the amemdments.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

PALMERSTON DEVELOPMENT AUTHORITY BILL
(Serial 91)

Continued from 4 March 1981.

Mr BELL (MacDonnell): Mr Speaker, this bill will create a management structure, the Palmerston Development Authority, which shall oversee and coordinate the development of Palmerston for the next 5 years. The authority will provide direction and management services to a number of private developers who will be invited to do the work of land production and development. The function of central control over business activity is therefore intended to rest with the Palmerston Development Authority. The overall structure will contain elements of public control and private enterprise in what is hoped will be the correct proportions.

I want to consider the advantages of large private sector involvement. Land production and housing development in the Territory is the domain of the private developer. The ideological persuasion of the Northern Territory government leads it to perceive advantages in turning over the work to private developers who are experts in their field. While it has not been conclusively demonstrated that private enterprise can develop land to the turnoff stage more cheaply than can government, it is generally acknowledged that it can do the work more quickly. The time factor, considered within the context of the Territory's critical housing shortage, is crucial.

One matter of concern that I would like to raise is whether the bill sacrifices planning constraints to the desire for speedy development. According to the bill, the Palmerston Development Authority will exercise certain powers and perform certain functions. The Northern Territory Planning Authority will act as the consent authority for the subdivision and development applications. The authority therefore has a wide-ranging ambit of power in relation to planning and development. Its management role must necessarily include a watchdog function. We must decide whether the Palmerston Development Authority can perform this function as satisfactorily and comprehensively as the Northern Territory Planning Authority. The Northern Territory Planning Authority's activities are directed and regulated by the Planning Act which, subject to a number of changes, will apply to the Palmerston area.

The major difference occurs in the preparation of draft planning instruments. The purpose of a draft plan is to designate areas within a town to which a range of development or usage options may be applied. Hopefully, orderly and appropriate development will ensure limitations on use. The creation of a draft plan under the Planning Authority is subject to an exhibition period during which people may make submissions to the Northern Territory Planning Authority in relation to the draft plan. Notice of the exhibition and calls for submissions are widely

circulated. The planning process for Palmerston, according to clause 16(3) of the bill, does not include this exhibition period. That is a matter of some concern.

The rationale for this may be the fact that there are no interests in the Palmerston area currently. Besides, the Palmerston Development Authority obviously needs to get on with the job and an exhibition period of as long as 28 days may slow the process considerably. We must make a judgment on the relative merits of both sides of the argument. On the one hand, we need to bring land to the turnoff stage with minimum delay and provide incentives to developers and, on the other hand, we require orderly and appropriate planning. The legislation gives wide-ranging powers to the Palmerston Development Authority to determine land usage. It is necessary to establish the likely roles of the authority and private enterprise in the planning and development of the town. Ultimately we must be sure that private enterprise will not dictate or unduly influence planning decisions over which the authority should have firm control. Good planning principles should not be sacrificed to entrepreneurial over-enthusiasm.

The purpose of a body such as the Palmerston Development Authority is to bring together people who have particular talents and capabilities so that they may solve these problems in the best way possible. In this particular case, the people being brought together are public servants. We are forced to wonder whether it is necessary to create an authority under these circumstances. The bill will also give power to the authority to borrow money and the government departments are already letting contracts before the authority has been created under this proposed act. We are compelled to wonder why it is not possible to continue in this vein when the authority - according to the information that is available to me - is entirely composed of public servants.

To conclude, broadly the opposition supports the bill. We recognise the need for speedy land production and development. We recognise that Palmerston may demand certain planning structures that may be somewhat extraordinary and we believe that the Palmerston Development Authority may be the best such structure. However, we sound a note of caution as I have indicated today.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would like to say at the outset that I am not putting the cart before the horse but, in considering the Palmerston Development Authority Bill, not only must the development of Palmerston be considered but also the future conduct of Palmerston and how it will relate to other places. In all seriousness, the development of Palmerston cannot be considered in isolation. It has to be considered in relation to the city of Darwin and the rural area. The boundary of the city of Darwin is about 6 miles away and the new city of Palmerston will be developed on that boundary. This will mean that its furthermost boundary will be smack against the rural area. As I understand it, the boundaries which were proclaimed on 1 May this year are bounded by these places on the landscape: the railway line, the Elizabeth River, the Yarrawonga Zoo turn-off and the Howard Springs turn-off.

In considering the development of Palmerston, I cannot accept that it can be done in isolation. I would like to think that it will not be so done and that the people I represent will have some definite say and their opinions will be considered. I will discuss this further when I come to it in the debate on the bill.

The first thing that I would like to comment on is the expiry date which is given as 30 June 1986. I have been informed the development authority must hand over to the planning authorities before that date. Some areas could be handed over before that date. Clause 5 relates to the composition of the authority. We read that it will be composed of a chairman and 3 other members who shall all be employees within the meaning of the Public Service Act. I seem to

remember that the honourable member for Arnhem said that new employees would fill new positions in the public service. This is not my understanding. I may be wrong in assuming that, but I have been told that existing public servants will be appointed to the authority. There will be no need to incur more expense through the provision of salaries for more public servants. If these public servants are to act in a temporary capacity, I assume it will not be a full-time occupation but probably part-time. If it is to be a full-time occupation, I imagine there will be a backfill in the public service to fill acting positions. Subclause (3) contains a new idea. Alternates will be able to attend a meeting in place of the appointed members. I think that is to be applauded because it will ensure continuity of ideas and work. It will help also in the actual day-to-day running of the authority if there are no problems with quorums.

Clause 8 relates to disclosure of interests. I have no argument with a member declaring a direct pecuniary interest but I wonder how indirect an indirect pecuniary interest has to be before it is considered. It seems to me that the concept of an indirect pecuniary interest could be carried from one extreme to the other. I am not certain if this wording appears in other acts. I think it will need more definition in particular cases. Some common sense will have to be applied here.

I am concerned about clause 9 which says: 'The authority may establish committees for the purpose of advising the authority'. I think this is a very good idea. On those committees, I would like to see people who represent the rural area in different, special interests. The development of Palmerston will affect the rural area in almost every facet of life.

Yesterday in the adjournment debate, I spoke about the establishment and future of the Humpty Doo primary and high schools. I have spoken previously on this subject; I know there are questions in Hansard. I asked many months ago what would happen about schools at Humpty Doo. The answer given was that perhaps the Palmerston school should be considered before schools in the outer rural area at Humpty Doo. Any committees formed must be representative of the people most directly affected by Palmerston. The people in the rural area will be affected more than people in Darwin itself. From the very start of the construction of Palmerston the people in the rural area will be affected by the greatly increased traffic flow on the roads. In the beginning, there will be heavy machinery on the roads. There is only a single lane in and out on the Stuart Highway at the moment. Instead of a normal run of about 30 minutes in busy times or 20 minutes during offpeak hours from our place at the 13-mile into town, that time could be increased to something like 45 minutes at least.

Another consideration is fire protection services in the rural area. A sum of $400,000 was allocated in last year's budget and I think it also appeared in the previous year's capital works program for the building of a fire station at the 19-mile. Despite this, the whole area of that fire station was cancelled. With the establishment of Palmerston, I hope that we will get a more rational plan of fire protection in the rurual area. This will apply not only to Palmerston but also to the people who have been out in the rural area for many years. The people in the rural area have expressed no opposition whatsoever to the establishment of Palmerston, but it has been put to me that they think that they may be considered as second-class citizens.

I found clause 10 to be interesting in relation to delegation of powers of authority. I found subclauses (1) and (2) easy to understand but I had difficulty understanding subclauses (3) and (4) . I understand that the intended meaning of subclauses (3) and (4) is that any power or function delegated shall be deemed to have been done by the authority. I also understand that a delegation given by the authority does not prevent the authority itself from doing

the same thing. That is not clear to me from subclauses (3) and (4). I spoke to the minister about this and he intimated that this will be considered in any future amendments.

Clause 13(1)(a) empowers the authority to acquire, hold or dispose of any interest or right in or in relation to real or personal property. I would like assurance that acquisition will take place in rare cases only and then after all other avenues of acquiring the land have been explored.

Clause 15 states that the Palmerston Development Authority will not own any land in its own right. The broad acres out there now are still owned by the Northern Territory government. Conditional crown leases with powers of development will be issued. An example would be if the authority selects Smith to do the development out at Palmertson, it would then contact the minister and ask for a conditional crown lease with powers of development for Smith. In this way, the bureaucratic handling of the transaction would be lessened and there would be the saving of one transfer.

I queried clause 16(2) in which it seems that the Northern Territory Planning Authority is passed over and the local authority is passed over. As there is nobody there at the moment, the Palmerston Development Authority would start the development.

In conclusion, I would like to say again that the development of Palmerston cannot be considered in isolation. In the appointments to committee, I hope that people in the rural area who are competent in various fields are represented because the development of Palmerston will affect people in the rural area vitally.

Ms D'ROZARIO (Sanderson): The honourable member for Tiwi is quite right when she says that the development of Palmerston cannot be considered in isolation. For years the people of Darwin city proper and the Darwin rural area have lived with this rather obvious hole in the middle of what might loosely be called the greater Darwin area. She is correct when she says that there will be some effects following the development of Palmerston for people who have settled, in vast numbers, beyond the boundary of the acquisition area. I certainly hope that the views of those people will be taken into account at all stages of the development. This bill is extremely interesting from many points of view and I would like to make a few remarks on its provisions. I have some fairly detailed questions of the minister which I would like to ask him in the committee stage. They are quite numerous and some can only be answered by reference to particular clauses.

Mr Speaker, I had hoped that we would obtain from the minister's second-reading speech a detailed impression of the government's attitude to the task of the authority. However, the minister did not go quite far enough. I think that is what prompted the remarks by the honourable member for MacDonnell. He made some reference to the Palmerston Development Authority acting in a manner similar to a planning authority. I think it is necessary to point out, and perhaps the minister should have done so, that in fact we are not speaking about a planning authority. We are not even speaking about a development authority. We are speaking more precisely about a construction authority which is completely different.

However, as has been pointed out by the member for MacDonnell, the issue has been confused by giving the proposed new authority some powers and functions parallel to those that are discharged by the existing Northern Territory Planning Authority. In my view, the minister has tried to strike some sort of middle course for this authority to follow. Certainly, from the provisions of

the bill rather than from the second-reading speech, it is quite clear that the prime task of the authority is actually to construct a settlement in Palmerston rather than to do certain other peripheral things. One of the reasons that I say it is a construction authority is that there is a specific expiry date when this authority terminates. That is to be found in clause 2 of the bill which I interpret differently from the member for Tiwi as saying that the act shall expire on 30 June 1986. It does not really allow for an expiration before that date. It is unlike the other acts with which we have had experience; for example, the Darwin Reconstruction Act which placed a maximum life span of 5 years on that commission which of course meant that it could terminate before expiration of that time. That is exactly what happened. This particular bill says it will expire on 30 June 1986.

Mr Speaker, we do not usually set such rigid times for the completion of tasks by planning and development authorities but it is usual to put them on construction authorities. That was what was slightly confusing about the minister's speech. When he outlined the major tasks which the authority would discharge, he mentioned particularly the forward costing, on a 5-year basis, of all capital works expenditure. That is the 5-year period that we find in this bill. However, it is quite evident - and I wonder if the minister can clarify this for me - that the continued existence of Palmerston after that 5-year period will require some capital works programming and budgeting. It is not correct to say that the capital works projects will all be completed by the time this authority terminates. We are talking about a settlement between 30,000 and 60,000 people and we have to assume that the needs of these people will not all be completely fulfilled within 5 years. In fact, it will not be settled even to the extent planned within the 5-year period that we talk about in this bill.

The minister spoke about other functions such as the co-ordination of the roles of government departments and private developers. These roles will naturally extend beyond 30 June 1986. Again we are talking about the continuing participation of whoever is in charge of this settlement with government departments and private developers. It would be naive to think that private developers will not be involved in the development and construction of Palmerston beyond 30 June 1986. It would be even more naive to suppose that government departments will not have any involvement. What I am trying to point out is that, whilst we are given this hard and fast cut-off-point, the minister has also said in his second-reading speech that there will be some ongoing activities which will always involve government departments and private developers. I say all this because I think there is a great deal of confusion about the particular role of this authority. Certainly, it looks to me as if it will be more of a construction authority than a planning or development authority.

Mr Speaker, the next point of interest is one that has already been touched upon by both the previous speakers: the composition of the authority. We have in this legislature some experience of setting up authorities to plan, construct and manage human settlements. Indeed, only recently in this legislature we passed the Jabiru Town Development Act which does the same thing except on a smaller scale. That particular settlement is supposed to be for no more than 3,500 people whereas here we are talking of a settlement of 60,000 people. I draw a parallel between this particular authority and that one because I see their tasks as being very similar indeed. The Jabiru Town Development Authority has been set up to construct the town Jabiru in connection with the uranium mining activity that is taking place and here we are talking about a settlement as an extension to the Darwin urban area. Nevertheless, we must acknowledge that whether or not Jabiru is set up as an appendage to uranium mining activity, long after the uranium has been mined and sent off, it will be an enduring town. It will not simply close down. That is not the history of mining towns in the Northern Territory. They all endure. They might take a new direction but

certainly we do not expect the investment that has been put into such a township to be pulled out so that the town just dies. We must acknowledge that that town will endure for many years to come.

In the case of Palmerston, we are certainly speaking about a permanent settlement, an extension to the Darwin town area established particularly to meet the demand for urban land. I think it is appropriate to draw some parallels between the composition of the Jabiru Town Development Authority and the composition of the proposed Palmerston Development Authority. In the case of the Palmerston Development Authority, we have a provision in clause 5 of the bill that it will consist of a chairman and 3 other members. Again, I remind members that this is for a much larger settlement. In the case of the Jabiru Town Development Authority, we have a chairman and up to 6 members for a township of 3,500. The job is certainly not quite as complex as the Palmerston settlement owing to the amount of work that is done by the participating companies in Jabiru.

I am not necessarily making out a case for a larger authority. The point that I am coming to is the particular requirement that all the members and the chairman be public servants, as the members for Tiwi and MacDonnell have noted. Mr Speaker, that has not been explained to us by the minister. In fact, in his second-reading speech, he was again unhelpful by saying that the bill is not dissimilar to other legislation which we have passed to form government authorities. I see this as quite a significant dissimilarity for which there is no explanation.

If the authority is to be composed simply of members of the public service and subject to the direction of the minister by virtue of the fact that public servants are subject to the direction of various ministers, then what exactly is the need for this authority? That has not really been explained. It could, however, have something to do with the specific powers and functions which are described in clauses 12 and 13 of the bill, which again are significantly different in one respect from the powers and functions of other authorities that we have set up by legislation.

Mr Speaker, the minister hinted about why we needed a new authority. I am certainly not saying that we do not because I do not believe there is presently a mechanism for dealing with this type of atypical development. But it is not explained why it should be staffed by public servants and not other people who might be able to contribute. The minister said that to date the exercise of private land development had been one of cooperation and assumed authority rather than one which had an authoritative structure. This Assembly should be able to scrutinise activities in the Territory. I am certainly not putting up a case for not having an authority. I am merely asking the minister for an explanation of the prescribed qualifications of the members.

The other point which I would like to make, and which has already been touched on by the member for Tiwi, is that quite a lot of activity will have taken place in connection with the development of Palmerston before this bill has passed through the Assembly. I might point out some of the things that have taken place. The town boundary has already been proclaimed under the Crown Lands Act. The Palmerston town area has been specified. I note the definition of Palmerston town area is 'the area from time to time included within the boundaries of Palmerston by proclamation under the Crown Lands Act'. That proclamation appeared in the Gazette of 1 May 1981. The next significant thing which took place was that, in that same publication, there was an invitation for application for leases of crown land in the proposed township of Palmerston.

This invitation will close on 26 June - well before this legislation will have received assent. It is stated that the successful applicants will be granted

leases for the purpose of subdivisional development of the land into suburban areas and it shall be required as a lease condition that the successful applicant fully service the land in accordance with any relevant subdivisional consent and in accordance with a subdivisional agreement with the Territory government with respect to roads, electricity, street lighting, walkways, footpaths, street signs, drainage, underground sewerage, water, ducting for telephone and electricity services and the joining of all those services into existing or future service points. It is quite specific about what we are seeking from a private developer. There is a comprehensive list of construction work that has to be undertaken. People will respond well before the Palmerston Development Authority is in operation.

The extent of the land concerning which these invitations will be forthcoming is worthy of note. There are 2 lots being put out for invitation, one is an area of 145.2 hectares and one is an area of 158.2 hectares. These are quite sizeable parcels and obviously what is expected is that these broad hectares will be the subject of a comprehensive design and construction proposal on the part of the private developers. If we look at the Gazette of 24 April 1981, we see that quite a large number of contracts have been let already. That is quite legitimate. Nobody is saying that the Palmerston Development Authority should be doing it; the Palmerston Development Authority does not yet exist. Nevertheless, the letting of contracts is a function which the authority will discharge and here we find that it is being done quite adequately by existing departments. For example, we find a series of contracts arranged by the Department of Transport and Works in respect of specific projects for Palmerston and a Palmerston sewerage scheme evaluation study let to Gutteridge Haskins and Davey for $12,500. P.G. Pak Poy and Associates will be doing the Palmerston central business district traffic assignment study and Willing and Partners are to provide a Palmerston stormwater drainage development study at a cost of $16,000.

The Department of Lands has also played its part and it has let a series of contracts. Project coordination for Palmerston has been awarded to Goodchild Research Studies for $3,500. Palmerston Stage 1 Indicative Conceptual Layout has been let for $3,000. The report on employment prospects at Palmerston has been let to Territory Research Associates. The draft report on landscape design for open-space corridors in Palmerston has been let to Benard Ryan and Associates for $15,000. The consultancy to evaluate management systems for the Palmerston Development Authority has been arranged with Mr S.B. Godbold for $4,800 and for $5,000,P.G. Pak Poy have been engaged to conduct a study of the feasibility of the Palmerston Development Authority acting as the water and sewerage authority. We can see that a great deal of detail has been attended to by the assumed authority of these various departments, even such nitty-gritty matters as the landscape design corridor. All these parties are to be commended. Obviously they are doing quite a good job as it is.

I point out these things to show that a high level of activity is already in progress and if the minister is proposing to constitute an authority composed solely of public servants then he should explain his reasons to us. I will turn now to the powers and functions of the authority. Here I might have a hint of why the minister wants a special authority.

Mr Speaker, paragraph (d) of clause 12 says a function of the authority will be to obtain the necessary funds for the development of Palmerston. That is an extremely interesting provision because we have not seen that particular one in any other legislation that we have had experience with in this Assembly. If I can relate that to clause 20 which refers to the moneys of the authority, we see from paragraph (d) of that clause that the moneys of the authority will include moneys lent to the authority by any statutory body or financial institution. If the honourable minister were to tell me that, instead of continuing under the supervision by existing departments, we need the authority to permit a statutory

body to have access to other loan funds, including funds from the Loan Council, then perhaps he should have told us that in his second-reading speech. I am just looking for reasons and I put that forward as a possible reason. If the minister were to tell me that that is correct, I would certainly support the establishment of this authority.

Mr Speaker, there are a large number of questions which relate to particular clauses of the bill and I would be grateful if the honourable minister would allow me to take those up in sequence in the committee stage.

Debate adjourned.

TRUSTEE AMENDMENT BILL
(Serial 79)

Continued from 4 March 1981.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr EVERINGHAM: I move amendment 35.1.

This amendment inserts a provision under which the minister can add particular companies to the list of authorised trustee investments. The government has recently received requests from merchant banks and a credit union to be added to the list. Probably there will be more requests of a similar nature. Deposits with organisations like these are not authorised presently. I said when I introduced the bill that the whole act needs to be reviewed but that will take some time. This amendment will enable the government to take a practical and flexible approach until the review is complete. I should make it clear that the power would be used sparingly and that no decisions have been made on existing requests.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 35.2. As it presently stands, section 4D authorises trustees to invest up to one third of trust funds in land. As a result of representations by the Leader of the Opposition on the Trustee Company Act, I have looked at the matter again. On reflection, I do not think that a 10% limit would be very practical because I understand that the average price of a house in Darwin is now around $60,000. A 10% limit would mean that a trustee would have to have $650,000 before he could buy a house. There are very few estates and trusts of that size in the Territory. Most people setting up very large trusts would give the trustee wide powers of investment in any event. In the circumstances, I think it would be better to remove the proposed section altogether and review the position later.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7.

Mr EVERINGHAM: Mr Chairman, I move amendment 35.3.

This amendment seeks to insert a new section to enable trustees to pay or apply capital for maintenance, education and advancement in life for beneficiaries. The common law power to advance capital for these purposes is somewhat uncertain. To remove the uncertainty, the statutory power to advance up to one half of a person's capital entitlement has been inserted in all other jurisdictions. The proposed new section is a standard one. I draw honourable members' attention to the fact that the power cannot be used so as to prejudice a person entitled to an earlier interest unless that person so consents.

Amendment agreed to.

Clause 7, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

COBOURG PENINSULA ABORIGINAL LAND AND SANCTUARY BILL
(Serial 86)

Continued from 4 March 1981.

Mr B. COLLINS (Arnhem): I do not intend to spend a lot of time discussing this bill. I could easily spend the rest of the afternoon describing the delights of Cobourg Peninsula but, since the Chief Minister has already gone into raptures on the subject and I do not believe in tedious repetition, I thought I might ring the bell to see if the dogs dribbled and they did.

Mr Speaker, this bill is the result of an agreement between the Northern Territory government and the Northern Land Council acting on behalf of the traditional owners and those other Aboriginal people who have an interest in Cobourg Peninsula. I refer particularly to those people who are from the Minjilang, Warnawi and Gunbalanya communities and those people who, in fact, still reside in the area itself. The drafts of this bill were numerous. I lost count after 10 and I think there were possibly more than that. As a result, the drafting is excellent. There is only 1 small error which will be fixed up in the committee stage. There will be an amendment to clause 39 to adjust what was possibly just a typographical error.

I would like to touch on the major aspects of the bill. The recitals of this bill are important because they detail at some length exactly what the bill is about. I would like to read the ones that I think are particularly important:

> *The Legislative Assembly acknowledges that there are and will be Aboriginals entitled by Aboriginal tradition to the use, control and occupation of the land or part thereof whether by reason of spiritual affiliation to that land or part or for whatever other reason may be recognised by Aboriginal tradition; and whereas the Legislative Assembly considers it desirable to secure in perpetuity the right of such Aboriginals to use and occupy the land, to participate in the management of the national park declared in respect of the land and to vest the title to the land in trustees for such Aboriginals...*

It is made very plain in the recitals to the bill that a clear indication is given that the land is Aboriginal land, that it is currently occupied and used for both ceremonial and economic purposes by Aboriginal people and that those particular pursuits will be maintained and protected by this piece of legislation.

Under clause 4 of the bill, there is a part which is taken from the Aboriginal Land Rights (Northern Territory) Act 1976 which ensures that the land council, if it takes any action at all in relation to the land trust that will look after Cobourg, will not take that action unless the traditional Aboriginal owners, or those other Aboriginal people who have an interest in the area, have been consulted first of all, unless they understand what will happen, unless they have an opportunity to take advice and express their views on the matter, and unless the majority of traditional Aboriginal owners have consented to the action. I mention this particular clause in the bill because there is an interesting and significant difference between this clause and the section of the land rights act upon which it is based. Section 23(3) of the land rights act, a section of that act which I could easily recite by heart, says that the Aboriginal people as a group must consent to the action. Here it indicates that a majority is all that is required. I indicate that as being a significant difference between the wording of the 1976 act and this particular bill.

There is an important provision in the bill which deals with the possibility of future acquisitions in the park. Clause 17(3)(a) says: 'in the case of a proposed acquisition of part of an area passed by a two-thirds majority of all members of the Assembly (excluding the Speaker)'. It makes it very clear that, in order for any land to be acquired from the park for another purpose that action must be passed by two-thirds of this Assembly, with the exclusion of the Speaker. Paragraph (b) goes on to say: 'in the case of a proposed acquisition of any easement or any right of way on or over, or other interest in the sanctuary passed by a majority of all members of the Assembly (excluding the Speaker)'.

One of the keystones upon which the success of this whole enterprise will be based is the board of management. The membership of that board is made up in such a way that the Aboriginal people who comprise the board will be, so far as voting is concerned, in the majority. The board will consist of 8 members, 4 of whom will be people appointed on the nomination of the land council. Clauses 22(3) and 23(3) make it clear that both the chairman and the deputy chairman of the board will be among those people nominated by the land council. In other words, they will be Aboriginal people. In the case of a tied vote between the 4 land council nominees and the 4 appointed by the minister, the chairman shall have a casting vote.

It is also important to consider the plan of management itself and the procedure that has to be adopted should the board produce a plan of management with which this Assembly disagrees. The procedure to be adopted is provided for under clause 28. I would like to refer to subclauses (5), (6), (7) and (8). If the plan of management is disallowed by the Assembly, the minister can direct the board to prepare a fresh plan of management and it then has the option of doing that or simply resubmitting the original plan of management which was rejected, if that is its desire. If that happens, it is treated in exactly the same way as the first plan of management. If it is rejected a second time, it is referred to the Chief Justice who has the power to inform himself in 'whatever manner he thinks fit'. He has fairly wide powers of investigation including, I would imagine, the power to call people to give evidence before him. He can then make recommendations to the board as to how that plan of management should be amended and that would then go back to the Assembly. It is probably one of the more important parts of the bill. It would be a very good idea - considering the possibility that in the next 12 months, such a plan of management will come before this Assembly for consideration - for members to make themselves familiar with those particular sections of the bill.

So far as mining is concerned, a very important consideration in respect to national parks, there are certainly members of the government who consider that the concept of regional parks is better than the concept of national parks. We

have had a speech from the honourable member for Tiwi to that effect. I do not know whether that is a policy of the government or is likely to become a policy of the government but it is something which I personally reject. International proponents of the concept of regional parks are to be found in Great Britain. As environmentalists will tell you, in Great Britain, unfortunately, the concept of a regional park is a park in which commercial activities such as mining and grazing can take place. There was no choice other than to adopt that sort of proposal because they did not have any wilderness areas left that could be preserved as national parks. Unfortunately, if that kind of concept is extended to its logical conclusion, you would end up with a national park that looks something like Bagot Road, with a set of traffic lights and a few trees in the middle. I reject that concept absolutely. In fact, I am one of the people - having spent a considerable time out at Kakadu National Park over the last 16 years - who find very offensive, from a distance of 15 kilometres, the noise of mining operations in a national park. It is very intrusive. I do not believe that commercial activities and national parks go together at all well. I must say that Cobourg Peninsula is a spectacularly beautiful part of the Territory but it is not a particularly large area. I find it very difficult to conceive of a mining operation taking place anywhere on the Cobourg Pensisula which would not very adversely affect the concept of a national park.

Clause 33 of the bill discusses mining and makes it clear that no mining operations, including exploration, can take place other than those which receive the approval of the board and are in accordance with the plan of management. No mining interest can be granted in the sanctuary without the prior written approval of the board. As I said before, in the case of a vote, the majority on the board are those people appointed by the land council. There is a clause in the bill dealing with the Paspaley Pearling Company operation. That can continue for a term of not less than 25 years. I understand that there is an amendment schedule to change the portion numbers in that particular clause.

In conclusion, Cobourg Peninsula is not all that far away from Kakadu National Park. Currently, there seems to be a great deal of confusion and, as the federal Minister for Aboriginal Affairs termed it 'misunderstanding' as to the control of Kakadu National Park. I will be discussing that matter later on. In the minds of the Aboriginal people who signed the Ranger agreement and the national park agreement on the same day in the same place ,there was certainly no confusion as to what the agreement meant. So far as they were concerned, it meant nothing more nor less than the continued operation of the Kakadu National Park by the federal authorities. I do not want to confuse anybody. I am not debating the merits or otherwise of who should control Kakadu. I am simply saying that the Aboriginal people are in no doubt as to who should continue not only to control but operate Kakadu National Park: the National Parks and Wildlife Service. It will be interesting should that situation continue - for the maintenance of the good faith contained in the negotiations which led up to the signing of the Ranger Agreement, I hope that it will continue - to compare the operation of Cobourg Peninsula National Park to that of Kakadu National Park.

One of the commendable things about the operation of the Kakadu National Park has been the program of Aboriginal ranger training. Over the 16 years that I have been working in Aboriginal communities, I have seen a thousand schemes for training Aboriginal people for employment start and then fail. One of the more successful schemes for training Aboriginal people for productive and useful work has been the training program undertaken in the Kakadu National Park by the Australian National Parks and Wildlife Service. One of the reasons for its success was that the graduates of that course were guaranteed employment at the end of it. We have seen so often in the past in relation to quite grandiose schemes for employment of Aboriginal people that they have committed themselves and spent a long time doing the course and then found at the end that the training

they received was useless because nobody would employ them.

I hope that the situation has changed but I can remember only too well from the time that I worked for the CSIRO Division of Wildlife Research that there were some very vehement opinions expressed by employees of the Northern Territory wildlife commission as to what they thought about employing Aboriginal people as rangers. I had very close and constant association with these people who were and are very highly placed in the Northern Territory Parks and Wildlife Commission. They had a fairly firm view that under no circumstances would the commission employ Aboriginal rangers. That is a matter of documentation. The scheme came about because the CSIRO to its credit, and to the personal credit of Dr Redpath who is the officer in charge out there, instituted a program to train Aboriginals in the laboratories at Berrimah in both field and laboratory work connected with wildlife conservation. Because of constraints on the CSIRO budget, only 2 positions could be made available to the successful trainees and it was very clear that the Northern Territory Parks and Wildlife Commission was not interested in employing those people. Despite the fact that the same personalities are still involved, I trust that that situation has changed for the better.

The other aspect of the operation of the park is the question of money. Contained in the bill are very extensive and necessary powers that will have to be applied for providing restrictions in Cobourg National Park. I know that there are a great many Territorians who do not like the thought of restrictions. There are many people still in the Northern Territory who believe that it is their God-given right to be able to drive a 4-wheel-drive vehicle full of guns and fishing rods wherever the like in the Northern Territory. Those people will have to be educated. Unfortunately, these days wildlife refuges and parks are a precious resource. There are few places in Australia now where people can do that sort of thing. The Territory is now in that category. Sensible restrictions are required in national parks to preserve them for future years. I also want to make it clear on this subject that this bill and the creation of this park are a combined effort by the Aboriginal people and the Northern Territory government. It is not simply a question of Aboriginal people trying to restrict the Cobourg Peninsula sanctuary or place unnecessary restrictions on others and tell them where they can or cannot fish etc. This will be a combined operation between those people and the Northern Territory government.

The last point I want to make is that an assurance was given to the Northern Land Council by the then Minister for Aboriginal Affairs that, despite the passage of this bill through the Assembly, it will still be legally possible for the Aboriginal owners of the park to make a land claim over that area should they decide to do so. This bill will not alienate that land under the terms of the Aboriginal Land Rights (Northern Territory) Act 1976. A written assurance to that effect has been received by the Northern Land Council from the federal Minister for Aboriginal Affairs. I do not believe that it will happen. I hope that the operation of the park will be amicable, successful and sensible and it will not be necessary for Aboriginal people to do such a thing.

The reason I make that concluding remark is because I intend later during the sittings to speak of the problems connected with the current management of Kakadu National Park and what I consider to be nothing more than a flagrant breach of undertakings that were given to people when they signed a mining agreement. It is clear, and I certainly cannot canvass it in this debate, that Aboriginal people have good, documented reasons for distrusting both the Territory and federal governments. I trust that that will not happen in the case of Cobourg Peninsula. I know that the Cabinet has a close interest in the area. It seems to be turning Murgenella into the Territory's equivalent of Camp David. I am sure that it will continue to have a close interest in the area.

Mr Speaker, as the Chief Minister said, I sincerely hope that this enterprise will show the rest of Australia what can be achieved by cooperation, by goodwill and by the citizens of the Northern Territory working together for the benefit of all.

Debate adjourned.

ADJOURNMENT

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

Last night, the honourable member for MacDonnell finished his speech with a series of questions. Those questions were directed to the Chief Minister, not myself. However, most of the matters of which he spoke are within my sphere rather than that of the Chief Minister. Therefore, with the exception of those questions which were directed only to the Chief Minister, I will try to deal with the matters that he raised.

I would like to start off by saying that the honourable member for MacDonnell demonstrated both before he first appeared in this Assembly and in the Assembly today, that he is unable to read the Lottery and Gaming Act and unable to read the Administrative Arrangement Orders. Last night he demonstrated that he cannot even read or comprehend a simple letter. Further, he cannot read depositions of evidence, he cannot read His Honour's report in respect of a particular claim which was lodged and certainly he cannot read a simple map.

Mr Speaker, the following is the first question that he asked: 'Did the Chief Minister not give an undertaking in a letter to the Chairman of the Central Land Council, dated 24 August 1978, that the Northern Territory government would not deal with unalienated crown land, the subject of a traditional land claim, lodged within 2 years in a way which would be prejudicial to the future use of the land should the land claim be successful?' What the gentleman is trying to say there is that that letter indicated that the 2 years would run from the date of the lodgement of the claim. Of course, it does no such thing. Incidentally, it was not a letter to the chairman of the land council giving that undertaking. In light of the member's inability to read, one can understand the error. In fact, it was a drop copy of a letter to the Minister for Aboriginal Affairs, Mr Ian Viner. Nonetheless, the words used in that letter by the Chief Minister were: 'For unalienated crown land which is not the subject of a claim before the Aboriginal Land Commissioner, applications for utilisation of that land, whether it be for mining or other purposes, will now be processed in the normal manner'. That is from 24 August 1978. The key section is: 'For unalienated crown land which is the subject of a claim before the Aboriginal Land Commissioner, no action will be taken to process the application for that land for 2 years'. That is quite clearly a reference to those applications currently before the land commissioner.

The fact is that, by the time of the second claim to the subject land, the letter was already out of date. In any event, the date of the letter, 24 August, happens to be some 2 months after the Central Land Council on behalf of its clients had itself withdrawn the claim before the Aboriginal Land Commissioner. It was not the commissioner as the honourable member suggested yesterday. Again, he cannot read His Honour's words. The words used by the gentleman yesterday were: 'The other part of the crown lease that had been offered was removed by the Aboriginal Land Commissioner'. With all the resources of public documents falling off the backs of trucks, he must be able to read and properly interpret the English language.

The words used by the judge in his report to the minister were not 'I withdrew it' nor 'I reject it' but 'When the hearing began, counsel for the applicants announced that most of the northern area of the claim would be withdrawn'. That is exactly what happened. Two months later, Lander and Conway were quite well aware that the application had been withdrawn before the land commissioner. On 16 July 1979, with full knowledge of the withdrawal, they made an application in respect of normally available vacant crown land. It was not until 16 June 1980 that the second land claim was made on that land over which I have offered a lease.

It was said yesterday that there were 2 areas of land and that there was some confusion as to the coordinates and bearings. In fact, the area subject to the offer of lease was not an area subject to the claim. Sir, he again cannot read either a deposition or a map. If we go to the actual depositions in this matter, we will not read what the land commissioner, Lander and Conway or this fiendish minister here had to say but what counsel for the applicants before the commissioner had to say: 'Your Honour, the situation is that north of Lake Amadeus, although we have 2 claimants who have some interest in the land, it is not land for which we will seek to proceed with the claim in respect of the land north of Lake Amadeus and north of 24 degrees 50 minutes on the map'. The entire area that I have made available by way of offer to Messrs Lander and Conway is north of that line and between that line and the boundary of Tempe Downs Station. It must be the same area which is the subject of a second land claim. That second land claim was lodged 1 year after the land council had withdrawn its claim and 2 months after the actual withdrawal.

The next useless question we heard yesterday was: 'Secondly, wasn't this undertaking given on behalf of the Northern Territory government? That is a good one. Of course it was given on behalf of the Northern Territory government. It was over the signature of the Chief Minister of the Northern Territory. The fact is that it did not apply to that claim because that claim did not exist at the date of the letter.

The next question was: 'Thirdly, was he aware that a traditional land claim, known as the Lake Amadeus Land Claim, was lodged on 12 June 1980 by the Central Land Council on behalf of Aboriginals claiming...'. I do not know whether the Chief Minister was made aware of it but, in due course, I was when I was considering applications from the proprietors of Tempe Downs from 7 May 1979 and from Conway and Lander from 16 July 1979. Since the withdrawal of the decision, I was trying to weigh up in my mind which was the proper application for this land for the purposes of development considering there was no Aboriginal interest being expressed in that land at that time.

Mr Speaker, yesterday we heard the member for MacDonnell say: 'Oh dear me, you cannot be blamed for withdrawing' - although he did not say it was withdrawn; he said the commissioner removed it - 'you cannot be blamed for withdrawing a matter before a tribunal'. Good heavens, Sir, what do we expect the Northern Territory to put up with? It is exactly what I expressed in that letter. They slapped a claim over an area because they thought there might be a claimant for it somewhere. It just occurred to the Central and Northern Land Councils that there could well be a claimant for an area. The hell! Because it was vacant crown land, they wanted to lock it up so no one else could get his hands on it and then they would look for people to claim it. That is exactly what happened in this case. It is like going to any court, without any evidence, standing up before His Honour and saying: 'Your Honour, actually, we have no evidence to lead. If you don't mind, we will withdraw this matter and come back later'. He would just strike it off the record, and quite properly so. At worst, this is an identical piece of blundering; at best, it is an ill-informed activity. Mr Speaker, there are 80,000 other Territorians to be considered by this

government.

The fourth question relates to those already answered: 'Does the letter relate to the claim? Clearly, it cannot. There was no claim at the date of the letter and, in any event before the second claim was made, the conditions of the letter of the Chief Minister - expiring in August 1980 - had just 2 months to run. At that date, the terms of that letter had ceased to exist.

The other thing that was raised yesterday was that any alienation would not be effected in a manner deleterious to the land if the claim was successful. For heavens sake, if alienation of land through an application is for the whole of the land and in accordance with an existing agreement and a clear understanding between all the parties, how can it be anything else? The fact is that Mr Conway, being a long-time Territorian, would know far more about any traditional owners in that country than the member for MacDonnell would ever hope to. He indicated to me, as one of the considerations for my making this lease available to him, that he would love nothing more than the true traditional owners of the area to continue to use it for as long as they wish and in any manner that they wish. They are his personal friends and it was one of my considerations - again in the spirit of the Chief Minister's letter - that to grant the application would not be deleterious. It is not ripping the country up; it is not harming it. It is for tourist activities, the sort of thing that he would like to see those same traditional owners involved in. It is far from deleterious. Indeed, it is a very sensible thing to do having regard to the fact that it is a repeat claim. It probably has no evidence in support either. We could end up in another hearing in 3 years' time and find the same thing happening. It is no way to go about the management of land in any state or territory. To my mind, it is simply an impossible proposition.

I love this next question: 'Is he aware that the Minister for Lands informed Tempe Downs Pty Ltd that the land would not be added to its pastoral lease because of the pending claim?' What an incredible question from an intelligent man! How in the hell does he think the Chief Minister would know what goes on in my office, 1,700 kilometres away from the Chief Minister's office, where this gentleman spoke to me? I do not know what the proprietors of Tempe Downs said, but let this go on the record: this falsehood that has been peddled through the honourable member for MacDonnell does them no credit in my mind. Let them be aware of that.

Mr Speaker, I said no such thing. I will not go into what I said in private conversation in my office. I will say that I went to the trouble of closing the outside doors at that time so that even my staff would not hear the conversation. They seem to feel free to tell their own imaginative version to whomever they like. Incidentally, I can assure you that the closure of the doors was not because of any silly deals; no way in the world! Obviously, it did not happen that way. They were the disappointed party. Let us not hear any nonsense to the effect that there must have been some reason for closing the door. The party that had the door closed on it obviously had it closed for some regrettable reason. The Chief Minister could not possibly have known the answer to that question. It was absurd to put it to him. I did not say any such thing; they know it and they know that I know it.

The last question was: 'Will the Chief Minister take immediate action to have the minister reverse the decision?' I very much doubt that the Chief Minister would do that for the simple reason that a legal right to the lease has been created. I do not want to go to court. I do not know about the Attorney-General; only he could answer that question.

Mr Speaker, what we have seen here is a complete distortion of the truth. When the gentleman stands here and says that he does not only represent Aboriginal

people but then, as an example, uses a falsehood to demonstrate a completely cocked-up reason as to why we should believe him, I am afraid he has a long way to go before we believe him to be credible.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon I would like to speak about the answers I received to 2 questions that I asked yesterday morning in relation to financial assistance to primary producers. I was told that $575,000 had been extended to primary producers in the form of carry-on finance, fertiliser freight subsidies, advances in the way of prepayment for seeds, marketing and harvesting. I was also told that a sum of $6.5m is the total commitment of the Northern Territory government to primary industry and included in that are the control of tuberculosis and brucellosis and drought assistance.

I know that the Northern Territory Development Corporation provides assistance for rural adjustment loans and cropping development etc. It has achieved a pretty good record over the last 3 years. There are a few things I would like to say about the NTDC and not as criticism per se. I think that another body should take over part of its responsibilities for extending finance to primary producers. As I said, the NTDC is doing a remarkable job in encouraging development in the Northern Territory. But I wonder if it is really au fait with how farmers work, how they plant crops and how bad seasons, droughts and rains can come at the wrong time. I do not know if time limits for the repayment of loans are imposed on businesses as were imposed on a primary producer recently. He asked the Northern Territory Development Corporation for a loan of $15,000 and was told to pay it back in a year. $15,000 to some people might not seem a large amount of money but, to this primary producer, it represented quite a big sum. It was completely beyond his means to pay it back in one year. He went back to the Territory Development Corporation and was granted an extension to 3 years.I do not have the details but other producers have told me of this extremely short time in which primary producers are expected to pay back their loans.

I think it does not give consideration at all to the nature of primary production which differs from ordinary business enterprises. A primary producer puts everything into his land. He lives with his family on the land. He is not a fly-by-nighter. He puts everything he has into the Territory and he will not be moved quickly. Some people go into business with the intention of staying here permanently, come hell or high water, and are determined to make a go of it. However, other people go into business without those intentions and the lifestyle of some is not as stable as that of primary producers. The point that I am trying to make is that the farmer is being asked to repay loans in a very short time despite the fact that he is a very stable person, whereas the businessman, who may not be quite so stable, seems to obtain much more generous loan terms.

Another instance that I would like to recall regarding loans extended by the Northern Territory Development Corporation relates to a loan extended to a primary producer at the end of last year for fuel, fertiliser and seeds. He was not unhappy with the conditions but the point I would like to make is about the timing of the loan. He applied in good time for this loan because it was imperative that he get the fertiliser on the ground and the seed planted after a certain amount of rain had fallen. The rain had fallen and he still had not received his loan. It was a critical time for him because he only had about one more week before it would be too late to plant the crop. In view of the 2 instances that I have cited, I wonder whether the officers of the Northern Territory Development Corporation, who may be competent in other fields, are really competent to deal with loans to primary producers.

Another loan was extended to a primary producer to buy equipment to clear

for further cultivation this year. The loan was too late to do the job properly because, as anybody who has had anything to do with clearing knows, it needs to be done when the ground is reasonably wet but not too wet. If it is too late, the purpose of clearing is defeated and it is even harder to clear later on. It becomes a more lengthy and expensive operation.

If the Northern Territory Development Corporation is not fulfilling its role adequately in respect of primary producers, I would like to see the Agricultural Development and Marketing Authority take over - as I believe it can by its charter - the money-lending side of primary production. I feel that the Agricultural Development and Marketing Authority would be more competent to deal with finance extended to primary producers.

The second thing on which I would like to touch this afternoon is the answer the Minister for Education gave me when I asked him about the problem of discipline of children on school buses. He suggested that I investigate any particular incidents and refer them to him, which I will do when they are drawn to my attention. He also said that it was not the intention of the government, and neither was it a good thing, to employ more public servants to form an inspectorial or monitoring staff. It was not my intention - nor the intention of many other people out our way - that there should be any more public servants employed. What I would like to see in this situation is the children disciplining themselves. I am a great proponent of the belief that people should do their own thing because life becomes unproductive and boring if we all do the same thing. In doing your own thing, you must consider your immediate community and in the case of school buses, it is the community on the bus. If the children do their own thing on the bus, nobody will have any objection provided it does not interfere with the right of others to do their own thing. I think a bit of discussion with students from some high schools could lead to the whole situation being settled quite amicably. If we all did our own thing, it would just be mayhem and chaos not only on buses but elsewhere.

Finally, Mr Deputy Speaker, I would like to offer my compliments to the Conservation Commission. When I went to collect the mail from my office on Monday, there were 2 further publications from the Conservation Commission: 'Other Parks and Reserves of Central Australia' and 'Uluru National Park Guide'. I have not seen many publications from other parts of the country, except some put out by Alcoa in Western Australia, but I would hazard a guess that nowhere else in Australia does a government department of similar aims to those of the Conservation Commission put out literature and information of such a high standard. I have displayed many of their posters and other information in my office, which is close to a caravan park where many tourists stay. The interest expressed by them in these posters and other information put out by the Conservation Commission really has to be seen to be believed. The number of people that I have referred to the Conservation Commission to buy their posters is beyond count.

The poster that is of particular interest to me and many other people is the one on dangerous snakes. Not only is it of interest to herpetologists but it is also of interest to children. It is of particular interest to the people in my area because there are quite a few snakes about, both venemous and non-venomous, at different times of the year. The poster on snakes is also or real use to several small miners who live in the rural area because there are often very few people on these mines. If a person is bitten, the snake can be identified with this poster. It helps in the first aid treatment and in subsequent hospital treatment.

I would also like to compliment the Conservation Commission on their recent publication of plans of management for various parks. I will contact the officers because some of these plans of management concern me. Overall, it is one

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government department that is being seen by the public as not only doing its job but doing a darn good job at that.

Mr EVERINGHAM (Chief Minister): My Deputy Speaker, the remarks by the honourable member for Tiwi complimenting the Conservation Commission are very appropriate. I would like to add my commendation publicly, although I have already done it privately, to the director and to the officers of the Conservation Commission, especially those who have been responsible for putting together and publishing the plans of management that we have seen come out recently in respect of Keep River National Park and Berry and Howard Springs recreation parks. It is also appropriate that the officers of the commission generally be complimented on doing what I think is a pretty good job throughout the Territory in the face of considerable difficulties and also in the face of the fact that no one ever gets as much money as they would like because there are always so many more things that could be done.

Tomorrow is World Environment Day which is the day on which we should all stop to think about the world we live in and how mankind in particular is treating his home on planet Earth. Trees are the theme of World Environment Day this year. Of course, the Conservation Commission is probably responsible for planting more trees in the Northern Territory than anyone else. In fact, the Conservation Commission has widely distributed throughout the Territory a poster entitled 'Nature's Boarding House' which is all about trees. I have a sufficient number of these posters here today for everyone to have a copy. This poster graphically illustrates just how many animals, birds and insects can live in harmony in just one of the many trees we have in the Territory.

The commission's contribution to help focus attention on the environment will be a tree-planting exercise in association with the Darwin city council tomorrow morning in Pioneer Park on the corner of Stuart Highway and Goyder Road in Darwin. We will plant a small grove of eucalyptus jacobiana in the park. It is a most appropriate species as it is named after the scientist, Doctor Max Jacobs, who discovered this particular species in the Pine Creek region in the 1930s. Doctor Jacobs graduated from the University of Adelaide in 1905 and went on to become regarded by his peers as the greatest living expert on eucalypts in the world. He actively promoted millions of plantings of the species on a world-wide basis. His reconnaissance of the timber resources of the Northern Territory in 1933 resulted in the discovery of some new species and the extension of the known range of others. If we had realised at that stage that most of our Territory trees were designed by nature for a conservative function rather than as the basis of an exploitative industry, we would have a greener environment at this time in many Territory settlements and towns, and the people who governed this region for so long would have avoided some unfortunate remarks about mythical forests.

In central Australia, the Conservation Commission has commemorated World Environment Day in a very practical manner by giving away 5,000 native trees and shrubs to Alice Springs residents for home planting. It has also distributed plants to schools in Territory centres and the government has made about $100,000 available to the commission to continue the ongoing urban beautification program in all centres. I invite all members of this Assembly to plant a tree during the course of next week in the interests of the environment and as a living memorial to this great man, Dr Max Jacobs. I would be happy to make arrangements with the commission so that other members can join me in commemorating World Environment Day in 1981.

Mr Deputy Speaker, I would like to make some remarks about the Jingili Primary School which on 19 June will celebrate its 10th anniversary. It was established on that day in 1971. To mark the occasion, a special magazine about the school

will be produced for sale and an open day will be held. Open day celebrations will include displays of students' work, a softball match between parents of past and present pupils, teachers and students, an international food sale, a concert and prize giving.

Over the years, Jingili Primary School has become known for its contribution to the community, such as the use of school facilities outside school hours. Both a Maori group and a martial arts group will take part in the concert since these are 2 of the organisations which use the school after hours. Particularly through the work of its janitor, Joe, Jingili school has become known for its garden surroundings. It won the Golden Broom award in 1976 and the Bougainvillea Festival garden competition in 1980. Other special credits include: a certificate of merit at the North Australian Eisteddfod in August 1971 for the school choir, only 2 months after the school opened; the Bank of New South Wales mathematics competition where 5 students gained distinctions and 2 students gained credits; the Territory literary competition where third prize went to a Jingili student and another was highly commended; the multiple sclerosis readathon - students read 621 books raising $1,103.49 for the society; and 12 pieces by students were published in Developing Education in August 1980. In sports, Jingili Primary School was the winner of the inter-school Newcombe ball competition and the inter-school touch rugby competition and runner up in both boys and girls basketball competitions in 1981. In the community area, the school has participated in eisteddfods and youth festivals. It won second prize in the Beercan Regatta in 1979 and first prize for best boat in the under-25s category in 1980.

The very active school council was one of the first established in the Territory and it organises fetes, fun nights and so on. Over the years, it has donated educational aids, library books, audio-visual equipment and so on. This year its project is to provide outdoor furniture for school grounds.

It would not be fitting for me to pass on without mentioning Warwick Ottley, the principal, with whom I have had many dealings over the years. He left at the end of last year but I think Warwick Ottley was an institution for a very long time at Jingili and certainly contributed a great deal over the past several years to the successful establishment of the school as an integral part of the community. We have a new principal, Bob Pannekoek. The first principal was George Prickerill. I believe that these men have played - and Mr Pannekoek will play in the future - a great part in the Jingili community. The present enrolment is 401 children plus 65 pre-school children whereas back in 1971 there were approximately 350 children.

Mr Deputy Speaker, the honourable member for Nightcliff made some comments the other day about foreshores and watercourses. I have some views which I would like to mention this afternoon. They relate to the Martin Report and the recommendation that a public reserve of not less than 30 metres in width from the top of the bank on either side of major watercourses and of a width of 100 metres from high water mark on beaches be created. I personally support that principle not only because I believe it is right but because existing and future pressure from the public will eventually force some such arrangement. It may be possible to make such a reservation a dormant convenant in all leases, one that can be activated after due process of consultation and appeal without compensation, except for improvements. at any time. This would avoid the difficulty of reservation and lease-back of areas not yet required for public use and also avoid the implication that the areas reserved were the optimum areas whereas more or less land may in fact be preferable in certain areas. The procedures required could well be the subject of a separate study perhaps conducted jointly by the Conservation Commission and the Department of Lands. I believe the study should include a look at the problems of providing public access.

The Conservation Commission is working to produce an inventory of Northern Territory land resources with particular emphasis on recreation and conservation values. This inventory should provide the government and the public with an ability to rationalise the reservation of land for conservation and public recreation rather than continue with the present opportunistic arrangements. In other words, a point of reference will be created for discussion with pastoralists of the value of parts of their holdings for public purposes.

The government needs the information of a resource inventory in order to ensure that land which should be in the public domain - because of its intrinsic scenic, recreational or other similar value or because its use for tourist activities far outweighs its use for other economic purposes - is identified and not monopolised by an individual landholder. This need could create conflict in the future with landholders seeking the benefit of some of the recommendations in chapter 7 of the report. The possibility of conflict, to my mind, does not weigh against the validity of the principle suggested, but points to a need for detailed study of the means of implementing the recommendations.

I would like to turn to the police resignation rate which was adverted to by the honourable member for Nhulunbuy yesterday. The member for Nhulunbuy gave me some advice - I think that is what he called it - to pull my socks up as minister responsible for police and do something about what he called - to paraphrase - a catastrophic resignation rate. The honourable member has not been in this Assembly for very long but if he would like to go back to the figures for the time when I took over the police portfolio and for some 6 or 12 months thereafter, his hair would fall out if he compared the resignation rate then with the resignation rate now. In those days,on one particular day, I had to approve 13 resignations from the police force.

The present situation is well in hand and I would like to give some details of resignation rates in the public service and in private enterprise. In the public service, they are: administrative classes A1 to A9 selected turnover rates for the service in 1979, percentage turnover - 23%; executive levels E1 to E7 - 5%; keyboard operators - 81%; labour group - 45%; driver group - 37%; firefighter group - 5% which is not bad despite all the strife; tradesman group - 38%; storeman group - 17%; drafting assistants - 15%; Aboriginal health workers - 8%; nurse aides - 136%; rangers - 44%; social workers - 23%; and librarians - 8%. Librarians have the same turnover rate as the police. In private enterprise, Nabalco had a turnover rate in 1980 of 15% and that is the honourable member's home town so perhaps he could do something about bringing that down to get it to an acceptable figure like the 8% or 9% in the police force. The Australian Bureau of Statistics gives the total Australian figure for 1976 which was the last figure available: private enterprise - 7%; government - 3%.

Here are some details from the police themselves. Their total wastage in 1980 was 52 members comprising 3 cadets and 49 others. The breakdown is as follows: 35 resigned for genuine personal reasons; 9 resigned because of job dissatisfaction; 5 resigned as a result of management initiatives - that is a nice euphemism; 2 were dismissed from the force; and 1 retired on medical grounds. The total separations from the force as a percentage of the establishment was 7.6%. From time to time, projections of annual resignation rates have been made on the basis of part-year figures and these of course fluctuate significantly.

All members who resign from the force are interviewed as to their reasons although it is suspected that the reasons given are not always genuine. The exit interviews are usually conducted by a commissioned officer except in those job situations where remoteness makes this impractical. However, on these occasions, the interview is conducted by a senior supervisor. I can advise you that the Police Commissioner has been working very hard in the last 12 months on improving

procedures and guidelines for induction of recruits into the force and I believe that psychological tests are being applied. In the past, apparently this has not been a standard procedure but it has become the case in most industries and many professions all over the world today.

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

Mr MacFARLANE (Elsey): Mr Deputy Speaker, I have been concerned lately about the attacks on the Martin Report and the Gibb Report. These attacks seem to be anti-pastoralist and anti-European and I do not know why. I thought the Martin Report was a report on the pastoral conditions prevailing on pastoral leases. Why there would be an attack on that, I do not know. I am concerned about this because I am not against Aboriginals or Aboriginal development but I am against Aboriginal land rights - truly, bitterly opposed. If you listen to the member for MacDonnell, you will find that Aboriginals do not seem to have any land at all. He is complaining about the 80 hectares at Murray Downs. I feel sorry for the Aboriginals; it is a big lease and possibly they could get more. As a result of the Limmen Bight land claim, the citizens of Katherine, commercial fishermen and tourists have 20 hectares. Just across the river, Arnhem Land starts and runs right up to that beautiful little town called Nhulunbuy that my friend, Mr Milton Ballantyne, used to talk about. There used to be 100,000 square miles. Perhaps 20 hectares there is comparable to 80 hectares at Murray Downs. It seems that the selfishness is not all on the part of the pastoralists or the Europeans. They have rights too.

This article is from the Canberra Times of Saturday 11 April 1981. I will read it out:

Warning from Aborigines. 'We will have to take some legal action, possibly through the Aboriginal Development Commission to take certain gentlemen to court', warned the Chairman of the Commission, Mr Charles Perkins, on Wednesday. He was referring apparently to ministers in Queensland and Western Australia who have refused to transfer pastoral leases bought for Aboriginal people. He condemned their refusal as racially discriminatory and described the situation in Queensland as 'nothing short of disgusting'. He was introducing the film about Noonkanbah 'On Sacred Ground' at a public meeting in the Albert Hall organised by the Canberra support group for the Aboriginal Treaty Committee. More than 250 people, including about 40 Aborigines, attended the meeting which raised $270. Among the Aborigines were Mr Peter Yu, Mr Frank Martin and Mr Kevin Doun, formerly of the Kimberley Land Council and now with the commission, and others from the Northern Territory. The support group included Mr David Purnell, Alberta Holt, Mr Chris Fogarty and Carolyn Syme.

Mr Perkins said, 'I do not think reactionary governments of one sort or another, whatever political colour, can stop the inevitable. The inevitable is land rights...They are trying to stop it, and I think that is a fruitless exercise'. He said, 'Aboriginal people in the Northern Territory can be fairly satisfied with what they have got, about 28% of the Territory freehold, and when all claims are met, probably 42%. And that's a good effort'.

He praised the National Aboriginal Conference for its work towards makarrata, or agreement, between the Australian government and representatives of 'the Aboriginal nation'. Mr Perkins also emphasised the need for 'some legal base' for the resolution of

conflicts like Noonkanbah before people became hysterical and possibly hurt. Finally, he hoped that commercial television networks and theatres would show a shorter version of the 57-minute Film Australia production 'On Sacred Ground'. It has a wonderful impact which would help to awaken the imagination of all Australians.

My imagination is well and truly awakened, by the revelation that 42% of the Northern Territory is a good effort. That is only too true. When you listen to people like the member for MacDonnell, you are not getting the true story; you are getting his side of the story and, to my mind, that is very dangerous. You will get my side of the story too and my side of the story relates to cattle.

The Minister for Primary Production and Tourism told the Assembly what was happening with the brucellosis and TB eradication plan. What he revealed must frighten Top End cattlemen because he is cutting them off from all markets. As I said yesterday, the large cattle export market is flooded because the Asian countries are taking those cattle from their own stations. Katherine Meatworks is paying a very low price and it is teetering on the brink of industrial trouble. I do not blame the meatworkers, I do not blame the management and, certainly, I do not blame the cattlemen. The cattlemen have never been consulted and they have never been consulted by this government either.

This government is here not to protect the rights of centralian cattlemen or cattlemen on the Barkly Tablelands or the Victoria River District; it is here to protect cattlemen in the Northern Territory. I have some experience about hard times in the Top End. I do not want to break your hearts, but I will tell you about the pleuro line in the 1950s. It was an imaginary line that was drawn across the Territory and it effectively cut the Top End from all markets. Over the years, we fought to have cattle tested to see where the pleuro came from. I had bitter arguments with stockies and vets. I was a lot younger then and these arguments were bitter. Eventually, they tracked down where the pleuro came from. It was in the corner of the Victoria River area near the Western Australian border. It had nothing to do with the terrible Top End which was cut off and isolated. Colonel Rose, a magnificent officer, in his wisdom, forced the Top End to endure these economic hardships for the sake of the protected area which had a market and, in his view, a future.

Not so long ago, we had a blue tongue scare. I give the honourable Minister for Primary Production and Tourism his due: he went on record as saying that it was blue tongue in cheek. That is exactly what it was: it was a mythical disease. The Northern Territory was coming out of 4 straight years of economic hardship because of the depressed beef market. In the fifth year, these fellows in Canberra whacked that on us. If you were paying interest of 12½% on $100,000 or $200,000, you would very soon have a double debt. There was not an iota of compensation and neither was there with the pleuro scare.

There was no effort made by this government or any other government. This government did not have the power then that it has now to compensate Top Enders for what happened to them. Somebody found the virus out there and never identified it. I went to the trouble of taking it up with the Commonwealth Ombudsman. He said that he could not do anything and I do not suppose he could. Now we have this TB and brucellosis problem. It is all right if you are a fair way away from Arnhem Land or feral animals that carry these diseases. It is not too good if you are close to them. I say that it is the job of this government to cushion that blow from these people who are cut off from markets. It is not their fault. Buffaloes wander into Darwin. How will you stop them wandering into your herd?

The honourable minister talked about a truckload of dirty cattle overturning in a clean area. Look at the trouble they would have to re-test. Goodness gracious me, he is out of his tiny mind. Arnhem Land is 100 miles from my property and buffaloes are coming down all the time. They shoot them when they can. Mainorou has thousands of them and so has Mountain Valley. Further around, you have Eva Valley, Gimbat and Goodparla. What can the stations which are on the other side of these wild areas do? Nothing is happening to control the feral animals. We have had a report on feral animals. What do you do? You make it harder for the people who have it the hardest. If you want to see why the Top End is less developed than other places, the honourable minister gave you figures the other day. If you are in the Centre, the compensation fee for a fat bullock is $200. If you are in the Top End, you get $150. That is the difference in value. Those people down there who have God looking after them also have the Northern Territory government. A breeder valued at $150 in the Centre is valued at $90 in the Top End. The limiting factor on development has always been your cattle.

I ask this Assembly to take note of what I have said and try to put some sense back into the cattle industry. There should be some compensating factor for these Top End places because they are the places with a future. They have an agricultural future because they are in the higher rainfall area. However, they have their problems. One problem is Arnhem Land. That is Aboriginal land which is uncontrolled and is not being used. The cattle are presenting a hazard to people who are developing this country. I say that something has to be done.

Mr ISAACS: Mr Deputy Sepaker, I would like to take the opportunity to foreshadow the introduction at the next sittings of a private member's bill on anti-discrimination. This bill will provide a remedy, which has never been available before, to those people who suffer discrimination in the Northern Territory on the grounds of sex, marital status, ethnic characteristics or physical handicap. Given the importance of such a bill, I would like to allow time for the principles and philosophy behind it to be understood. That is why I am speaking at this adjournment debate tonight.

The idea of prevention of discrimination and protection of an individual's rights has gained widespread acceptance in recent years. The federal Labor government of 1972-75 was instrumental in undertaking initiatives in this area in the face of opposition by the Liberal Party at the time, initiatives which are now accepted without question. To illustrate, in 1969, the federal government of the day opposed the general introduction of equal pay and, in 1972, opposed the introduction of an equal minimum wage for women. The federal Labor government, on assuming power in late 1972, reopened the equal pay case and, in 1973, equal pay for women workers was granted. In 1974, equal minimum pay for women was introduced. Up until 1972, the federal government refused to ratify the International Labor Organisation Convention to prevent discrimination in employment and training. In 1973, the federal Labor government ratified the ILO convention and established an equal opportunities section in the Australian Public Service. This decision is reflected in the Northern Territory where equal employment practices are ensured in public authorities. The federal Labor government also established an inquiry and then a continuing program within the Schools Commission to remove discriminatory treatment of women and girls in education and vocational guidance. The Northern Territory now has a part-time position in the Department of Education to eliminate discrimination in this area. The Race Relations Act was passed in 1975 establishing the Commissioner for Community Relations and, in August 1980, Australia ratified the international covenant on civil and political rights.

There are numerous illustrations and the Northern Territory has felt the effect of these initiatives. However, limitations are apparent in the existing

remedies. Take, for example, the Committee on Elimination of Discrimination in Employment which, as the title implies, only covers discrimination in the employment area. It has no investigatory or statutory powers and good results are dependent upon the goodwill and cooperation of employers. It is precisely because of such constraints that positive legislative action has been taken in 3 states around Australia. In South Australia, Mr Tonkin, when he was in opposition, introduced a private member's bill resulting in the Sex Discrimination Act which became operative in 1976. South Australia has recently passed a Handicapped Persons Act of 1981. The Hamer government in Victoria passed an Equal Opportunity Act in 1977. The Wran government in New South Wales passed anti-discrimination legislation in 1977 and this year has amended that act to incorporate the physically handicapped. Recently, the federal government has announced its intention to legislate against discrimination in the Australian Capital Territory.

In considering the provisions for a bill for the Northern Territory, I have derived considerable benefit from aspects of overseas legislation, in the United Kingdom especially, as well as the legislation in Australia. In light of this, what I am contemplating is a late but fitting step for the Northern Territory given that 1981 is the International Year of the Disabled Person. In December last year, the Northern Territory government gave its approval to the United Nations Convention on the Elimination of Discrimination against Women. I believe that this Assembly has a responsibility to provide a positive lead in eradicating discrimination. Examples of discrimination abound.

We can start with the composition of the Assembly. Just over 20% of the members of this Assembly are women, yet women constitute 50% of the electoral base or thereabouts. The Northern Territory Home Loans Scheme discriminates against single people, a policy which has caused outcry. Apprenticeships are loaded in favour of males, a situation not helped by some biased advertising I saw recently from the Industries Training Commission. Another example is in the area of rental accommodation where often people are denied flats on the basis of the marital situation or because they have children or perhaps too many children. With the acute shortage of rental accommodation, this form of discrimination causes considerable hardship.

Advertising, as I am sure all honourable members are aware, is another area where sex discrimination abounds. The Public Service Commissioner for the Northern Territory in his last report published figures demonstrating clearly that women were not being granted equality of job positions. Women remain absent from the E2 level and above, and 85% of women are concentrated at the A1 level, despite the fact that females comprise 46% of the Northern Territory Public Service. The Public Service Commissioner also lamented in that report the lack of awareness on the part of management of the needs of the disabled and the capacity of the disadvantaged to move into the workforce. In response to the advertisement concerning employment in the Northern Territory Public Service for the disabled, over 35 persons applied quickly.

One could go on and on, Mr Deputy Speaker. It is suffice to say that I think all members as elected representatives of the people have been asked to resolve many individual grievances as a consequence of discrimination. As is evident in the examples I have cited, and I am sure honourable members have numerous examples themselves, the most pervasive form of discrimination can result from unintentional and unconscious practices which have been repeated and moulded over the years. The existence of these attitudes means that many people are excluded from the mainstream and are unfairly treated. I believe that the Assembly has the responsibility to take positive and firm steps. I believe it must legislate.

I will briefly outline the main principles of the bill I propose to introduce

in the August sittings. The proposed legislation will approach the difficult problems of discrimination in 3 ways. The first way is through a system which has as its main objective the resolution of an act complained of through a process of conciliation. The bill will create a position of Commissioner of Equal Opportunity to assist in this prime function. The next step, if necessary, is a hearing by a part-time board which will have the power to make binding orders concerning a complaint which cannot be resolved by conciliatory procedures. An appeal from any decision of the board will be made in the Supreme Court. The second way will be to approach discrimination through education of the public on the detrimental effects of discrimination on the whole community. Thirdly, the proposed bill will create a procedure to establish positive programs to break down systemic discrimination in the Northern Territory Public Service.

The bill proposes to make discrimination unlawful in many areas; namely, accommodation, education, employment, provision of goods and services, partnerships, trade unions, qualifying bodies, advertising, commission agencies and so on. It will also cover discrimination in circumstances of victimisation, as well as the aiding of or the inducement of others to discriminate. In each of these sections, exceptions have to be provided for. The aim is to regulate discrimination in the public area but, at the same time, the means need to be practicable. To illustrate, religious and charitable bodies will be exempted. Initially, so will superannuation insurance schemes if the actuarial data they provide is reasonable. In employment on the grounds of genuine occupational qualifications, for example, to provide authenticity in dramatic performances, that area will be exempted also. In addition, temporary exemptions will be granted whereby time is given to phase in new, acceptable policies.

Over all, Mr Deputy Speaker, members will find the bill will provide a wide legislative framework which will be for the betterment of the whole community. I look forward to introducing the bill in August and to bi-partisan support for it.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, a remark just made by the honourable Leader of the Opposition prompted me to bring to the attention of the Treasurer a practice which is fairly common in Darwin. In fact, it is quite illegal. The Leader of the Opposition made reference to people who, when they seek rental accommodation, are discriminated against by reason only of their having children. Some years ago when we passed a new Tenancy Act in this Assembly, this practice was outlawed specifically. We now have a provision in the Tenancy Act which says that persons cannot be denied rental premises simply because they have children. However, it is alarming to see that there are advertisements placed in the press under the 'To Let' section of the classified advertisements which persist in including a requirement that the prospective renters be childless. As I say, this practice is supposed to be illegal under the Tenancy Act and I wonder whether or not the Commissioner for Tenancies pursues people who quite openly advertise for tenants without children.

Mr Deputy Speaker, I want to ask the Minister for Transport and Works what on earth is causing the proliferation of traffic signs in the central business district. At the last sittings, we passed a new law in this Assembly relating to the behaviour of motorists at T-intersections. We made a provision whereby there would be a uniform practice applying throughout from 1 March this year and the 'give way to the right' rules at T-intersections would no longer apply. Persons approaching the continuing road would give way to traffic on the continuing road. It is alarming to see that there is a proliferation of traffic signs in the central business district. These are not only unnecessary but quite confusing to the motorist because they contain all sorts of instructions which are inconsistent.

We have stop signs now at T-intersections. This was not the intention of the legislation. It was intended that traffic would move as freely as was safe. It would not be necessary for a motorist to stop if there was no traffic to give way to; it would be sufficient to slow down in order to determine whether there was any traffic. Now we have a compulsion on the motorist to actually stop. He has been educated by an extensive television and press campaign about what to do at intersections and that did not include stopping. If he does not stop now, he is committing a traffic offence. We find on some other T-intersections in the central business district a sign which says 'GIVE WAY'. Clearly that is misleading. The new rule says that you should give way to all traffic on the continuing road yet we have the same triangular red and white sign which says 'GIVE WAY'. Most motorists interpret that to mean give way to the right.

A third set of signs which has now been erected on the corner of Bennett Street and Cavenagh Street contains an instruction to motorists to give way to the right. All of these things are extremely confusing. We have legislated in this Assembly to provide for the safe and efficient flow of traffic but, a few months later, we find some officious organisation sticking up these signs willy-nilly without any regard to their necessity or indeed to safety. Everything we do in this Assembly to provide for safer traffic rules seems to be undone by somebody else.

Mr Deputy Speaker, there is a serious reason for raising this matter. Traffic authorities in the states, and particularly the organisation of which all state road authorities are members, have done a lot of research into this type of traffic regulation and concluded that many of these signs cause accidents rather than prevent them. This is particularly so where the signs are so diverse and the instructions so inconsistent that drivers are totally confused. In some cases, they actually breach legislation while complying with the instruction on the sign. At various times,we have had signs in areas which have heavy traffic and it has been found that the signs do not work. To the credit of the city council, these signs have then been moved. It is very disturbing now to see these signs appearing without any good reason, particularly in this diverse form. As far as I know, there is no standard sign on the chart provided by the Australian Road Research Board of the type that has been erected at the corner of Cavenagh and Bennett Streets which says'GIVE WAY to RIGHT'. That rectangular sign with red background and white lettering is a completely non-standard sign. I see no reason for having that, particularly when we have these inverted triangle signs for 'GIVE WAY' as well as 'STOP' signs.

Mr Deputy Speaker, I ask the honourable Minister for Transport and Works to remind the city council, if indeed it is the organisation erecting these signs, of the new legislation, assure them of its adequacy and the good sense embodied it its principles and cause them to cease this nonsensical practice.

Mr B. COLLINS (Arnhem): The reason that I am speaking this afternoon despite the fact that the hour is late is because this is the last opportunity that I will have to make these remarks before a meeting which will take place next Monday.

Mr Deputy Speaker, there are a great many words in the English language which are abused, but possibly the one that I see most abused in the interaction between my constituents, Aboriginal people generally and government and mining companies - and indeed it is sometimes very hard to tell the difference between government and mining companies - is that word 'consultation'. Not very many years ago, Aboriginal people in the Oenpelli area, after 10 years of continuous opposition, were finally told that their opposition was not to prevail in the case of uranium mining in the area. In those days, I was not yet the member for Arnhem; I was in fact the member elect. The then minister for Aboriginal Affairs, Mr Ian Viner, convened a meeting at Oenpelli which I attended. He advised the Aboriginal people

formally at that very large meeting that the government had determined that their opposition to mining was not to prevail and that the land rights act would contain exemptions providing for the operation of uranium mines. Since that time, Aboriginal people have been inundated with a flood of correspondence and have had so many meetings with government and mining companies that they can barely take it any more.

Mr Deputy Speaker, the first report of the Social Monitoring Unit at Oenpelli was tabled in the federal house. After relating the evidence to support its final conclusion, it stated in its final paragraph that there should be a moratorium on all future mining in the park until it could be demonstrated that the dreadful social impact of the mining which has already taken place had been alleviated, at least to some extent, before Aboriginal people had to come to terms with even more. Not surprisingly, that recommendation of the Social Monitoring Unit has been ignored by the federal government. In fact, it was interesting to note that when he tabled that report in the federal parliament, the minister was at some pains to advise members that the Social Monitoring Unit at Oenpelli was not his only source of information. You would have had to be a fool, Mr Deputy Speaker, not to have read into that the implication that was intended. The government made much of the Social Monitoring Unit prior to the signing of the Ranger Agreement. This was a unit that would advise government and would respond instantly to any perceived problems. Unfortunately, the Social Monitoring Unit at Oenpelli seems to have become nothing more nor less than an academic monitoring of the destruction of that community.

There are 2 mines operational in that area at the moment: Narbalek and Ranger. Neither of those mining operations got under way or is proceeding without some trauma. Much of it is very public. At this moment, the same Aboriginal people, not necessarily the same individuals but the same group of Aboriginal people are already dealing concurrently with 2 sets of negotiations for 2 more mining operations. There is Koongarra and an intitial meeting will take place next week to begin negotiations with Pancontinental. People are punch drunk from this relentless flood of correspondence and pressure from both the government of the Northern Territory, the government in Canberra and the mining companies.

I have been saying for some years in this Assembly that, on many occasions when governments, and indeed mining companies, talk about 'consultation', it is a sham and a fraud. The word is abused and misused. In case anyone has any lingering doubt about that, I shall quote from a letter which was transmitted recently to the traditional owners of the Kakadu National Park. There has been some publicity recently about the transfer of control of the park from the federal authorities to the Northern Territory government. I mentioned earlier today that the Ranger agreement and the park agreement were signed at the same wonderful ceremony at which 4 out of the 40-odd traditional owners were present. The rest stayed away deliberately in the hope that that would prevent the proceedings from going ahead. Clause 3 of the lease agreement between the owners of the park and the National Parks and Wildlife Service states that no delegation of power under the federal Parks Act by the Director of National Parks should be made to anyone without the prior written approval of the Northern Land Council.

I said before that the Australian National Parks and Wildlife Service people, in the short time that they have been operating the park, have begun some very positive and progressive training procedures. Their liaison and standing with the Aboriginal people in the area are excellent. The national park authorities have gone to some lengths to ensure that the local people are consulted on everything and that, in fact, there are real consultations prior to any event. There was no doubt in the minds of the people who attended the signing of the Ranger agreement about what they wanted. They made a conscious and deliberate decision to ask for federal control of the national park. It was on the basis of that

agreement that they signed the Ranger agreement. I remember a most impressive interview on the ABC with Mr Alex Bishaw, then manager of the Northern Land Council and now Deputy Director of the Northern Territory Conservation Commission. He very cogently and convincingly put the arguments - and this interview was only a matter of 2 years ago - as to why the Aboriginal people were entitled to and deserved federal control over the national park. He went into some detail to describe the history of negotiations with both the federal and the Northern Territory governments. It was a very impressive contribution; I still have that interview on tape. Knowing the integrity of the man, I know that what is occurring is simply because he is now a servant of the Northern Territory government. The Aboriginals who dealt with him during the Ranger agreement also know of his integrity. I am quite sure that that integrity is still unimpaired and that personally he would still be of the same view now as he was then.

A number of communications about the government's intentions have been sent to the people in Kakadu during the last few weeks. One that I will read into Hansard is simply the latest. I hope that it puts aside forever the government pretence that it consults with Aboriginals. This letter is to the Chairman of the Northern Land Council. It was brought to me by some of my constituents who had photocopies delivered to them. It is from the federal Minister for Home Affairs, Mr Ian Bonython Cameron Wilson - there is a man with some connections for you. The letter reads:

On 29 April 1981, the Prime Minister, Mr Fraser, announced a range of decisions taken in the government's review of Commonwealth functions. These are detailed in the attached document 'Ministerial Statement - Review of Commonwealth Functions'.

The decision taken in relation to the Australian National Parks and Wildlife Service in the review will have some bearing on relations between the service and the council as far as the management of Kakadu National Park is concerned. Relevant decisions are at page 27 of the Prime Minister's statement and at page 23 of the appendix to the statement. However, I make clear that the Commonwealth recognises its obligations to Aboriginal people of the Alligator Rivers region and the government wishes to reassure those people that it will continue to honour the provisions of the agreements concluded between the Commonwealth, the Director of the National Parks and Wildlife Service and the Northern Land Council.

The government has also made it clear that essential Commonwealth interests in the Kakadu National Park will be maintained. The government's intention is that operational functions by the Australian National Parks and Wildlife Service at Kakadu will be scaled down and their functions delegated to Northern Territory officials. The park will remain declared under the National Parks and Wildlife Conservation Act. The plan of management, which recently came into effect, will continue to provide the basis for management and the Director of National Parks and Wildlife Service will continue to retain responsibility for the Kakadu park.

I appreciate that the decision cannot be implemented without considering its interaction with the agreement and arrangements between the Director of the Australian National Parks and Wildlife Service, the Northern Land Council and the traditional Aboriginal owners of the park. You will be kept fully informed and consulted as necessary during the implementation of the proposal.

Mr Deputy Speaker, that contemptible piece of correspondence is only the latest in a long line that has been ferried out to the Aboriginal people in the last few weeks about changes to park boundaries and so on. The Aboriginal people will be consulted 'during the implementation of the proposal'. The judge's decision on this one will be final and no correspondence will be entered into. It talks about 'delegation' despite the fact that clause 3 of the lease agreement between the traditional owners and the Australian National Parks and Wildlife Service clearly states that no delegation will be given without the prior written authority of the Northern Land Council. That is what the federal government calls 'consultation' - consultation after the event, after the decisions have been made. I do not think anybody who has a reasonable understanding of the English language would be in any doubt about that. It is clear that the Commonwealth government intends to ignore completely the recommendations and decisions of the Social Monitoring Unit that it made such a fuss about putting out there to reassure people. That is as much a sop as the traditional throw-away paragraphs they include before the killer punch in the final paragraph.

These letters, I am sure, must be produced by a computer in Canberra; they are so consistent in the way they are written. First, you make your statutory statement of concern for Aboriginals and finish up by saying that the decision has been taken and we will talk to you afterwards.

Mr Deputy Speaker, I want to read a telex which I received today from my constituents. It says:

We would appreciate your assistance in relation to intended government handover of Kakadu to the Northern Territory government. The following is the text of a telegram we have sent to the Chairman of the Northern Land Council on this day:

> *We, the traditional owners of Kakadu National Park, are concerned over the government's intention to scale down the ANPWS operations at Kakadu and their further intention to delegate these responsibilities to Northern Territory officials. We believe that this action will have a detrimental effect on present park operations and would seriously affect future operations as proposed in the plan of management. It is therefore imperative that the NLC immediately seeks assurance from the federal government that absolutely no changes in park operations, staffing or status will occur without consultations with us. If these assurances are not forthcoming, the Northern Land Council, on behalf of traditional owners, must revise the legality of the Kakadu Land Trust's status in respect of all our agreements with the government.*

Mr Deputy Speaker, I am not arguing about who should control the national park, whether it should be the federal government or the Northern Territory government. This is a complete betrayal less than 2 years after undertakings were given to the Aboriginal people in that area on the basis of which they signed the Ranger agreement. The federal government certainly did not let the grass grow under its feet to betray that undertaking. The Aboriginal people in the area, as I said before and as was so cogently argued by Mr Alex Bishaw, considered that the Australian National Parks and Wildlife Service people must manage Kakadu. That was agreed to by the government. The federal government, in line with a great many of the undertakings it has made to Aboriginal people, is about to renege on the latest one.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITION
Poker Machines

Mr EVERINGHAM (Chief Minister): I present a petition from 73 members of the Uniting Church in Darwin and Darwin citizens expressing their opposition to the extension of poker machines to the Northern Territory. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory in parliament assembled, the petition of the undersigned opposed to the extension of poker machines in the Northern Territory respectfully showeth: (1) there has not been opportunity for public consideration of the important questions posed by the introduction of poker machines into the Northern Territory; (2) that serious social consequences will result from the proliferation of such gambling facilities in a community particularly for families of low income earners; and (3) that no new legislation granting the extension of poker machines in the Northern Territory be entered into until the wishes of the people are determined by a referendum. Multiplying the avenues of gambling significantly increases community involvement in gambling with its dependent social and moral problems. An extension of poker machines would have a direct impact on family life and the business economy of this community and your petitioners, as in duty bound, will ever pray.

STATEMENT
Aboriginal Infant Mortality Rate

Mr TUXWORTH (Health): Mr Speaker, a substantial decrease has occurred in the Aboriginal infant mortality rate in the Northern Territory. In 1980, the Aboriginal infant mortality rate was 36 per 1,000 live births. This figure is not merely a statistical vagary but an indication that a further stage has been reached in the firm downward trend in the mortality rate which has been evident for the past 10 years.

The following statistics illustrate the point. In 1971, 134 Aboriginal infants aged less than 1 year died. The total number of births for the year was 938. This gives a mortality rate of 143 per 1,000 live births. In 1975, the number of infant deaths was reduced to 45 out of a total number of births of 899 giving a mortality rate of 50 per 1,000 live births. By 1980, the number of infant deaths had fallen to 33 out of a total number of 909 births which gives a mortality rate of 36 per 1,000 live births. This represents a substantial improvement on the statistical rate of 143 deaths per 1,000 in 1971 to 36 deaths per 1,000 in 1980.

The figures indicate a substantial improvement in the health of Aboriginal infants. This should be very encouraging to all persons concerned with the welfare of Aboriginal people. There are few places in the world where such a dramatic change has been effected in such a short period of time. Whilst these results are most encouraging, we must not forget that the Aboriginal infant mortality rate is still 3 times the infant mortality rate for Australia as a whole. We must ask ourselves what steps can be taken to reduce the death rate even further.

The infant mortality rate in any community broadly reflects the outcome of the interaction between nutritional status and infectious disease and the standard of the health services which impinge on them. The interacting complex of nutritional status and infectious diseases is in turn largely determined by income, lifestyle and the physical environment. The last decade has seen considerable improvement in the incomes and lifestyles of many Aboriginals and also the progressive improvement of health services. The improvement of health services is not so much by technical innovation as by the development of an organisation well adapted to the task before it. These favourable changes, however, have not been matched by comparable changes in the physical environment particularly housing, water supplies and sanitation. It is from achievements in this area that the next substantial drop in the Aboriginal infant mortality rate will follow.

There were no maternal deaths in the Northern Territory in 1980 and I am pleased to be able to report that Aboriginal women - on past experience, the high-risk group - are availing themselves more and more of obstetrical services available to them. In 1971, 38% of Aboriginal women had their babies delivered in hospital. In 1975, the figure was 48% and in 1980 the percentage rose to 77%.

Mr Speaker, I move that the statement be noted.

Debate adjourned.

ELECTRICITY COMMISSION AMENDMENT BILL
(Serial 61)

Bill presented and read a first time.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the bill be read a second time.

This bill is designed to amend the section in the Electricity Commission Act which had the effect of postponing for 3 months the levying of any increase in electricity charges. The Northern Territory Electricity Commission in the normal course of business reads each consumer's meter every 3 months. The inter-governmental Memorandum of Financial Understanding requires that the Electricity Commission's charges should follow closely those in force in north Queensland. Under section 30(3) of the Electricity Commission Act as it presently reads, any increase in charges does not flow through to the consumer for a full period of 3 months from the gazettal of the new electricity fees and charges regulations.

Clause 2 provides that any consumer's metered consumption read after the date of gazettal shall be calculated as if the whole of that consumption had been after the date of gazettal; that is, all accounts issued after the date of gazettal will be calculated at the new rates. This is a practice followed elsewhere in Australia and it will allow the commission to implement increased charges without the present delay of 3 months and subsequent loss of revenue. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM (Chief Minister) (by leave): I move that so much of Standing Orders be suspended as would prevent 3 bills relating to leave and public

holidays firstly being presented and read a first time together and 1 motion being put in regard to respectively the second readings, the committee's report stages and a third reading of the bills together and, secondly, the consideration of the bills separately in the committee of the whole.

Motion agreed to.

ANNUAL LEAVE BILL
(Serial 106)
LONG SERVICE LEAVE BILL
(Serial 107)
PUBLIC HOLIDAYS BILL
(Serial 108)

Bills presented together and read a first time.

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

I should emphasise that, as I understand the purpose of this legislation, it provides minimal conditions for persons not covered by awards. These bills are the result of the report of the Commission of Inquiry into Leave of Absence for Employees in the Northern Territory. The inquiry was established by resolution of this Assembly to inquire into, report on and make recommendations concerning leave of absence for employees in the Northern Territory. The 3 bills propose the repeal and replacement of present legislation and, with minor exceptions, they carry out the recommendations of the commissioner. The legislation has been drafted as a minimal standard because it is considered that the interests of employees and employers are best protected if conditions of employment are prescribed by awards and determinations of arbitral tribunals or by agreements registered with them. As the legislation is intended to apply only to employees not covered by an award or by other legislation, this proposal should not be of such a high standard as to discourage employees from seeking award coverage nor to encourage those with award coverage to foresake it.

The Annual Leave Bill proposes the repeal of the Annual Holidays Act and its replacement by new legislation to provide for the grant of annual leave to certain employees. The bill incorporates proposals contained in recommendations 9(a) to 9(g) inclusive and annexure J of the report of the inquiry. The bill proposes that eligible employees would be entitled to 28 consecutive days annual leave for each 12 months continuous service with provision for continuity of service and for qualifying periods of service, for annual leave, for maintenance of leave records, for payment of leave bonuses of 17½% and for payments on a pro rata basis in lieu of leave at termination of employment or the death of an employee. The bill also provides for close-down situations where an employee upon notice may be required to take his annual leave at a particular time by reason of the closing down of the plant in which he works.

The main differences between the present legislation and proposals contained in the bill are as follows. The bill provides that payment for a period of leave should be at the rate the employee received at the time he commenced his leave plus 17½%. The present act requires the payment of the rate he would have received if he had not been on leave plus 17½% so that a person on higher duties at the time of the commencement of leave would be paid at that rate plus 17½% regardless of whether he would have continued to be paid at the higher rate during that period and afterwards had he stayed at work.

Clause 10(2) provides for payment on termination according to a formula based on the employee's ordinary rate of pay so that shift workers would be paid for 3.85 hours of ordinary pay for each completed week of service and other workers for 3.87 hours of ordinary pay for each completed week of service. The present act provides for payment on a basis of one twelfth of the amount normally received by the employee for the time worked.

Shift workers with 12 months qualifying service will be eligible for an extra half day for each month of continuous shift work and such shift workers will be eligible for an extra 7 days leave over and above the normal 28 days annual leave when they are regularly required to work on Sundays and public holidays. The bill proposes that leave shall be taken at a time agreed to between an employee and his employer or within 12 months of a time fixed by the employer rather than within 6 weeks of such a time as the present act requires. The bill empowers the minister to exempt an employer from the whole or any part of its provisions. The present act does not provide for exemptions.

Penalty provisions are increased in the bill to $1,000 as against the present penalty of $400.

The Long Service Leave Bill has been drafted mainly in accordance with recommendations 8(a) to 8(f) inclusive and annexure 1 of the report of the Commission of Inquiry. The bill would repeal and replace the present Long Service Leave Act. The main differences between the bill and the present legislation concerning long service leave are that the bill would allow an employee with at least 7 years continuous service but less than 20 years service to be paid in lieu of long service leave on termination of employment except for misconduct. The bill and the present act provide that an employee who is employed for 10 years continuously is eligible for 3 months leave. The bill would also provide for a further 3 months leave for each additional 10 years service. This is not specified in the present act.

The bill and the act both provide that, if long service leave is taken in broken periods, the maximum number of periods shall be 3 with a minimum period of leave of 4 weeks. In respect of leave other than a first period of long service leave, the act sets a maximum of 2 separate periods of broken leave. Again the bill provides for higher penalties than under the present legislation. The bill requires all service with an employer before the coming into force of the new legislation to be taken into account in calculating the 10 year entitlement period and for the employer to give the full 3 months leave for such service.

The Public Holiday Bill proposes the repeal and replacement of the Holidays Act and is a result of recommendations 10(a) and 10(e) and inclusive of annexure K of the report. The bill proposes a rate of twice the normal rate of pay for work performed on a public holiday. The main differences between this bill and the present legislation are that the bill provides that an employee not required to work on a public holdiay shall nevertheless be paid for that day. The present act does not deal with the question of payment for public holidays at all. The bill specifies 11 particular days as public holidays whereas the present act specifies 10. The additional day included in the bill is the first Monday in August, commonly known as 'Picnic Day'. The bill would empower the minister to exempt an employer from the provisions of the bill or from any part of them. The bill does not refer to bank holidays nor does it propose any power to declare half holidays. Again, the bill provides for penalties of $1,000.

Mr Speaker, the government has decided to effect the proposals in these bills as a package. Another of the recommendations of the report has not been incorporated in these bills. The Commission of Inquiry recommended that the Small Claims Court not be used for settling disputes under the new legislation and that a body with an industrial background should be used for that purpose. However, the Northern Territory (Self-Government) Act 1978 of the Commonwealth at section 53(5) prohibits this Assembly from making laws conferring on any court or other body powers with reference to the hearing and determination of disputes, claims or matters relating to terms and conditions of employment. These bill are very important proposals for the Territory and I have given them detailed consideration in this explanation to allow honourable members to scrutinise them carefully. I look forward to receiving honourable members' comments on the proposals.

Finally, I would like to take this opportunity to pay tribute to Mr Ted Tudor who drafted these particular bills when transfers and sick leave left the drafting office suddenly depleted of staff late last year. Honourable members may know that Mr Tudor died suddenly since the last sittings of this Assembly. Mr Ted Tudor was the Legislative Draftsman for the Territory in the early 1970s up to the time of Cyclone Tracy. He played an important role not only then but since then in relation to our changing constitutional status. He always remained a friend of the Territory and, because of his personal and professional contacts with us, was always available to advise and assist when requested. I am sure that you, Mr Speaker, and honourable members will join with me in expressing sympathy to Mr Tudor's family.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

STOCK FOODS BILL
(Serial 109)

Bill presented and read a first time.

Mr STEELE (Primary Production and Tourism): Mr Speaker, I move that the bill be now read a second time.

There has been increasing worldwide concern to ensure control of stock food ingredients to protect human and animal health and the environment. Each Australian state has legislation for these purposes. Although they lack uniformity, they achieve the same result. In 1978, primary producers in the Territory used about 11,000 tonnes of manufactured stock foods of which only about 32% was manufactured locally. Other state legislation affords us a certain amount of protection with interstate imported stock foods. However, with increasing exploitation of the agricultural potential within the Territory, it is envisaged there will be an increase in the amount of locally-produced ingredients available for use in locally-manufactured stock foods.

Mr Speaker, this bill has 2 main aims. Firstly, it is aimed at quality control to ensure protection of consumer's rights. Invariably, without control, there will be stock foods used or put on the market that are of poor nutritional value, manufactured from low-standard basic ingredients, unsuitable for the purposes for which they are intended and prone to deterioration under storage. Consequently, this will result in sub-optimal livestock performances and a reduced economic viability to the primary producer. The second aim is composition control. This is to ensure that the essential nutritive ingredients are in the correct proportions for the purposes for which the stock food is intended.

It will control or restrict the levels of certain additives to a level where they will not be harmful to the animal or to the consumer. There will be prohibition of certain adulterants which have residual properties. While these adulterants may not have an effect on the animal, they may be harmful to the consumer of animal products such as meat, eggs and milk.

Finally, this legislation will allow for the regulation, preparation, use and sale of stock foods by providing for the registration, labelling, inspection and analysis of these stock foods. I commend this legislation.

Debate adjourned.

MARINE BILL
(Serial 105)

Bill presented and read a first time.

Mr DONDAS (Transport and Works): Mr Speaker, I move that the bill be read a second time.

This bill seeks to set up a Northern Territory Marine Act similar to legislation now operating in all states for the control of shipping and navigation. Members of the Assembly will appreciate that, in many respects, this bill provides a framework for the most up-to-date legislation of its type in Australia. Care has been taken to select the best legislation available from state marine acts. The Northern Territory is in a unique position to take full advantage in calling up the uniform Shipping Laws Code as a major part of regulations to the Marine Act. The uniform code is a product of almost 10 years of negotiation between the Commonwealth and states to develop standard laws throughout Australia in respect of shipping and navigation. A fully amended copy of the code printed in gazette form was issued only very recently by the Commonwealth for the convenience of all states to adopt in legislation. I table a copy of the code for the benefit of members.

By enacting its own marine legislation and, at the same time, calling up the uniform code, the Northern Territory will have requirements that are uniform with all other states. At the same time, the bill takes into account the recent package agreement between the Commonwealth and the states on the division of responsibilities for shipping and navigational matters in Australia. The bill aims to ensure that all Northern Territory ships, regardless of size, are safe to go to sea and that all persons serving on board those ships, as crew or carried as passengers, are provided with the maximum safeguards available for the preservation of life at sea. Recognised international safety standards for the safety of life at sea and the more important traditions of seafarers developed in the marine legislation since the early days of British shipping have been preserved.

The bill provides for the appointment of a Director of Marine and a shipping officer and the existing staff located in the Department of Transport and Works are to be appointed. Those officers, together with the minister responsible, will form the basis of a Marine Authority to administer this legislation. I hasten to point out that this does not mean an independent authority in a statutory corporation sense but rather an authority recognised for the sole purpose of administering the Northern Territory Marine Act. To a large extent, state-type marine legislation covered by this bill involves technical safety aspects of ships' construction, equipment and surveying. As such, it must be appreciated that the effect of administration of this legislation calls for specialist technical expertise in these areas. It is my intention to appoint

a principal marine surveyor to the Department of Transport to act as a technical marine adviser to the Northern Territory government.

I now turn to some of the more specific purposes of this bill. A ship may not be taken to sea unless it carries a sufficient number of qualified seamen. Also, when a ship is at sea, watch-keeping must be in the hands of an adequately qualified seaman at all times. Facilities are to be set up for the training, education and examination of seamen to ensure they have every opportunity to gain basic qualifications or to upgrade existing qualifications. Traditionally and by a maritime convention, a seaman cannot go to sea in a ship except under written contract of employment with the ship's owner, agent or master. This bill allows full protection to the seamen in that regard. A mercantile marine office is to be established to provide a range of such services to the maritime industry.

The bill follows the usual pattern of maritime laws in that it ensures that Northern Territory ships will be properly constructed, equipped and operated at sea. A ship may be prohibited from going to sea if it does not carry a valid certificate of survey. A certificate of survey is evidence that a ship has been surveyed by a qualified surveyor whose function is to ensure that a ship has been built, equipped and inspected in accordance with the recognised standards.

Special provisions in relation to the carriage of hazardous cargoes and dangerous goods on board ships are covered in this bill. Again, it will be the role of the marine surveyor to ensure that the provisions of the act are complied with in this regard.

One important aspect of the bill is the exercise of economic licences and controls over commercial shipping operations other than fishing vessel operations in Territory waters. For example, a general licence may be issued for a maximum period of up to 5 years for a regular coastal trade shipping service such as that now provided by barge operators. Special licences may be issued for up to 12 months for charter operations within a specific geographical area or to cover a single voyage or a series of voyages with a particular port or locality in the Territory.

Another provision of this bill relates to the control and operation of pilot services. It includes a legal system within which pilots can operate. The minister is to have certain powers necessary to establish, maintain and protect marine navigational aids for the benefit of coastal shipping in inshore areas of the Northern Territory. The Commonwealth will continue to exercise control over navigational aids outside of inshore areas and ports. Regulation-making powers to control small craft and pleasure craft in certain areas of the Territory are contained in the bill. It is proposed that a series of regulations intended to complement the Marine Act will be developed in the months ahead as this bill proceeds towards enactment.

In conclusion, I wish to make it clear that the legislation contained in this bill will not conflict in any way with existing ports legislation. It is specifically designed to cover safety of ships and has no direct bearing on the management operations of the ports. I commend the bill.

Debate adjourned.

LIQUOR AMENDMENT BILL
(Serial 113)

Bill presented and read a first time.

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

During debate on the Liquor Amendment Act 1981 in the February sittings, I foreshadowed the government's intention to introduce further amendments to the act. In fact, it was hoped that these amendments would be ready for inclusion during the committee stage but this was not possible. These amendments have now been prepared and are included in this bill. All of them are of an administrative nature.

An amendment to section 25 of the Liquor Act will make it clear that a corporate licensee cannot continue to sell liquor in the absence of an approved manager. Section 35 will be amended to allow for the registrar to determine a licence fee upon the best information available to him where the licensee fails to lodge the returns upon which the fee is normally calculated. A new section will allow for the registration of liquor wholesalers. No such provision exists in the present act and it has been requested by liquor merchants.

Finally, and perhaps most importantly, new sections are introduced to provide for the transmission of licences upon death or bankruptcy and to allow the continuation of a licence under certain circumstances where a licensee had died. I commend the bill to honourable members.

Debate adjourned.

HOSPITALS AND MEDICAL SERVICES AMENDMENT BILL
(Serial 121)

Bill presented and read a first time.

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

The bill we have before us is a direct result of the Commonwealth's new arrangements for funding of health services in the Northern Territory. Northern Territory hospital costs have been shared with the Commonwealth government since the transfer of health functions in 1979. After the transfer, a formal agreement was entered into by both parties to share the costs of operating the hospitals on a 50-50 basis.

A significant feature of the agreement was that persons without hospital insurance were not to be charged. Escalating hospital costs led the Commonwealth government to set up an inquiry into the efficiency and management of hospitals. Commonwealth funding was to continue on a no-growth basis pending the outcome of the inquiry. A committee of inquiry, known as the Jamison Committee, submitted its report in December 1980. Numerous substantial recommendations were contained in the report and the Commonwealth government's reaction to the report has been awaited with considerable interest and trepidation. It was understood by all parties that there would be discussions between the Commonwealth and the states and the Northern Territory before new policies were determined.

The Commonwealth Health Minister, however, on 29 April 1981 announced major policy changes in the national health scheme without regard to the views of other parties to the agreements. The main features are as follows. Hospital cost sharing will cease on 30 June 1981. The Commonwealth contribution towards the cost of the operation of health services, including hospitals from this time onwards, will be added to grants of funds for general revenue. The amount of money to be contributed by the Commonwealth government will be determined by subtracting from an agreed trust sharing base an amount of money

which the Commonwealth considers the Northern Territory to be able to gain from charges for hospital services. This subtraction will be made irrespective of whether the Northern Territory can actually get payment for such charges or not. The Commonwealth government will refer the question of state relativity to the Grants Commission and the Commonwealth government will meet the hospital costs for persons whom it considers to be disadvantaged.

On 1 May 1981, the Commonwealth government made some preliminary information available at a Premiers Conference in Perth on the amounts of the deductions to be made in respect of estimated revenue for hospital service. On 7 May a meeting of state health ministers was held to consider the position before meeting the Commonwealth the next day. The states and the Northern Territory agreed that the following position should be put to the federal Health Minister: that the Commonwealth contribution of funds before the deduction of estimated states hospital revenue should be the actual gross operating costs of the current financial year plus an adjustment of 11% for inflation, and not 10% as proposed by the Commonwealth minus 50% of the actual revenue received for hospital charges less administrative costs. If the Commonwealth agreed to the first point, all parties except Queensland agreed to a basic hospital bed charge per day of $80. All parties agreed in principle that Outpatient charges should be imposed with each state fixing its own level of charges.

The following day, the states and the Northern Territory health ministers met their Commonwealth counterpart and the Commonwealth put forward revised figures for 1981-82. Those for the Northern Territory were that the Commonwealth should provide $28m - that is, $25m for inflation - less an amount of what we believed was our revenue raising capacity. The Commonwealth estimated that, for the 1981-82 period, the Northern Territory could raise an additional $11m based on 50% of inpatients paying for services and the imposition of Outpatients charges. The Commonwealth said that, of the $11m, it expects the Northern Territory to raise at least $7m from 1 September 1981 to June 1982 from hospital fees and charges. All states and the Northern Territory rejected the Commonwealth's proposition and submitted their own proposals. The Commonwealth response was that it would not negotiate on the revenue-raising capacity of the states and the Northern Territory as determined by the Commonwealth.

On 22 May, I met with the Commonwealth Minister for Health to discuss the Northern Territory's special circumstances, in particular the large proportion of the population which is actually disadvantaged. The Commonwealth advised that it recognised the difficulties that the Northern Territory had and that it would be prepared to re-examine the Northern Territory's revenue-raising position at a later date. The Commonwealth, however, would give no financial guarantees at this stage because it wished to maintain uniformity with the states.

A Commonwealth State Health Ministers Conference was held in Canberra on 25 May but little additional information came out of that meeting. The government is currently considering in detail the options available to it on the level that hospital inpatient and Outpatients charges will be set and an announcement will be made shortly. Clearly, it will be in everyone's interest to take out hospital and medical insurance and my department will be advertising throughout the Northern Territory to urge this.

I have been considering also the possibility of raising revenue from areas of the Department of Health in an endeavour to off-set at least part of the anticipated shortfall. Whilst no firm decision has yet been made, it is quite

likely charges will be raised from medical consultations in urban Community Health Centres. Members will recall the recent public discussion on the role and staffing of the Community Health Centres in Darwin. I would like to say that, in spite of our difficult financial position, we are determined to maintain the community and public health programs of our health centres. We will be reducing medical care functions that can be undertaken by the private sector and the departmental working party which was set up to examine the staffing implications of this policy have indicated there will be 2 new nursing positions available and they have been transferred to the hospital alcohol unit. I believe this to be a reasonable conclusion.

Mr Speaker, these are difficult times for the health industry and the government will do all it can to see that funds are available to health and are spent with maximum benefit. The Northern Territory government is now entering a period of financial uncertainty in so far as the provision of health services is concerned and condemns the unilateral action taken by the Commonwealth in introducing these new financial arrangements. I can assure the Assembly that this government will be taking every possible measure to maintain the high level of health care that exists at the moment and at the same time ensure that costs are kept to a minimum.

Mr Speaker, the Hospital and Medical Services Amendment Bill removes section 6A(1) which requires the Northern Territory to provide persons without hospital insurance who are treated by hospital doctors in standard beds with those services free of charge. As I have just outlined, the Northern Territory can no longer supply these services free. Charges must be introduced. At this point let me assure honourable members that those who are disadvantaged, as defined by the Commonwealth, will not be charged for health services. I commend the bill to honourable members.

Debate adjourned.

ADMINISTRATORS PENSIONS BILL
(Serial 83)

Continued from 4 March 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition supports the Administrators Pensions Bill. I would like to clear up one matter which may arise from a wisecrack which the Chief Minister made on the introduction of this bill. The Chief Minister indicated when the message from the Administrator was read that the preparation of that message must have given the Administrator a great deal of pleasure. Of course, nothing could be further from the truth. Section 11 of the self-government act is worth reading into the Hansard so that honourable members understand why the Administrator had to do as he did:

> *An enactment, vote, resolution or question, the object or effect of which is to dispose of or charge any revenues, loans or other moneys received by the Territory, shall not be proposed in the Legislative Assembly unless it has, in the same session, been recommended by message of the Administrator to the Legislative Assembly.*

The Administrator has a statutory obligation to recommend to the Assembly this particular legislation. I am sure he did it in a completely disinterested fashion. It would not have given him any pleasure as I am sure it does not give him any pleasure to make similar recommendations. The reason I make the point is that it deals with pensions from which he will benefit. The point is worth making that the Administrator has a statutory obligation to make the re-

commendation to the Assembly. He does not do it because it gives him any pleasure or because he will benefit. It is a welcome move because it is an absurdity that people should serve the Territory and not receive a pension after years of service. The bill before us provides a 5-year period, before the Administrator is entitled to a pension. After 5-years' service, the Administrator then becomes eligible, on retirement, to a pension worth 50% of his basic salary and that pension will be adjusted in line with consumer price index movements.

The pension will be discounted by the amount which the former Administrator will receive for any service which he has rendered to the Crown in the right of the Northern Territory, any state or the Commonwealth. I am sure everybody would agree that that is an appropriate provision. Should the Administrator die in office or should the former Administrator die in retirement, then the spouse of that Administrator will be entitled to two-thirds of the pension, again with the appropriate consumer price index adjustments.

It is interesting to note that pensions for Governors-General, for example, are only a recent matter. We had an absurd situation under the constitution of Australia where not only was the pay of the Governor-General fixed at some extraordinarily low level - and it cannot be changed during the term of the Governor-General - there was no pension available to the Governor-General until 1974 on the appointment of the well-known Sir John Kerr. He received a pension at the rate he would have received had he continued in office as the Chief Justice of New South Wales. It is an important principle, Mr Speaker. It is appropriate that the Assembly pass such legislation to provide pensions which are similar to those available to governors in the states. It has the support of the opposition.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 77)

Continued from 4 March 1981.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr ISAACS: I referred to the position of Curator of Estates of Deceased Persons which is mentioned in the Legal Practitioners Act. I understand the position no longer exists. It has been abolished by the Public Trustee Act. I ask the Chief Minister whether he has been able to receive advice about that and, if so, should we not be deleting paragraph (a)?

Mr EVERINGHAM: It is necessary to retain the reference to Curator of Estates of Deceased Persons in relation to section 133(2) of the Legal Practitioners Act. The office of curator was established under part VI of the Administration and Probate Act 1969. Part VI was repealed by the Administration and Probate Act (No. 2) of 1979 when the new Public Trustee Act came into operation. Saving provisions were inserted in the Administration and Probate

Act (No. 2) 1979 making clear that the identity of the curator was preserved for certain purposes as if the repealing act had not been enacted. It is appreciated that the curator could only obtain administration in limited circumstances such as elections to administer under old section 121 matters and orders to collect and administer under section 122 of the Administration and Probate Act.

There is an argument for saying that such administrations are not within the scope of grants of probate or letters of administration as referred to in section 133 of the Legal Practitioners Act. There is, however, some doubt about the matter. Some elections and orders to collect and administer have been resealed in other jurisdictions as if they were letters of administration. There are several more pages of it but, in short, it is necessary.

Clause 4 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

ROAD SAFETY COUNCIL AMENDMENT BILL
(Serial 92)

Continued from 4 March 1981

Ms D'ROZARIO (Sanderson): The opposition supports this bill. It attempts to do 2 things. The first and perhaps more important one is making the council more effective in its operations by reducing the quorum presently prescribed in the Road Safety Council Act.

Mr Speaker, the minister proposes to reduce the quorum to 7 members in order to allow the council to meet more frequently. Certainly, I sympathise with the solution that the minister has sought. As honourable members will know, the members of the Road Safety Council come from all centres of the Territory. It is particularly difficult to get people who are doing this in a part-time capacity together to make sure that a quorum can always be obtained. What has happened in the past is that, where a quorum cannot be obtained, the meeting has not proceeded. My view is that, even with a reduced quorum the operations of the Road Safety Council should be made as public as possible. We certainly support that particular provision.

The other objective that is sought to be achieved by this bill is to enable the council to become incorporated so that it can have control of its own assets and expenditure. It is usual in other places to have incorporated road safety councils, not just so that they can operate more effectively under government appropriations but also so that they can receive and raise funds through such things as bequests. This will enable the council to widen its source of funds even if only marginally in the Territory. I do not think that road safety is a popular cause in the Territory. This is something to be deplored. Perhaps the day will come when people will see this as a positive method of making money available in bequests and so on.

Mr Speaker, the minister took the opportunity to remark upon the work of the Road Safety Council. Certainly, members will see the extensive nature of projects undertaken by this rather small organisation in the Territory. The minister mentioned that the Road Safety Council had kept a low profile in the community. I would like to suggest that the profile of the Road Safety Council be raised. I believe that its activities should be in the consciousness of all road users, not only the work of the council, but what it can do to reduce

road hazards and traffic accidents. I appreciate that, with limited technical staff and limited numbers on the council, the Road Safety Council has kept a low profile. As I say, the extent of projects undertaken is quite commendable. What I am disappointed about is the lack of knowledge in the community of the extent of the projects undertaken by the Road Safety Council. I think most people in the community would know about the 'Being Here Next Year' campaign which the council runs over the Christmas holiday break and the 'Territorians Are Worth Saving' campaign which has had extensive media coverage. Some of the other things which are being done by the council are not so well known. I would hope that the council would take a more positive approach to informing the public of what it does. At the moment, the work of the council appears to be a set of projects which only the council is interested in. As I say, that is a shame, because some of the projects are quite commendable.

Mr Speaker, I look forward to seeing not only more meetings of the council, but also a more technically-oriented set of subcommittees. I realise that the council has only limited access to technical expertise and I hope that it will take the opportunity to form more technically-based committees to help it with its very commendable work. I support this bill.

Mr D. W. COLLINS (Alice Springs): Mr Speaker, as the member for Sanderson has said, this bill aims to do 2 things. Firstly, it aims to reduce the quorum of the Road Safety Council to 7 to make it easier for the body to operate. We are well aware in this Territory that, when you are trying to get people from 1,000 miles apart together to discuss problems, then the smaller the quorum the easier it is to get the body together. The second aim is incorporation. As the minister said in his second-reading speech, the body has proven itself to be very useful and incorporation will help it run itself and achieve more easily the purposes for which it is intended.

There are a couple of points that I would like to make about the Road Safety Council. I was reading in the Advertiser - a South Australian paper - last week that our Road Safety Council made recommendations to the South Australian government regarding random breath testing. It would appear that the South Australian government is prepared to go ahead with that in spite of the complaints from certain areas about the freedom of the individual. The editorial in that day's paper made a point which is well worth noting: the aim of random breath testing is not so much to catch the drinkers but to frighten drinkers off the roads.

Yesterday on Alice Springs radio, there was some pleasing information from the Road Safety Council. It was particularly concerned about the carriage of people in open vehicles. Many of our major accidents in the Territory occur on the open road and involve tray-top vehicles or utilities. It is prepared to make some recommendations on this rather thorny problem. I had representation from the YMCA when this matter was raised in the Assembly. The YMCA tends to use this sort of vehicle extensively in the bush communities. Its recommendation was not that it should cease to be lawful but rather that the speed limit be reduced for such vehicles. One problem is then the policing of these speed limits.

I would like to point out matters that the Road Safety Council could examine. The first relates to the carriage of young children on motor cycles. I have noticed in Alice Springs and I have had it brought to my attention that there are quite a number of motor cyclists who carry young children on the petrol tank. One does not have to understand too many of the laws of physics to realise that, if the driver has to stop in a hurry, that small child is likely to be thrown forward across the front of the motor bike and onto the

road, possibly into the path of an oncoming vehicle. On the other hand, there is the problem of the child sitting on the pillion seat. In general, the pedals are too low for the child. Parents sometimes feel that it is safer if the child is in front. Perhaps the Road Safety Council could examine this and make some recommendations.

The second matter relates to school crossings. The painting on school crossings in the Territory seems to fade fairly quickly. I am often pressuring the Alice Springs council to clear away trees which have overgrown the warning signs about the crossing ahead. This is a recurring problem but I believe the Road Safety Council could help apply some pressure here.

Finally, there is the matter of school flags. One particular school in Alice Springs has a crossing which is designated as the official school crossing. It has flags on it and is generally looked after very well. There is one on the other side of the school which, for some reason, is not considered as a proper school crossing. There was some difficulty in obtaining permission to allow flags to be used there. The matter has been sorted out at last. If there is a crossing near a school, whether it is at the main entrance or otherwise, some action should be taken to ensure it is designated as a school crossing and is adequately provided with red flags to assist the motorists.

Mr DONDAS (Transport and Works): Mr Speaker, I thank honourable members for their contributions. The points raised by the members for Alice Springs and Sanderson will be taken into consideration and the Hansard of the debate will be forwarded to the Road Safety Council for its consideration. The report is a good one. The council is involved with a series of programs. The low profile which it has adopted allows it a bit of flexibility within the committee that it has set up. However, it all becomes a matter of funding. Last year, we provided $112,000 for the 'Territorians Are Worth Saving' campaign and I believe that the general level of funding to the Road Safety Council will be maintained to allow it to continue to operate successfully in the Northern Territory.

Motion agreed to; bill read a second time.

Mr DONDAS (Transport and Works): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MINING ACT 1980 AMENDMENT BILL
(Serial 84)

Continued from 4 March 1981

Ms D'ROZARIO (Sanderson): This bill does 4 things which are quite complicated. I made an effort to come to grips not only with the original bill but with the amendments circulated by the minister. The first objective is that there should be some clear indication as to how the application of the Mining Act will relate to Commonwealth-owned land. That particular provision must obtain the agreement of the Commonwealth before it receives assent. I might venture an opinion that the relationship between the Territory government and the Commonwealth with respect to land has seen a few problems since self-government. In the early days, we had the whole of the Territory vested in the Territory government and the Commonwealth was then obliged to re-acquire land which it required for its own purposes. I interpret this particular provision to be simply a follow-up from those early days of self-government as to how the Mining Act will apply to land of the Commonwealth in respect to the issue of

mining leases, exploration licences and so on.

The next objective is the setting down of procedures for dealing with applications to mine on Aboriginal land. These are spelled out in some detail in the bill. The main point is that once a party has received the consent of the minister to negotiate, no other party can then negotiate with the Aboriginal owners until that particular consent has lapsed.

The third objective is to preserve the rights of those applications for leases which were lodged before the commencement of the Commonwealth Aboriginal Land Rights (Northern Territory) Act. Clause 7 of the bill particularly takes up the question of the status of these particular applications. In this bill, it has been decided that the leases be processed as though they were made before the commencement of that act. This particular provision has been discussed with the land councils and they are quite satisfied with the import of that particular clause.

The fourth objective is to retain the existing system of royalty payments until a review of the royalty payments has been completed. The minister told me this morning that he will be tabling a paper relating to royalties as a prelude to the new legislation which will be, in effect, the review of the royalty payment system. I look forward to seeing the contents of that paper.

Mr Speaker, the 4 objectives are just tying up loose ends or ends that were not even addressed in the original mining bill. The important ones relate to the intention of this bill to deal with mining on Aboriginal land. It is my belief that these matters should be included in the bill rather than being left to lie. I think that is also the view of the land councils with whom these matters have been discussed. Mr Speaker, I support the bill.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank the member for her comments. I would just reiterate that ostensibly the bill seeks to untangle some of the legal complications that came about at self-government but were not recognised at that time. It should go a long way to making land administration in the mining industry much easier.

Motion agreed to; bill read a second time.

Committee stage to be later taken.

EGG INDUSTRY MANAGEMENT BILL
(Serial 80)

Continued from 4 March 1981.

Ms D'ROZARIO (Sanderson): Mr Speaker, I should inform the minister from the outset that I do not like this bill. We spent a great deal of time looking at the reasons for this bill. Although the minister informs us that the bill will put us in step with all other state marketing boards, this is not the case. If the minister had knowledge of more recent events within the egg marketing industry, this fact would have become obvious to him. This piece of legislation is designed to prop up artifically what is essentially a very inefficient industry. The Northern Territory egg industry is not as efficient as the egg industry in some other parts of the country. I hoped that the minister would give some attention to increasing efficiency rather than to increasing or maintaining prices.

What we have is a bill which artifically keeps prices high. Prices will be based on the cost of production to individual egg farmers. In order to make sure that prices are kept high, the supply of table eggs is to be kept low by all kinds of devices, including the reduction of flock numbers. The nation goes to work on its breakfast and eggs are an extremely cheap and efficient form of protein. It is a very basic foodstuff indeed; it would be hard to identify any household in which at least some eggs are not consumed weekly. This is a product which lends itself to a free competition economic model yet what the minister is trying to do is to appease, at the expense of the consumer, a handful of producers who have this particular industry tied up. It is my considered opinion that this particular bill emphasises the welfare of producers at the expense of consumers.

It may be considered to be a little strange that a person from the Australian Labor Party is speaking about a product working quite satisfactorily in a free market situation but I am not an unthinking socialist. I do not believe in government intervention willy-nilly and I certainly do not approve of government intervention which raises the price of basic foodstuffs to ordinary consumers and that is exactly what this is going to do. This particular bill emphasises the welfare of producers rather than consumers. We only have to look at the composition of the Hen Farmer Licensing Committee, which is the name in which this organisation is to rejoice, to see what I mean by that. The committee will consist of 4 members appointed by the minister. Two members will be appointed from persons engaged in the hen farming industry; one member will be appointed from persons engaged in the wholesale marketing of eggs; and one member will be an employee within the meaning of the Public Service Act. There is no mention at all that there should be any representation of consumers on this particular committee. It is all to be slanted toward the production side of the market. I suppose the consumers matter little in this exercise.

If we look at the current composition of the egg industry in the Territory, we find that there are only a handful of producers who are supplying - according to the minister's figures - about 67% of the Territory market. If this particular bill passes through this Assembly, all egg farmers who have in excess of 20 hens will be subject to its provisions. 20 hens are not many. One presumes that the minister thinks that somehow or other this will lead to a greater dispersion in the industry. I have to tell him that it will not. We have few producers and the position of those producers will be strengthened. Small producers who have 20 and 30 hens will not be in the race at all.

I might point out to the honourable minister that what he is doing in this bill is at odds with what is happening elsewhere. A recent report published in the Bulletin of 26 May 1981 stated that, in New South Wales, the government recently announced an inquiry into the egg industry because of the very problem of which I am speaking: over-production of eggs leading not necessarily to a decrease in the price of eggs but simply to a concentration of production into a few hands. The Victorian government has gone even further than the New South Wales government because it has legislated to end its quota system within 3 years. We have the 2 largest states going in the opposite direction to the minister as far as legislating for egg industry management is concerned.

I mentioned that there would be a concentration in the industry and that this bill would certainly assist it. May I point out from this report what has happened in other places in Australia. In New South Wales, where legislation has been in force since 1974, the hen flock has been cut by 47%. This has not led to a reduction in supply. In fact, it has been estimated by marketing economists that there will be an over-supply of 17 million dozen eggs in New South Wales this year. Before the passage of the New South Wales legislation, there were producers with fewer than 5,000 birds accounting for 87%

of the industry. In 1981, they account for only 68%. This is an indication of concentration of flocks in a few hands. In 1970, there were 21 producers with more than 20,000 birds; today there are 43. This is a further indication that the flock is concentrated in a few hands. I point out that the device which is being used by this bill will not necessarily lead to a levelling out of supply with demand. All of this spells bad news indeed for the small producer. By setting a level of 20 hens, the minister is really kidding himself. In relation to the figures that I have given, we are speaking in terms of 5,000 birds - and 5,000 birds is considered to be small in the New South Wales egg industry - yet here we are talking in terms of fewer than 2 dozen hens. Mr Speaker, I think this belies any realism.

If we look from the consumer's point of view, this bill is designed to keep prices high. It is designed to keep prices high not by additional efficiency or anything of that nature but simply by restraining the supply. Consumers will not benefit in times of oversupply by having egg prices dropped. Oh, no! On the other hand, the supply will be constrained by the destruction of flocks so that prices will be maintained at an artificially high level.

The Minister says, rather glibly, that producers are currently supplying 67% of the Territory demand and that this indicates an area for greater participation in the industry. He has informed us that he has set aside quotas which can be taken up by other producers entering the industry. I think the minister will find that, if Territory producers are catering to 67% of the demand, they will be doing extremely well indeed. The Australian Bureau of Statistics estimates that, in New South Wales, the extent of the black market in eggs is 35%. I would not say that the Territory market would be all that different, particularly as we do not have an egg board yet. In New South Wales, we are speaking of 35% of local demand being given over to the black market in the presence of an egg board, Mr Speaker. For the information of the minister the black market consists of such things as sale from unregistered birds, direct sales from the farm gate and illegal imports from other states.

At the moment, we have a situation where the Territory caters for 67% of the demand and I would suggest to the minister that that is extremely good. By saying that because there is only 67% of demand instead of the 90% at which these producers aim and by imputing from that that there is somehow an area in which other producers can come in or where existing producers can expand is patently nonsense. What will happen is that people will continue to buy eggs from the Bagot Road truck and from people down at Howard Springs and Bees Creek and all these other sources. They will continue to have this type of access even though it will be illegal. The reason it will happen is because we will not be able to stop that type of sale. That type of sale will be difficult to police and policing it with any degree of efficiency would be more expensive than the whole exercise is worth. They do have policing in New South Wales and Victoria. As recently as last year, the policing powers of inspectors were stringently increased and even that did not lead to a reduction in the black marget sector. The minister should be very pleased with 67% in view of the facts as they come to light in other states.

We also have a provision whereby the Territory will be divided geographically into areas and quotas will be set according to those areas by a formula which is described in the bill. I do not think that these quotas will do very much for the efficiency of the industry at all. If the minister is looking forward to some improvement in the industry, rather than setting quotas which of themselves tend to keep things static, he should be looking at the reasons why the egg industry in the Territory is inefficient. The production output per layer in the Territory is very low when compared with the output in the

rest of Australia. Since I am an optimist, I think that these things will improve but the perversity of it is that, if they do improve, this bill is bound to fail. If efficiency improves, there will be an oversupply resulting from that increased efficiency and that will happen even if we keep the quota at the level that it is now. If efficiency occurs because there is a concentration in a few hands, that in itself will force some producers to be more efficient. The effect will be that oversupply will continue simply because the output per laying bird will increase. I cannot see how we will cope with this problem of oversupply.

I suggest to the minister that what we have in the Northern Territory is a situation which hurts nobody at the moment. We have a situation where a consumer can go to Coles and Woolworths to purchase his eggs on a weekly basis. He can go to any number of the smaller suburban supermarkets and buy reasonable quality eggs - and I have not yet spoken about the quality of eggs - and he can go to the farm gate and purchase directly from the producer. None of these methods is currently hurting the consumer.

In New South Wales, it has been identified that eggs are 15 cents to 25 cents a dozen dearer because of the egg marketing scheme. In Victoria, the committee of inquiry to which I have referred has estimated that eggs are at least 10c a dozen dearer than they would be if the Victorian Egg Board did not exist. Again I stress that the reason I object to this bill is because it artificially inflates the price of a very basic foodstuff which is enjoyed by nearly every household in the Territory. We are not talking about a luxury product; we are talking about a very basic foodstuff.

I come to the question of quality. I do not see anywhere in this bill where the Hen Farmer Licensing Committee is going to be preoccupied with the quality of eggs. There is a part which is rather misleadingly called 'inspection and quality control'. Clauses 10 to 15 relate very little to the quality of the eggs. Being a product of nature, I suppose it is very difficult to determine what is a standard egg. Every egg will be different from the next one even if it is laid by the same hen. It is very difficult to set about defining a standard of quality control for things like eggs. However, some progress has been made in other places. There is no mention in the bill of how this particular inspectorate will be preoccupied with quality control. It will be preoccupied with inspection. The inspection will relate to whether or not the egg farmer has a licence, whether or not he is within his quota and whether or not he has unregistered birds. That seems to be the sum of this particular section. There are some token clauses there relating to quality control but nowhere is this defined. Nowhere does it say what these inspectors will be looking for and, most importantly, nowhere does it say when an egg will be deemed unfit for human consumption. All these phrases are used in the bill without any idea at all as to what the particular inspector is looking for.

Nobody will deny that eggs which are unfit for human consumption ought to be removed from the market. In all the years that I have lived in the Northern Territory, I have never heard of any producer producing an egg for sale which has been unfit for human consumption. I have never heard of eggs being seized by the Department of Health or by anybody else because they have been unfit for human consumption. That is a fairly easy thing to look for. But no account has been given for consumers. However, that excellent magazine, Choice, the journal of the Australian Consumers' Association, published a report in the February 1981 edition on what egg marketing boards ought to be looking for when they grade eggs.

One of the things we should be looking for, if we have any regard to this product from the point of view of consumers, is the protein content. By and

large, when they are fresh, eggs are an extremely efficient and cheap source of protein. I am sorry to have to say to you, Sir, that they are a better form of protein even than meat or fish. A 60 gram egg has the potential to supply 11% of the average adult protein requirement for the day. It is a wonder that this bill gives no regard at all to what should be the minimum level of protein content in eggs brought to the table. I would have thought that, if we are to go to the trouble of setting up a management committee and a licensing committee, the protein content would be something which would preoccupy us. Of course, it does not. As I said, it is a hen farmer licensing committee and very little else.

Mr Speaker, members will be amazed to know that, when Choice took samples of Northern Territory eggs, 100% of the samples taken from Lowan Farm failed the test which was set down for protein content. However, I cannot see anything in this bill which will redress that situation. Eggs will be graded presumably according to the shape of the shell, the condition of the shell, the weight of the egg, but nothing else. What is inside it apparently does not count at all.

CSIRO has been doing a lot of work in the field of human nutrition and has divised a unit called a Haugh unit to measure the protein content of eggs. It has been decided that at the time of laying all eggs should have a minimum measurement in Haugh units of 77 for protein content and, at the breakfast table, it should not be less than 60. Northern Territory eggs came out of the test very poorly indeed. Again, we are talking about a hen farmer licensing committee and not a consumer protection committee.

The reason that I say that this particular piece of legislation concerns me is because we have in the Territory a situation where consumers have a choice of egg sources, including interstate eggs, which in perception allows a sufficient choice for them to be able to decide which eggs they will purchase and from what source. We have had in the past quite a bit of discussion about the state of the industry because of the farmers in Port Augusta flooding the central Australian part of the market. Again, this bill will do nothing to stop that practice. All it says is that, if eggs come from interstate, they will be regraded. It does not mean that they will not be allowed to be sold. One wonders what in fact this bill is supposed to do. I might stress here that I am not suggesting for a moment that eggs from interstate ought to be barred from entering the Northern Territory. In many cases, they are superior in quality to the eggs that are available from local producers. That is one of the main reasons why I think consumers ought to have a choice whether they buy local eggs, eggs from the Bagot Road truck or interstate eggs from Woolworths and Coles.

Mr Speaker, the other factor which is not addressed by this particular bill is the role of discount retailers. Of course, discount retailers will become more of a fact of life in the Northern Territory as the population increases and as it becomes more viable and profitable for discount retailers to come here. Even in the presence of egg marketing boards in the states, the discount retailers have been able to subvert the intention of the legislation simply by placing eggs on the shelf for sale to consumers at far lower prices than the egg board recommended prices.

If we are worried at all about oversupply, I really do not know how the minister proposes to rectify the situation with this particular bill. My basic objection is that the legislation will do nothing but raise prices to consumers. I am all in favour of interfering in agricultural produce markets where there are gross inequities. What I see at the moment is that there is no inequity except in so far as the perception of producers is concerned.

This bill will do nothing at all to overcome the problem of oversupply which, the minister says, is what it is about. Oversupply will still be a problem when the industry is efficient. It says absolutely nothing for this legislature that we legislate for an inefficient industry and, worse still, if the industry is ever to be efficient, as no doubt it will be in the future, the effect of this legislation will be absolutely perverse.

Mr Speaker, inquiries in New South Wales and Victoria have come to the conclusion that, if the legislation does not work, it should be thrown out. In Victoria, they have done that. There is a 3-year winding-up period. I think the minister ought to hold fire on this bill to see what is happening in egg marketing in other states instead of going against the known trends.

Mr DOOLAN (Victoria River): Mr Speaker, I can only reiterate and confirm what my colleague has said. The opposition opposes it. It is obviously an attempt to pervert in the Northern Territory the problem of over-production of eggs which has certainly occurred in the states. It should be considered that Northern Territory producers have voluntarily imposed their own restraints to ensure that the production does not exceed demand. The Northern Territory producers have agreed to contain their production to 90% of estimated demand with the balance to be made up by interstate supply. At present, the producers are meeting 67% of estimated local demand. Possibly it would be best to allow 10% of our purchase from the states. While it is desirable to be completely self-sufficient, we should keep one avenue open to buy eggs in case of an unforeseen disaster in the industry here through disease or lack of egg production. The 10% reserve figure for interstate buying could be made up to perhaps 20% in an emergency. If an emergency or a local undersupply continued, I am sure we could import up to 35% in a short time. As long as we retain contact with and some import from the states, we will have an import supply to meet most deficiencies should they occur.

The minister said in his second-reading speech: 'To maintain control of production, the bill provides for the licensing of egg producers and the allocation of individual hen quotas which may not be exceeded beyond specified numbers'. That is all very well but the annual adjustment of the quotas will be made as demand increases. The question I would ask is: can annual adjustments be made to include new quotas?

The Northern Territory Hen Farmer Licensing Committe shall consist of 4 members, 2 being appointed from persons engaged in the hen farming industry. Will these members be paid for meeting attendance and travelling costs? Who will be appointed to keep the minutes? This is not stated in the bill at all. In relation to clause 13(3), what will be the procedure for egg quality? Will it be controlled and how is it to be rated? Is it to be rated by size alone or by protein content etc? I do not really see how that can be done. How is an inspector to determine whether an egg is unfit for human consumption?

Clause 15 gives no indication as to how an egg is to be graded. I would like to know what conditions exist for an egg producer to appeal against a fine or against intolerable actions by an egg inspector. What conditions exist for an egg producer to call in an inspector to his property for a weekly or a monthly check to see how the egg production is going?

Another question is who will check on cracked packaged eggs before they leave the property. If cracks appear while the eggs are being transported, who will be responsible for losses incurred to the producer? If a licensee's hen quota is reduced because of an offence or a breach of the licence, is the licensee able to call for a review at a later date for his original quota to

be reinstated and, if so, what is the time limit on that? If the licensee's hen quota is reduced, what safeguards exist so that his quota can be reviewed at a later date? What safeguards exist to stop the amount of his reduced quota being distributed to another? Because of quota restrictions in districts, if a licensee's part quota is redistributed, there is no comeback for the licensee to regain his full original quota. This does not appear in the bill at all.

What period will be allowed for an appeal to be heard subject to notification of the lisensee's cancellation? I cannot see where that appears. Will the committee send out reminder payment advice concerning licensee dues to be charged each year? This should be done preferably a month or 6 weeks in advance. I can see nothing on that. What restrictions, if any, if this is to be judged desirable, exist to prevent one person or company buying out other producers, applying for their quotas and thus having a monopoly on egg production? I can see no mention of that. What surveillance will be undertaken to prevent private entrepreneurs flooding the market with unregistered eggs? Finally, what discussions were held with egg producers for the minister to gain a generalised view of the whole situation?

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to speak on this legislation, I would like to say that I do not agree with the honourable member for Sanderson's comment that the egg industry is inefficient. Comparing it to other primary industries up here, it is an efficient industry and it is self-regulating. As far as possible, the costs have been kept down in the interests of the consumer. The efficiency of the egg industry is quite good at the moment and I can see it becoming better as the agricultural development of the Northern Territory proceeds and we have greater production of grain crops. One of the greatest costs to the egg producer is feed and this is a recurrent cost. Most of the feed used for hens in the Northern Territory is not produced here. We have the great burden of freight costs which adds to the wholesale and retail prices of eggs. With the passage of this legislation, I cannot see that the prices of eggs will go any high than they are at the moment.

I am not wholly in agreement with this legislation. To me, it is a bit like the curate's egg, good in parts. I cannot see the price of eggs spiralling because this legislation is introduced. I have been told that, if this legislation is not introduced, a hen levy will have to be introduced on egg producers who are in the business professionally and the hen levy would be of the order of $1.60 to $2.00 per hen. This would increase the price of eggs. I do not find this legislation very consistent. Some parts are delightfully vague and others are specified to the finest detail. I realise that there must be some control of egg production in the Northern Territory. I have been told that, in other states, egg production is a contracting industry. In the Northern Territory, there is still controlled expansion and there is greater flexibility. I would hope that, with the passage of this legislation, the situation will be flexible enough to allow smaller producers to enter the industry. I am not talking about the amateur producer.

It seems that, as a result of federal politics, we are encouraged to consider legislation. In this case, the controlling body is the Council of Egg Marketing Authorities of Australia. It has been put to me that, if we can govern our own egg production by this legislation, there will be no question of introducing a hen levy at the moment. Even with the introduction of this legislation, we will not be able to export to other states. As the case is now and also with this legislation, our production will not go beyond 90% to 95% of the market. Unlike other primary production, egg production slips very easily into a situation of oversupply. If a shortfall did occur in the production of Northern Territory eggs, I think an agreement would be reached that we

could import more eggs from other states. We used to get Queensland Egg Board eggs in the Northern Territory and I do not know whether there was under-production here then. The situation probably would not occur because there is overproduction in other states. I would like the situation to be reciprocal whereby, if there is an underproduction in other states and overproduction here, we could send our eggs to the other states but I cannot see that happening.

To deal with the legislation in detail, I find the definitions in clause 3 rather cumbersome in that certain breeds of hens are mentioned. We know they are the egg producers, but I find it rather strange that in clause 3(1)(a) a white leghorn is mentioned but not a black leghorn or a brown leghorn. I know white leghorns are the leghorns mostly used but it seems rather strange to consider only those breeds of poultry mentioned as egg producers and not to consider breeds like the other leghorns, minorcas and silkies. I feel that a more streamlined definition of a 'broiler-breed hen' could have been introduced. I find it very confusing to have legislation working in negatives instead of in positives. I feel that, if the draftsman who drafted the Cobourg Peninsula legislation could have drafted this legislation, it would have been much easier to read. That was one piece of legislation that was very easy to read from start to finish. From the point of view of people in my electorate, I was rather concerned that, for a person to keep more than 20 hens, application must be made for a permit or licence. It may not apply so much to the people who are keeping birds for eating because very generally you eat the cocks and the cockerels.

By clause 4(2), the minister does have discretion to exempt a person or a group of persons from being bound by this legislation. I can understand situations of settlements or other concentrated groups of people who do not live near a large city and who would eat the eggs they produce. I can understand their receiving exemptions. However, I would like the minister to consider exemption for people in my electorate. Many of them have large families and keep more than 20 hens. To keep 20 hens might sound a lot to city people, but it is not many. A couple with 2 or 3 children may have 20 hens and a few cocks and cockerels. Not all of those hens will lay at the one time. Although many city people think hens lay an egg per hen per day, 365 days a year, this is far from the truth. I would like to see the minister give consideration to an amendment to raise that number from 20 to something nearer to the average holding in my electorate.

I turn to clause 16 which relates to hens which shall not be kept without a licence. This relates to the layers. If a person has 21 hens, as the legislation now stands, he must have a licence or obtain an exemption from the minister. I wonder whether, with the passage of this legislation, there will be an escalation in the number of inspectors coming out to the rural area to inspect the blocks to see how many hens people have because it may be rather difficult for them and for everybody else.

Clause 24(2) says: 'Where the Licensing Committee is of the opinion that a breach or offence on the part of a licensee is not so serious as to warrant a cancellation of his licence, it may, instead of cancelling the licence, reduce the hen quota of the licensee by such number as it considers appropriate'. I would like the minister to consider that because it appears that an arbitary punishment would come in there. While the egg producer may have committed some offence, his hen numbers may be reduced without regard to whether the eggs are needed on the market or not. If it is a situation of over-saturation, I could understand it. But if it is a situation of under-production and the producer commits some small offence, he could run the risk of having his hen numbers cut down arbitrarily.

Clause 24(3) says that the licensing committee shall notify the licensee of the period within which and the manner in which he shall dispose of his hens. If the producer had to dispose of his hens, the sensible way would be to take them to an abattoir. I mentioned previously the frivolous restrictions imposed on people in my electorate when they have their cars registered. I would hope that this would not be considered in the same manner. I would hope that, if the producer has to reduce his hen numbers, it would be conducted in a serious manner.

I query clause 28 where it is talking about the Territory hen quota. First of all, the minister determines the Northern Territory hen quota but the licensing committee determines the district hen quota. I cannot see why. If the minister is able to determine the Northern Territory hen quota, why doesn't he determine the district hen quota? If he does not want to do either of those things, why doesn't the licensing committee determine the Northern Territory hen quota?

Then we come to the calculation of individual hen quotas for the first licensing season. To say I found these rather quaint is putting it mildly. I am not talking of the person who is in egg production in a big way; I am talking of the person who is not an amateur but who has only about 1,000 hens. He may not be a very able bookkeeper and he might have trouble working out his hen quota. I do not know where this has been taken from; I gather the whole legislation was taken from New South Wales, but I feel that the best legislation is simple legislation.

I would ask the minister to review the formulae that will be adopted. I wonder what happened to C. We have A = B x D in one formula. In the other one, E = F x G. C is not there to calculate the individual hen quotas. There are many variables which make nonsense of the objective way of introducing this formula. The hen quota of the licensee equals the district hen quota of the first licensing season minus the number of hens in the district hen quota to be held in reserve multiplied by the initial allocation to the licensee, varying with the size of his business, the geographical position and the production efficiency of the business, all over the total of initial allocations for applications in the district. I would like to know what importance will be placed on the geographical position of the business and the production efficiency of the business. It seems to me that it is a very subjective decision. Is the person applying for the licence going to make that decision, is the minister going to make the decision or is a public servant going to make the decision? If there is no discussion between the licensing authority and the primary producer, there could be many appeals.

We come to the calculation of individual hen quotas for subsequent licensing seasons which is a more objective calculation. The number of hens in a hen quota equals the district hen quota minus the number of hens in the district hen quota in reserve multiplied by the hen quota for the immediately preceding licensing season, including variations, minus the number of hens in reserve from the district reserve allocated to the licensee over the total district hen quota for the immediately preceding licensing season. I feel that it should be more simple because we may end up with a situation where we cannot see the wood for the trees. When it all comes down to the bare bones, the primary producers will carry the infrastructure of the public service if more public servants have to be employed to interpret this for the primary producer.

I would like to comment on clause 34(3) which refers to the reallocation of a quota when the business is closed. I am not quite certain what criteria are used for the selection of applications when a reallocation of numbers is being considered.

Part V relates to permits to keep hens for special purposes. Clause 38 relates to permits to keep broiler/breeder hens. We must bear in mind that broiler/breeder hens are all of those hens which are not white leghorns, australorps, new hampshires, rhode island reds, or langshams or a cross between a white leghorn and a breed referred to in clause 3(1)(b). This means that a person who keeps broiler/breeder hens would be keeping them for meat or for show. Although clause 4 says that parts IV and V do not apply to a person who does not own or keep more than 20 hens, it will apply to a person who keeps 21 broiler/breeder hens. The only out I can see here is that clause 38(1) states that the person 'may'. It seems to me that 'may' implies that it is not obligatory for a person to apply for that permit to keep his broiler/breeder hens. There has been an upsurge of interest in the showing of poultry and to have more than 20 hens is not unusual for people who show birds. I do not know whether the minister will be inundated with applications for permits and licences. The minister should give consideration to increasing the number of layers and broiler/breeder hens that a person can keep. Twenty is far too small a number.

In conclusion, I would like to stress that my interest in this legislation is not particularly personal even though I have a few laying hens. I suppose I would have to declare an interest. I am speaking more in the interests of the people in my electorate. In considering this legislation, not only the interest of the 3 major producers of eggs and the one major producer of poultry meat has to be considered but also the price of eggs to the ordinary household. However, far and above all, the interests of people in my electorate must be considered. There are many small amateur producers who have more than 20 hens.

Mr B. COLLINS (Arnhem): Mr Speaker, the honourable member for Tiwi said it was wrong to accuse the Northern Territory egg industry of being inefficient. It is quite dramatically not wrong to do that. The figures are there for anyone to look at. The current production per hen in the Northern Territory is a little over 200 eggs per year. That figure is calculated by dividing 1.25m eggs produced by 72,000 hens. That is quite dramatically lower than anywhere else in Australia. In New South Wales, if a hen does not produce in excess of 350 eggs a year, she gets her throat cut. Certainly, the actual efficiency of the industry - its capacity to have a high egg production per bird - is demonstrably much lower than it is in other states.

The honourable member for Tiwi has obviously devoted much care and time to this piece of legislation. Dare I suggest that she has in fact devoted more care and time to it than the honourable minister who has introduced the bill into the Assembly. The bill in fact is a very ill-conceived piece of legislation. The member for Tiwi suggested that there should be more simplicity attached to the bill. I would certainly concur with that. I believe that the simplest way to deal with the bill, to introduce the simplicity that the member for Tiwi wants, is simply not to let it proceed to the second-reading stage in the Assembly.

The member for Sanderson has already mentioned the quite unrealistic figures that are used for determining the maximum size of flocks in the Territory before this legislation applies. As she said, in other parts of Australia and even allowing for the disparity in the size of our flock, 5,000 birds is considered to be a small number and yet Territory people will not be allowed to keep more than 20 hens which I think is just ridiculous. There is little point introducing legislation that we cannot enforce. There is no point in having statutes on the books that simply cannot be implemented. If I have ever seen one that cannot be implemented, it is this one. I do not

think the minister would suggest that it would be possible to implement effectively a restriction of 20 hens and that he would be able to afford to employ the number of inspectors that would be necessary to enforce that particular provision. It really is nonsense and it makes the bill itself really laughable because, if the legislation cannot be policed effectively, there is very little point in introducing it.

The member for Tiwi suggested that perhaps this legislation is modelled on New South Wales legislation. I will accept her word for that. As we all know, the member is a graduate in agricultural science. Let me assure the Assembly that I have known the honourable member for long enough and I appreciate her great expertise in the area of primary production. I know that she is a person who has been associated with the industry for a long time and I know that she is in fact qualified with a degree in this area. I took on board all of the things that she said and I would suggest to the honourable Minister for Primary Production and Tourism that he also do this. He should at least defer this legislation for further consideration. It is ill-conceived, it is poorly drafted and it has a number of provisions which will be impossible to implement and which in fact will turn the whole thing into a laughing stock before very long.

The member for Tiwi suggested that it is modelled on New South Wales legislation. If it is, it is even more difficult to understand why it has been introduced. I will quote a statement from a producer. This is from an article in the Bulletin:

> *I voted for the quota system. I voted for it in my ignorance, believing the propaganda that had been pumped into us through the industry magazine, that the traditional farmers would get virtually the capacity of their farms. I have been brought up by my parents to accept everything that the Egg Board introduced. It was virtually God, the sacred cow. Like every other bit of regulation they have put up, it was supposed to be the answer to our prayers but it has turned out to be a nightmare.*

As the evidence that is given in this article clearly shows, it has turned out to be something which a majority of consumers have rejected, and the information is in a poll that was conducted. The activities of the board have been rejected convincingly by the consumers, but now it has reached the stage where the actual industry itself is rejecting the maintenance of this legislation. To accept the word of the member for Tiwi, as I do, this is based on New South Wales legislation in a period when the New South Wales government has just set up a review which I would suspect, on the Victorian model, will end up with a recommendation to throw it all out. It seems to be ridiculous.

It goes without saying that it is even more extraordinary to have this legislation introduced by a government which purports to be a free enterprise government. Again, as the member for Sanderson says, particularly as a socialist, I am not opposed to governments interfering where gross inefficiencies and gross disparities occur. That is clearly not the case in the egg industry in the Northern Territory at the moment. As the member for Sanderson pointed out, in situations where there are egg boards, there are accepted levels of leakage of more than 35% from producers. No one worries about that. The authorities in those places accept the fact that you cannot police beyond that. 60% or maybe 65% of the eggs are controlled but there is a black market of upwards of 35%. Everybody accepts that it would be a totally uneconomic proposition to try to police it more tightly than that; it is just an accepted part of the market. In the Northern Territory, we already have that level of 65%. In fact, compared with other states, that is a highly acceptable level of eggs

which are not produced on the black market and I cannot see why the government needs to interfere when, in comparison to the situation in other states, we have such a healthy situation in our egg marketing arrangements. I find it very difficult to understand. The member for Sanderson also pointed out that the freshness of our eggs, as determined by Choice magazine, is nothing to be proud of. In the case of the Northern Territory eggs that were tested, 100% failed the test.

Mrs Lawrie: Only Lowan's Farm.

Mr B. COLLINS: I was not going to mention the name but I suppose anyone can look it up in Choice - Lowan Farm eggs failed the test. Since the member for Nightcliff has named the producers concerned, I will read from the report. Farm Fresh had a failure rate of 45% and Lowan Farm had a failure rate of 100% so far as freshness was concerned. People do need to have a choice in the Northern Territory. The consumers need to have a choice as to what type of eggs are produced. The major thing to consider, and I think the member for Sanderson covered it adequately, is that this legislation will be highly disadvantageous to the consumer. As the Bulletin report stated quite clearly, the whole purpose of setting up these things in other places in Australia was to introduce quota systems, to introduce legislation - as this legislation will allow - for flocks to be reduced etc to reduce the total number of eggs produced. That has proved to be a complete failure in those places. There are still problems with overproduction. There is still a black market which authorities concede cannot be policed any more than it is currently being policed because it would be uneconomic to do so. In fact, in the case of Victoria, the government has actually passed legislation to wind up the activities of the board.

I would like the honourable Minister for Primary Production and Tourism to explain, in the face of overwhelming evidence from everywhere else in Australia that this kind of legislation is a failure and in view of the fact that other states are rejecting it, why we should have such a thing imposed on us in the Northern Territory which, on the evidence of other states, is likely to increase the cost of eggs to the consumer by between 10 cents and 25 cents a dozen.

Debate adjourned.

COBOURG PENINSULA ABORIGINAL LAND AND SANCTUARY BILL
(Serial 86)

Continued from 4 June 1981.

Mrs LAWRIE (Nightcliff): Mr Speaker, I want to comment briefly on this bill. The comment could have been made in committee but, having regard to what I am about to say, the Chief Minister might like to consider my comment overnight.

Clause 30(4) under 'Access to Areas' says: 'Where a plan of management is in force, the prohibition or restriction of access to part of the sanctuary ...' Under clause 30(5)(a), it says: 'access by fishermen to the shore of those parts of the sanctuary known as Curlew Bay and Barrow Bay and at Port Essington (in the vicinity of Victoria settlement)'. Mr Speaker, I am one of the few members of the Assembly to have visited Cobourg Peninsula and, in particular, the Victoria Settlement. Whilst I am not closely familiar with the area, I am in constant contact with people who are and I remember my visit vividly. It occurred some years ago at a time when I was concerned as a member of the interim committee on the national estate for the preservation of the

ruins at Port Essington.

Having distributed this bill to people who have similar interests and who have demonstrated a concern for the area, not only at a social level but at a most practical level, I wish to inform the minister that I have had representation made to me to the effect that provisions giving fishermen access to the shore of the parts adjacent to Victoria Settlement should be changed to Knocker Bay. May I advise the Chief Minister that Knocker Bay is also a better cyclone anchorage than Port Essington. It is probably relevant to state that, at the time when I visited Port Essington, Cyclone Selma was in the area. She was about a fortnight ahead of Cyclone Tracy. In fact, we had to leave Port Essington very quickly otherwise we faced the likelihood of being marooned there. The anchorage is not safe.

It is true to say also that the ruins of Victoria Settlement are in such a fragile state that greater protection should be offered to them and that the likelihood of disturbance to those ruins by casual visitors, albeit within the ambit of this legislation, is such that an alternative anchorage should be considered. I am pleased to see that Cobourg Peninsula, which is such an important part of our heritage, which is an extremely fragile area and which, up until now, has been preserved as a wilderness wildlife sanctuary, has received the particular consideration of the present government. I am pleased that it has introduced legislation which covers this area in particular. I would ask the Chief Minister to check with his myriad advisers as to the validity of my remarks and to see that proposed access by fishermen to areas adjacent to Victoria Settlement are deleted and Knocker Bay considered instead, not only for the preservation of the settlement, but also for the safety of those fishermen.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the only point raised in debate which merits reply is that raised just now by the honourable member for Nightcliff. It is merely a matter of personal preference whether one suggests that Knocker Bay is a better anchorage than that part of Port Essington in the vicinity of Victoria Settlement. I freely confess to having been to both places and I certainly can tell honourable members that the fishing in Knocker Bay is no good at all. It would be a tedious and toilsome exercise to be marooned there for any length of time. I do not know whether it will be as easy to amend this as the honourable member for Nightcliff might suggest. The bill is the result of a long period of negotiation and agreement between the Conservation Commission, the Aboriginal people of Croker Island and the Northern Land Council. However, I will certainly take this matter up with the Director of the Conservation Commission overnight to see what can be done. The seafarers of 1832, or whenever it was that Victoria was settled, presumably could pick a better anchorage than the seafarers of 1980. Although those men of the days of sail did not pick a great place for a settlement, presumably they picked the best anchorage that they could find in that area.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

CHIROPRACTIC BILL
(Serial 37)

Continued from 25 February 1981.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, it gives me some pleasure to speak on this bill this afternoon and support it. For a long time now, chiropractors have been asking for legislation to regulate their profession and I think this

legislation is the answer. There are not many in this Assembly who have not had reason, at some time or another, to avail themselves of the professional help of a chiropractor. In fact, I think that people do not view chiropractors seriously enough. They go to members of the medical profession first for particular troubles and, when they cannot be cured by doctors, they go to the chiropractors.

Mr Perron: They are witch doctors.

Mrs PADGHAM-PURICH: The honourable member for Stuart Park says they are witch doctors. They have done a lot of good for me, Mr Speaker. I think that they are to be commended for the work they do in the community.

Mr STEELE (Ludmilla): A point of order, Mr Speaker! I am convinced in my mind that honourable member said 'which' doctors.

Mrs PADGHAM-PURICH: Mr Speaker, I would like to comment on a few clauses in the bill. The first is clause 3(2)(c) which states that a chiropractor is guilty of unprofessional conduct if he indulges in certain things without the approval of the board. It mentions pecuniary interests in health studios, massage parlours, gymnasiums and other businesses. I wonder if the same restrictions apply to other professional people who have businesses not unrelated to their profession. Doctors often have a definite pecuniary interest in nursing homes, veterinary surgeons have boarding kennels and engineers have other interests. They do not seem to have the same restrictions that this legislation seeks to impose on the chiropractors. However, the chiropractors have not objected to it so they must accept it. I am pleased to see that, in clause 3(2)(6)(i), a chiropractic journal will be added to a scientific or medical journal.

Clause 11 relates to conflict of interests. I hope that the board can settle that quite clearly because it seems a little bit like a chicken-and-egg situation. 'A member who has a direct or indirect pecuniary interest in any matter which is the subject of consideration at a meeting of the board shall, as soon as possible after he knows that he has the interest and that the board is considering the matter, disclose his interest to the board'. Clause 6 says: 'The first person appointed to be the member referred to in subsection (4) need not be registered or licensed at the time of his appointment ...'. I wonder if the minister could clarify that for me.

Part III relates to restrictions on chiropractic. I see that there is an amendment to remove clause 19. Clause 19 says that division 1 does not apply in relation to a medical practitioner; thus, it only refers to chiropractors. By clause 23, a chiropractor shall not use the title doctor or any abbreviation thereof before or after his name or in any way in connection with his practice as a chiropractor. I am assuming that there is no such nomenclature or degree as a chiropractic doctor. I am not certain of the exact words but, no doubt, that part of the legislation will have to be changed. I make this anomaly known whenever discussing the title of doctor. Most of the people whom we call doctors are not doctors. I can understand a chiropractor not being called a doctor if he is not a doctor, but it is ironical that a person who has only a bachelor's degree in medicine or a bachelor's degree in surgery is still called a doctor. The same applies to a veterinary surgeon who is a bachelor of veterinary science. He is called a doctor. Dentists are also called doctors; it seems to be a generally accepted practice. The people who legitimately earn a doctorate and refer to themselves as doctors are usually PhDs. They have legitimately earned their doctorates. They refer to themselves as doctors and people query it. They have more right to the title of doctor than other people who are only bachelors.

I can see the reason behind clause 23(2). In the United States, there are money order postal courses accepted as providing proper qualifications. We do not want that. We want fully qualified chiropractors only. It also says in that clause that a chiropractor shall not use a title unless the qualification is written out in full. This does not apply to any other professional person. It does not apply to the professions that I have mentioned. If they are sufficiently qualified, they put letters after their names and, in many cases, the letters do not refer to English. If you take the abbreviation for a Bachelor of Laws, it is LLB which relates to the Latin words not the English words. In this legislation, we are insisting that the chiropractor write his qualification out in full. I think chiropractors should receive consideration equal to that shown to other professional people.

The next clause that I would like to comment on concerns suspension and cancellation of licences or registration. Clause 31(2) says: 'The board shall not cancel or suspend the registration of a licensed chiropractor unless it is satisfied that, in all the circumstances of the case, the cancellation or suspension of a chiropractor's licence would not be appropriate'. I feel sure that the board will carry out its duties properly and I hope 'in all the circumstances' means exactly that because not only must the good of the chiropractor and his or her professional standard be considered, but also the good of the patient. Clause 32, relates to outside registration being either cancelled or suspended, but does not seem to state quite clearly enough that there are reciprocal rights between the states regarding cancellation and suspension.

Turning now to clause 42, if a chiropractor has done the wrong thing, he receives a warning which takes effect at the expiration of a period of 28 days after the notice has been served under clause 35. It seems that, whatever wrong the chiropractor has done necessitating this notice, he can continue with it for 28 days. It is not until clause 42(4) is read that it becomes clear that the notice can take effect on the date of service. The board would have to consider each case very carefully because, as I said earlier, not only the good of the chiropractor has to be considered but also the good of his patients.

In relation to appeals, the bill does not seem to state clearly, if at all, that if a chiropractor has received a notice because of some malpractice, he may have 28 days to continue or he may not; I suppose this would depend on the seriousness of the alleged offence. Perhaps the minister could explain why we have clause 42(1) instead of just subclause (4) for the protection of the public. It does not seem to be fairly stated that, if a person has had a notice about malpractice, he or she should not be allowed to practice until the appeal is upheld. If the appeal is upheld, the chiropractor could have continued to do wrong until the appeal was withheld. It would be hard on the person and I think the board would have to make a decision very quickly whether it considered the complaint to be genuine or frivolous.

Considering this legislation as a whole, Mr Speaker, it fulfils the need of the chiropractic profession at this time. I would like to be assured that when this legislation comes into operation, the people who are practising now as genuine professional chiropractors of high standing in the community will continue to practise.

Mrs LAWRIE (Nightcliff): Mr Speaker, in years gone by, I have opposed certain provisions which would register chiropractors. However, I am of the opinion that, as long as people know what they are paying for and the services they are about to receive and they know that clearly and without any ambiguity, it is up to those members of the public to make their choice and pay their money. The present federal government and the government of the

Northern Territory are addicted to the philosophy of the user pays. I would hope that we carry forward that philosophy to the user knows. On those terms, I would support this bill. People who pay a fee for chiropractic service should know the qualifications and limitations of the person administering that service and should not be in any doubt as to the kind of service they are about to receive.

The member for Tiwi has complained on several occasions about the use by medical practitioners of the title 'doctor'. It is in common usage. It is generally accepted in the community that people holding a Bachelor of Medicine are addressed as doctor and, conversely, if they are addressed as doctor, the public at large assumes that they have attained at least a Bachelor of Medicine. I do not find any great difficulty in that. However, I am pleased to see that this legislation specifically prohibits the use of that title for a group of professional people who are chiropractors. I do not share the reservations or the concerns of the member for Tiwi. I believe that it is in the public interest for that prohibition to exist.

Similarly, I disagree with my colleague the member for Arnhem who expressed reservations about the prohibition on the use of x-ray equipment by chiropractors or those practising chiropractic. If members had taken the time to read the previous debates on this particular subject, they might well have agreed with me and apparently with the Minister for Health that the highest degree of control is necessary for the public health in the use of X-ray equipment. Members will no doubt be aware that over-use of x-ray is deleterious to health and can cause grave - and I use the word advisedly - health problems. We are fortunate in the Northern Territory in one sense in having very few people licensed to use x-ray equipment. In the light of contemporary medical knowledge, it could be argued that a central registry should be kept of people who have been subjected to x-rays for any reason whatsoever so that, if it becomes deleterious to their health to have further x-rays, that could be made known and the procedure not be carried out.

Mr Speaker, at the moment dentists and orthodontists are licensed to use X-ray equipment. By and large, patients needing x-rays in the Northern Territory are referred to one of the public hospitals. I approve of that because a check into records is done at public hospitals so that x-ray procedures will not be carried out if it is considered perhaps dangerous to health. Therefore I do not have the reservations of the member for Arnhem. I think that the more people who are restricted in the use of x-ray equipment the better, particularly in a community which so lends itself to the essential registration of the use of x-rays.

Mr Speaker, I do not intend to speak at length. I have only 2 main concerns: first, people practising chiropractic should not use the title 'doctor' so that people know precisely the qualifications of those administering the service and, secondly, that the restrictions remain on all classes of people in relation to use of x-ray equipment.

Mr PERRON (Treasurer): Mr Speaker, in speaking briefly to this bill, I guess I have to express a personal reservation about registering chiropractors. Perhaps I am unfairly suggesting that chiropractic is an imperfect science but, if we get into the field of registering chiropractors, it raises the question of who else we should be registering. Should we be registering acupuncturists, for example? Admittedly some of them are doctors and therefore have the necessary qualifications to practise. Other people who present themselves as being able to assist persons, either physically or mentally will gradually become known in the community. There are books written on the art - I understand chiropractors use this method - of looking into a person's eyes to ascertain

various problems.

Mr Speaker, I think there are at least a couple of people in Australia who have become fairly famous from the results of their work yet they have had no training whatsoever. We have at least one person practising in the Northern Territory who has no qualifications. Possibly, this legislation will prevent that person from doing a fair bit of work. I have raised these concerns with the minister and he assures me that he is looking into the matter fairly closely and will advise whether that will present particular problems for the Territory. There are a number of demonstrated cases whereby people have obtained some standing in the community without any training whatsoever. I do not think that the bill covers those situations. I am not sure whether the Assembly wishes to cover them but clause 26 certainly states that those persons who can apply for registration must have completed an approved course and hold a diploma, degree or other certifying instrument in respect of that course.

I will finish by touching on another subject. I refer to chiropractors not being allowed to advertise other than in accordance with rulings made by the board. One presumes that such rulings will be in accordance with rulings in respect of some other professions including doctors. I would just like to take the opportunity to advise the Assembly that advertising control is always something that I have found unwarranted in society today. I would not support it in relation to any profession.

Mr DOOLAN (Victoria River): I would like to support what the Treasurer has said. I know a person who is a surveyor by profession. He advertises frequently in the press that he can cure all kinds of ills. He is reputedly a good surveyor but he has no qualifications in this field.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the Treasurer seems to be receiving some support this afternoon for a change. He pointed out the essence of this bill. It is not so much the wheres and whys by which chiropractors may practice, although it does cover that, it is a question of community recognition, through legislation, that the profession of chiropractic has arrived. It has become respectable in Australia and therefore we propose to legislate for it as has happened in every other place in Australia. I believe that we are the very last. This is what it is all about: it is a question of recognition of those people.

We have seen in relation to other professions that, once these people have gained recognition and respectability, there is a desire for a fairly closed shop. One cannot look further than the medical profession for people who are experts in ensuring that their members have as little competition as possible. Therefore, it is not surprising that it was the medical profession which, for so many years, led the fight throughout Australia against the recognition of chiropractors although the general community I believe - and this has been supported by all studies on the subject - is generally very happy with the treatment it receives from chiropractors and certainly supports their work in that particular area of manipulation. The chiropractors happen to be very good at this and doctors are generally very bad at it. Perhaps if we were really being extremely logical and braver than we are at facing up to the medical profession, we would not only be registering chiropractors to manipulate spines but preventing doctors from doing it. Nevertheless, I am sure that that is not likely to happen for a long time.

At the last sittings, the member for Arnhem quoted at length from the Webb Committee Report which resulted from an inquiry into chiropractic, osteopathy, homeopathy and naturopathy. That committee, which reported in 1977, recommended the registration of chiropractors and osteopaths and also

made a number of recommendations. The bill follows those recommendations very broadly. I am pleased to see that the amendment that we now have before us includes osteopaths as the original bill did not. Although osteopaths are becoming less common and chiropractors more common, I believe they should be included.

There is one notable omission from the bill which was a strong recommendation of the Webb Report on which most other states based their legislation: that existing practitioners who have demonstrated their ability over a period of years in practice should be registerable even if they do not have the formal educational qualification of most practitioners entering the field today. I am disappointed that the minister has not seen fit to include that provision in this bill. Although there may not be many people in the Northern Territory so affected, we have that precedent set in many other pieces of legislation. Real estate agents come to mind as one group in relation to whom we agreed that there are many people with long experience in the business who may not have the formal qualifications yet who should be allowed to continue to practice. I was disappointed at that being excluded.

Nevertheless, I support the bill. It is a recognition in the Northern Territory of what members of the community in general have come to accept: the expertise of chiropractors in alleviating pain through manipulation of the spine. I believe that this is long overdue and I am sure that the profession from now on will prosper in the Northern Territory.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

PALMERSTON DEVELOPMENT AUTHORITY BILL
(Serial 91)

Continued from 4 June 1981.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would like to speak briefly in support of this bill. This leaping over the notice paper this afternoon has caught me somewhat unprepared. I do not have my notes with me for these bills. Like other members who spoke last week, while supporting the bill I find that there are some discrepancies between the honourable minister's second-reading speech and the substance of the bill itself. I do believe, having seen some amendments which were subsequently circulated by the minister, the honourable member for Sanderson has put her finger on the purpose of the establishment of this authority. The Minister for Lands and Housing said in his second-reading speech: 'The bill is not dissimilar to previous legislation passed by the Assembly for the formation of government authorities and it is not therefore deemed necessary to spell out the provisions in detail'. Upon reading it, I found that, in fact, it is quite different from similar pieces of legislation such as the Jabiru Town Development Bill, particularly in relation to its membership. The membership is to consist solely of public servants and this is quite interesting. Other members have pointed out that much business has already been carried out towards the development of this new town, which I am sure we all welcome, without the establishment of this authority. Thus, one must presumable look at clauses 12 and 13, the powers and functions of the authority, to ascertain the purpose of the bill. I suspect it has all to do with acquiring funds with which to pursue that development.

Mr Speaker, I certainly look forward to seeing this construction well under way. I think that that area has lain unused for too long. We are in need of land for urban development in the Top End and, if the passage of this legislat-

ion facilitates the completion of that project, I am sure that the citizens of the Northern Territory will approve.

Mr ROBERTSON (Lands and Housing): Mr Speaker, there is obviously very little to reply to. I appreciate the comments from both sides of the Assembly in support of the legislation. In my second-reading speech, I referred to this bill not being dissimilar to other legislation. Perhaps I chose a particularly bad example in relating it to the Jabiru Town Development Bill. I certainly accept what the member for Sanderson has said: it is more like a construction authority than a development authority. I do not think that anyone would propose the delaying of its passage for the purposes of such an amendment. Certainly, I would not propose it and I do not think that anyone would want to be so pedantic as to pursue that to its ultimate end. Certainly, it is a construction authority; I think that needs to be accepted.

The member for Sanderson certainly hit the nail right on the head. The principal reason for the legislation is to allow the authority to borrow. It does not really stop there. If I may go back to what I was saying before, the reference to Jabiru was not an appropriate one. Of course, we have the example of the Albury Wodonga Act, the legislation which related to the Snowy Mountains, and also the legislation that related to that infamous fantasy in South Australia under a previous government. One of the reasons for establishing the authority is indeed to borrow. As members would be aware, Mr Speaker, semi-government authorities in the Northern Territory have an automatic right to borrow up to $1.2m. There is also the system the Northern Territory government has been using very successfully in the three $10m borrowing programs which we have had for the last couple of years. That, of course, has not only been successful in raising money but also successful in getting the message across to the rest of Australia about what is happening here. Since it will be a semi-government authority, it will be eligible for those funds as well. In addition, on enactment of this legislation, the authority would also be eligible in its own right for normal government subventions. It is an expensive project. Probably it would exceed in overall commitment, both in the private and public sectors, that amount which is envisaged for the Alice Springs to Darwin rail link. We anticipate something like $450m being spent over a period of time on this project. Some $100m to $110m of that will ultimately be a government commitment. Obviously that sort of commitment is beyond the normal fiscal capacity of the government for 120,000 people; borrowing capacity is clearly necessary.

The other question which was raised was why only public servants are to be involved in it. In my examination of the matter, I could find no good reason to involve anyone else. It was very correctly pointed out by the member for Sanderson that the functions of tendering and forward planning are being adequately covered by the existing public service structure. If we are to accept that, why then should we go outside the public service system? The fact is, of course, that committees are empowered under the proposed legislation to obtain expertise from outside the authority itself. I do not think anyone here would disagree with the quick delivery of land and housing being a prime target of the government. Expediency means rapid reaction and the best way to get that is to have people who are responsible for a program or a series of programs directly responsible to ministers. There is nothing better than having an authority which has soles readily accessible for the Cabinet boot if one may put it that way. I know that senior officers of the respective departments would not resent what I say because indeed they were very happy to go along with a structure of this nature.

The member for MacDonnell questioned the validity of this type of proposal if we claim that the time required between the conceptual stage of an idea and development to its conclusion would only be 28 days. I do not think he really meant that. I think that what he was indicating was that that is the minimum display period for a proposal under the existing Planning Act. In my time as Minister for Lands, no small subdivision has ever been reduced to 28 days display period, much less anything more significant than a single subdivision. Twenty-eight days is a period to which the minister may reduce a display but it is quite incorrect to talk in terms of 28 days in planning. That is only the minimum period that something may be displayed. If we used the existing Planning Act, we would be at the Christmas recess next year before we had the first ditch dug in the Palmerston region simply because of the complexity of such an exercise in a new area. Couple that requirement with the fact that no one lives there at the moment - or very very few people do and I doubt those would be interested in complex planning matters - and there would seem to be little reason to use the existing Planning Act to achieve this sort of rapid development. What is important is that the normal natural justice system enshrined in the Planning Act at the moment is basically applicable to the activities of an operation such as the Palmerston authority. The basic principles are enshrined: people must be consulted, their views must be taken into account and ultimate ministerial responsibility will prevail. On the expiry of the authority, the Planning Act as it is or as it may eventually be amended, will apply. I see little difficulty there.

The only point remaining was that raised about the sunset provisions of this particular piece of legislation. A comparison was drawn with the Darwin Reconstruction Commission which terminated prior to its time. In an exercise like this, where we are developing a satellite city potentially 4 times the size of the second city of the Northern Territory, Alice Springs, quite obviously we will be able to identify the potential demise of the requirement for a planning authority or a development authority or a construction authority well in advance of a sittings of this Assembly. It would seem to me that, while I do concede that different wording could be used equally well for the demise of the authority, I see no real harm in the wording which is used at the moment. I understand from what the honourable member for Sanderson said that she has some questions which she wants to ask in committee. It would have been useful if I had received an indication of their content during the second-reading that I could have had the appropriate answers for her, but I will attempt to deal with those as we go through the committee stage.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Ms D'ROZARIO: Mr Chairman, as I mentioned during the second reading, there has already taken place a proclamation which defines the Palmerston town area. Since that has been done under the Crown Lands Act, I wonder what the reason is for a separate definition which says 'Palmerston' means the town of Palmerston. I would have thought that Palmerston town area and the definition following would have been quite sufficient.

Mr ROBERTSTON: Mr Chairman, the town of Palmerston was proclaimed in NT government Gazette G17 on 1 May 1981. The side boundary coincides approximately with the Yarrawonga Zoo turn-off on the eastern side. That is approximately one-third of the 32 square-mile acquisition area. The balance of the

remaining uncommitted area of the 32-square-mile acquisition is the subject of further planning and development studies. It is in relation to those areas that this definition clause relates.

Clause 3 agreed to.

Clauses 4 to 7 agreed to.

Clause 8:

Ms D'ROZARIO: Mr Chairman, clause 8 deals with the disclosure of interest by members of the development authority. I notice that, whilst we have dealt with the setting up of many statutory authorities, this particular clause relating to the disclosure of interests is quite different from analogous provisions relating to other statutory authorities. I ask the minister for an explanation of the provision contained in subclause (1) which relates to the member having an interest in common with other members of an incorporated company consisting of not less than 25 persons, and of which he is not a director. The question I am asking is why we have defined so particularly the composition of the company in which the member has an interest when this particular form has not occurred in any other legislation setting up a statutory authority?

The second question I have relates to paragraph (a) of subclause (2) which states that the member shall not take part in any deliberations of the authority after the disclosure. I wonder whether it might not be more appropriate to consider the matter again in light of a member having disclosed his interest.

Mr ROBERTSON: I have some difficulty with the first point. Perhaps the honourable member could elaborate on her concern. Of course, the 25 members provision relates to the differences between private and public companies and the normal provisions of strata titling. From memory, that is the cut-off point for public companies and that is the reason for such a reference in this legislation. The Attorney-General indicates that I am only half right. Public companies relate to 50 members. I have no knowledge of why that was done. Certainly my notes do not indicate why.

The disclosure of interest is a fairly standard provision. I really fail to see at this stage exactly what the member is getting at in relation to the provisions of clause 8(2)(a).

Ms D'ROZARIO: Our problem is that this particular form of company structure has not been mentioned in any other legislation pertaining to the disclosure of interests by members of statutory authorities. What is generally required is that, as soon as it comes to their knowledge that they have an interest, they disclose that interest.

Secondly, we have always required that, where a disclosure has taken place, the member does not participate in any deliberations of the authority. In paragraph (2)(a) it says that he 'shall not, while he has an interest, take part after the disclosure'. In actual fact, it is conceivable that a person who has an interest could take part in the deliberation and then inform the authority that he has that interest and his participation in the decision is not called into question.

Mr ROBERTSON: It seems rather like a horse and cart exercise. Obviously, the decision is not taken until such time as it is taken, if I can put it as bluntly as that. We have the possibility that a person has entered into some

kind of discussion and then realised that he has an interest in it. He would then declare that interest and take no further part in the discussion. I do not really see any difficulty with that. Clearly, the disclosure in this event must occur before the decision is taken. I could see some possible threat were it not Secretaries of departments that we are talking about. The only exclusion would be the Co-ordinator-General and I doubt whether the incumbent of that office would like any impropriety attached to him. It seems to me to be fairly standard procedure where a person who finds that he has an interest it it - I am certain that none of the Secretaries of departments who are involved in this have those sorts of interests - would simply declare that interest and participate no further in the discussion. Clearly, the clause would not apply if the decision were already made. I do not see a problem with it at all.

Mr Chairman, nonetheless I think the committee is entitled to a better explanation than I have been able to give on the reason for the 25 member composition of the company. I would suggest to the committe that the clause be deferred for further consideration at a later time.

Further consideration of clause 8 postponed.

Clause 9 agreed to.

Clause 10:

Mr ROBERTSTON: I invite defeat of clause 10.

This is now a standard delegatory provision adopted by the legislative draftsman and is not as prolix as the form most commonly used previously. It is the type of wording which is consistent with the Interpretation Act. It is also to be found in the amendment which has been recently passed in respect of the Jabiru Town Development Authority.

Clause 10 negatived.

New clause 10:

Mr ROBERTSON: I move amendment 39.1.

Amendment agreed to.

New clause 10, as amended, agreed to.

Clauses 11 and 12 agreed to.

Clause 13:

Mr ROBERTSON: I move amendment 39.2.

The development of Palmerston to the time-scale required will involve the expenditure of moneys in excess of the appropriation normally available from the Treasury. I think I covered this in the second-reading speech. As we would all be aware, under section 33 of the Financial Administration and Audit Act, the Treasurer has power to invest money as loans to any person or body authorised by an act to borrow money. This money would normally come from surplus revenue or from other borrowings. The Territory also has the power to raise the money for loans but this process is government initiated and would be directed by Cabinet. Both processes may be utilised by the Palmerston Development Authority by the processes empowered to it by this clause.

Amendment agreed to.

Ms D'ROZARIO: Mr Chairman, may I ask the minister a question about subclause (2)(d) which states, 'the authority may, subject to this act, carry out works to develop, improve or maintain real or personal property owned by or under the control of the authority'. Is it intended by this bill that all lands within the Palmerston town area will be subject to the control of the authority and, if so, where does it say that specifically?

Mr ROBERTSON: The entire legislation implies that all the land will be under control. Quite obviously, the authority itself will have such things as offices, depots and facilities located on real property normally in the possession of the Northern Territory as a body politic.

Clause 13, as amended, agreed to.

Clause 14 agreed to.

Clause 15:

Ms D'ROZARIO: Clause 15(1) deals with grants of crown land by the minister to particular people or organisations nominated by the authority. Why haven't we made the granting of this land subject to conditions? The process that we have at the moment is that direct grants are made subject to conditions imposed by the minister. The reason I raise this is because we have recently, for example in our petroleum acts, had to amend the legislation in order to permit the minister to make his grants subject to conditions. I wonder why there is no provision here to make these grants subject to conditions. I notice at the same time that there is a fairly streamlined procedure for making direct grants under the Crown Lands Act.

Mr ROBERTSON: The obvious interpretation is that it would be the intention of the authority - and certainly my intention - that, whenever possible, the title to crown land should remain with the government. The authority will make periodic requests to the government for the issue of titles to nominated persons under the provisions of the Crown Lands Act. What in fact will happen is that, as long as the land remains the property of the government, it is the minister who will allocate in the same manner as land under the direct sales scheme. There will be no difference. Instead of its being on the recommendation of the Valuer-General or my department, as it now exists or, in the case of broad acres, under the recommendations of the Land Board, it will be pursuant to recommendations of the authority and processed in exactly the same manner.

Ms D'ROZARIO: I have had difficulty with this particular direct grant scheme in the past and I notified my concern to the relevant ministers at the time but'grant', of course, implies something far superior to a title.

Mr ROBERTSON: I said 'sale'.

Ms D'ROZARIO: I beg your pardon. We have had to come back to this legislature to do things such as make direct grants subject to conditions. As I mentioned, we have done this in relation to mining tenures in these particular sittings. I would not like it to be thought in future that the authority was bound to make a grant free of conditions because that is certainly the way it reads at the moment. We have done a great deal of tightening up in other legislation to give the minister some power of prescribing conditions and it seems to me that the argument has always been that there was no power. I note in this particular subclause that there is no power to do so.

Mr ROBERTSON: Mr Chairman, I do not know whether we have really got to take up the time of the committee by going back through all of the restrictive covenants, both contained and implied in this legislation, to satisfy the honourable member that we are simply not going to hand out slabs of land willy-nilly under this piece of legislation. In respect of the mining legislation to which she referred, that had nothing to do with controls, planning and use; it was almost totally to do with productions. It was a completely different ball game altogether. The entire thrust of the legislation is to satisfy normal planning criteria and use constraints on the land before it is issued. This is simply the last link in the chain and not dissimilar to the existing direct sales scheme. The land will be made available to persons who wish to develop in Palmerston through the Palmerston Development Authority. I do not see any difficulty with it.

Clause 15 agreed to.

Clause 16:

Mr ROBERTSON: I move amendment 39.3.

This subclause provides that, where planning is not taking place under the Planning Act - that is, where no planning area under section 10 of the Planning Act has been declared - the planning will be under the control of the Palmerston Development Authority. The Palmerston Development Authority will act with all of the powers and functions of the Northern Territory Town Planning Authority. It is just substituting one authority for another.

Amendment agreed to.

Mr ROBERTSON: Mr Chairman, I move amendment 39.4.

This subclause ensures that planning instruments survive the expiry of the Palmerston Development Authority and come into the jurisdiction of the Northern Territory Town Planning Authority in respect of an area declared as a planning area under section 10 of the Planning Act. Again, it is for consistency and flow on between this authority's jurisdiction and that of the Northern Territory Planning Authority under the Planning Act.

Amendment agreed to.

Mr ROBERTSON: Mr Chairman, I move amendment 39.5.

Provision is made to exempt public exhibition of draft planning instruments in the early stages of development. Public exhibition is expected to be exempt only in the case of zoning large areas of land prior to the construction and occupation of dwellings. I suppose we can get back to the sort of thing that the honourable member for Nightcliff has been asking for for some time: the public display of development applications. Palmerston is badly needed by this city and by the Northern Territory for its development. All I can do, instead of completely stultifying its development, is give an undertaking to this Assembly that I will be responsive to requests by members in this place for display of such matters if that is then found to be necessary. This is about the best we can do in the circumstances.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clause 17:

Ms D'ROZARIO: Clause 17 deals with certain functions of the authority which will be akin to functions under the Local Government Act. I would like to take this opportunity to ask the minister what he envisages will become of local government functions if they are to be discharged by the authority. Without wishing to pre-empt the notice paper, in the Jabiru Town Development Amendment Bill, we have a provision to give local government control of that settlement. I wonder whether the minister intends that, on the winding up of the Palmerston Development Authority, there will be some local government structure already in operation or some other authority which will replace it on its expiry.

Mr ROBERTSON: Mr Chairman, those members who were here - and certainly the honourable member speaking was here - when I was Minister for Community Development at the beginning of the last Assembly would be well aware that it is the policy of this government that local government be handed over at the people's request in exactly the same manner as we believe that self-government for the Territory was handed to us at our request. I would want to see the community develop in Palmerston and then the Assembly ask it what it wants. I would not want to be seen to be the person who imposed on the Corporation of the City of Darwin as its lord and master, nor would I want to impose upon Palmerston, a requirement that it form a local government. Surely that is a matter for it to decide. Let us develop the place first and then talk to the people who will live in it.

Clause 17 agreed to.

Clauses 18 and 19 agreed to.

Clause 20:

Mr ROBERTSON: Mr Chairman, I move amendment 39.6.

Under section 33 of the Financial Administration and Audit Act, the Treasurer has the power to invest money as loans to any person or body authorised by an act to borrow money. Normally, this money would not come from Territory revenue. We covered this adequately in the second-reading and there is no need to go through it again. I would like to say both processes which are envisaged here may be utilised by the Palmerston Development Authority and these processes are empowered by clause 13(3)(a) of the bill, not the amendments.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21 agreed to.

Postponed clause 8:

Mr ROBERTSTON: Mr Chairman, in explanation of the clause, my advisers indicated that the bill had its genesis in the wording used in the Agricultural Development and Marketing Act, which did not elicit a similar comment, and also the Territory Development Act. The wording is identical. As it is proposed that all of the members are to be officers of the public service, I have no objection to the deletion of the clause. However, in all of the circumstances, it is wise to keep it because it maintains a type of protection for the public interest which I think is necessary. As a matter of strict form, I do not think it is necessary. Nonetheless, we have had this type of protection in all legislation setting up authorities which deal with public money. I think the provisions relating to disclosure ought to remain notwithstanding that these

people are public servants of the highest standing.

Postponed clause 8 agreed to.

Title agreed to.

Bill reported; report adopted.

Bill read a third time.

ADJOURNMENT

Mr ROBERTSON (Education): I move that the Assembly do now adjourn.

Mr Speaker, I think that you and your staff and members of this Assembly are aware that we have made very good progress through the legislative program. These days, one does not throw money away with both hands. I would like to advise you, Sir - subject, of course, to your concurrence - so that you may inform your staff, that they may not be needed on Thursday. There seems to be little point in bringing back the part-time staff with all the inherent cost to the government or the taxpayer if indeed there is no good reason for doing so. It is quite likely that we may conclude tomorrow night; in fact, we will.

Mr BELL (MacDonnell): Mr Speaker, a number of us have noticed in the pages of the Australian last Friday a very entertaining interview with Professor Northcote Parkinson. Professor Northcote Parkinson will be known to many members of the Assembly as the man who thought up such interesting bon mots as 'everybody rises to his own level of incompetence'. Another one that is well known to us is: 'a task expands to fill the time available'.

Last Thursday afternoon, the Minister for Lands and Housing rose to criticise some comments I made in relation to his decisions concerning a crown lease over Northern Territory portion 1097. In reference to his speech in that adjournment, I would like to enunciate another principle that I would like to think Professor Parkinson would find of equal merit: 'the amount of blustering in any utterance is inversely proportional to the sense of certainty of the speaker'. The more one blusters, the less sure one is of what one says and, conversely, the less one blusters, the more clearly one announces one's arguments, the more sure one is of one's point of view.

Honourable members will recall the mien of the Minister for Lands and Housing in his statement and it was certainly one of bluster and certainly not one of clear explanation. I venture to say that I think I can demonstrate today that he was not really standing on very sure ground. In fact, the Minister for Lands and Housing demonstrated a capacity to work himself up into a state of high dudgeon that would amaze us all. Today I hope that I will be quite clear in my reply to his points. I want to make 3 points in reply. They are not very pleasant criticisms but they are criticisms that have to be made. The first one is that the Minister for Lands and Housing has sought to subvert the operations of the Aboriginal Land Rights (Northern Territory) Act. Secondly, the Minister for Lands and Housing has deceived the proprietors of Tempe Downs Pty Ltd. Thirdly, as a minister, he has extended favourable treatment to a member of his own party.

I want to address each of these points in turn and the first one is the allegation - and I believe that I can substantiate this quite easily - that the minister has sought to subvert the Aboriginal Land Rights (Northern Territory) Act and its operation. In his speech last Thursday, the minister mentioned a number of times the withdrawal of the claim over Northern Territory portion

1097 and made some sort of suggestion that this was a repeat claim. Nothing could be further from the truth. I made mention of the difficulty of collecting anthropological information in respect of land claims. Ayers Rock is very rich in stories. There are plenty of stories. There are many places of importance that are very difficult for western anthropologists to understand and very difficult for western anthropologists to explain to the Aboriginal Land Commissioner in terms of the act. I suggest that of the large area that was properly taken into consideration in that claim, part of it was withdrawn and part of what was withdrawn included Northern Territory portion 1097. A great deal depends on this word 'withdrawal'. It was withdrawn and no decision was made. It was withdrawn and there was a clear understanding that the claim over that area would be heard at a later date. It is absolute nonsense to refer to that as a repeat claim.

The other suggestion made by the minister was concerned with our interpretation of the letter that the Chief Minister did in fact send to the Chairman of the Central Land Council. The minister rather patronisingly suggested that I cannot read. I am quite capable of reading the names on any letterhead. If the minister is interested, he is most welcome to look at the letter in question. It is substantially the same as the letter which he quoted.

The minister made a certain interpretation of that letter that I do not believe is a reasonable one. It depends I suppose on which section of the letter you look at. To use the word that the honourable minister has brought up today, the wording is somewhat prolix. The minister interpreted that, if a particular claim was not in by the date of this letter, namely 24 August 1978, it is somehow illegitimate. That would imply that a number of other claims that have been lodged subsequent to that letter of 24 August 1978 will be subject to action similar to that he has taken in regard to Northern Territory portion 1097. Here are some of them. Remember our date is 24 August 1978.

Subsequent to that date, we have the Nicholson River claim which was received by the Aboriginal Land Commissioner on 16 October 1978, the Warramunga Alyawarra claim received on 20 November 1978 and the Chilla Well claim received on 20 November 1978. There are pages of them. Are Aboriginal people going to be asked to tolerate the Minister for Lands and Housing at the stroke of a pen prejudicing those claims under a federal law? That is intolerable, Mr Speaker. I am sure you will agree. Our interpretation is the reasonable one in this regard. The Chief Minister sent the letter to the Chairman of the Central Land Council on 24 August, 1978 and, presumably, if his word can be taken, from 24 August 1978 to 24 August 1980, claims lodged in that time would not be prejudiced. I think I have fairly clearly established that the minister is attempting to subvert the operation of the Aboriginal Land Rights (Northern Territory) Act.

Let us turn to the question of the deception of the proprietors of Tempe Downs. I mentioned in question time this morning a letter sent to the proprietors of Tempe Downs. I have the reference here for it. The minister himself obviously was unaware of the letter. I think he only has to go to his department to find it. His letter to the proprietors of Tempe Downs said that they could not expect Northern Territory portion 1097 to be considered in terms of being added to their lease because it was subject to claim under the land rights act. If that is not deception, then I do not know what is. The minister denied being aware of it this morning. He may not be aware of it. However, it seems to me that there is a question of ministerial responsibility here. I am a relative newcomer to this Assembly, but I understand that it is a cornerstone of the Westminster parliamentary system that a minister be responsible for the actions of his department.

The Minister for Lands and Housing has in effect deceived the proprietors of Tempe Downs Pty Ltd. Just for the sake of the record, I will read into Hansard the date of the letter. The date of the letter is 20 May 1981 and the reference is PL629(3). It was signed under the hand of the Acting Assistant Director of the Lands Allocation Branch and it was sent to Messrs Duncan and Gillman. It stated, as I have said, that they could not expect any consideration of their request for the grazing licence over Northern Territory portion 1097. Now the minister was obviously very cagey about which doors were shut when and he was most reluctant to actually say to us who said what to whom. He raised all sorts of spectres of smoke-filled rooms and sweating brows. But since the evidence is there that he has deceived the proprietors of Tempe Downs, which falls in my electorate, I believe this Assembly and the public of the Northern Territory deserve a better explanation than that which has hitherto been furnished. It is apparent that the minister adopts one set of rules for the proprietors of Tempe Downs and another set of rules for his Country Party mates.

That brings me to my third point and the point that the minister did not bother to reply to in his adjournment debate on Thursday. I think it is worth mentioning just one more time. When I raised the matter of Northern Territory portion 1097 being given to Messrs Lander and Conway - Mr Conway being a Country Liberal Party member - I suggested that this was jobs for the boys and the member for Stuart Park said, 'Well is that a crime?' Very fortunately for him, I notice that that was not recorded in Hansard. Of course it is not a crime in a legal sense, in the hair-splitting terms that the government seems to enjoy adopting these days. However, I have severe doubts whether the Northern Territory public will be so kind either to the member for Stuart Park or to the Minister for Lands and Housing. I believe that the people of the Northern Territory will take a very dim view of ministerial patronage of party colleagues.

Finally, I make 2 points. Firstly, if the member for Stuart Park will excuse me, I would like to use one more Pitjantjatjara phrase in reference to the Minister for Lands and Housing who has been malanjkara ngnwanta wangkanyi which, for his bebefit, I will translate as 'talking back way'. I close by inviting the Minister for Lands and Housing to debate this matter,which I believe to be very serious and of considerable importance to all Territorians,in any public forum he chooses. I am quite happy to debate this matter with him at any time and in any place he may choose.

Mrs PADGHAM-PURICH (Tiwi): I rise in the adjournment debate this afternoon to comment on 2 answers given to questions that I asked this morning.

The first one was a reply to a question I asked of the Minister for Community Development regarding the establishment of a large animal pound in the rural area. I have written to the minister about this and I have not received an answer yet. No doubt I will in the near future. The minister said in his reply that he had asked his department to investigate it and I was very pleased to hear that. I would expect that, in this investigation, I would be contacted personally because I have received complaints from people in my electorate. I know where these straying animals are and I know the trouble they have caused and I may have a few suggestions on what to do with them. The minister also suggested the possibility of several pounds. I have not asked for several pounds. One pound would be sufficient and it need not necessarily be a very big one.

I would like to mention that it was rumoured - I heard it over the weekend - that somebody was thinking of looking at the 10-mile yards as a pound for large animals. I think this would be a most unsuitable place to put animals

that are kept in poundage. A more desirable place would be found further out. To put them in the 10-mile yards would be most unsuitable from the point of view of hand-feeding them and giving them shade and shelter. There is probably water there. I think these yards are still used for abattoirs and they should continue to be used for that purpose and not as a pound.

It has also been put to me that these animals could go into the SPCA pound in McMillans Road. While I was investigating this suggestion a couple of items regarding this pound were brought to my attention. The first one was that this was gazetted as a pound for the purposes of the Dog Act. I really do not think that by any stretch of the imagination, we can consider horses or cattle to be dogs. The area in question is unsuitable; it is neither large enough nor has it suitable facilities for the holding of large stock until they are claimed or sold or otherwise disposed of. I read the gazette notices and I brought it to the attention of the minister that there could possibly be an inaccuracy in the gazette notices concerning the SPCA pound. I am not legally qualified but there seems to be an inaccuracy in a couple of the notices and I have asked that these be investigated.

In view of the increasing seriousness of the situation created by these large straying animals, it seems to me that officers of the Department of Community Development should investigate a pound for the holding of large animals in the rural area on something of an ad hoc basis. That was the intention with the dog pound when it was first established at Berrimah and subsequently at the 19-mile. There has been only one serious accident in the rural area and this was most unfortunate. I hope that it does not happen again; it was a fatal accident. I feel certain that, if these large animals, especially horses, are not controlled there could be further accidents.

The next subject on which I shall speak relates to my question to the honourable Minister for Transport and Works. It was only a simple question and I believe the remedy is perfectly simple. It will not cause any trouble to the people doing it and I cannot see why it cannot be arranged. The question I asked the honourable minister was: 'Why can't the drivers on buses in the rural area carry a supply of bus time-tables'. To many people, this might be an obvious thing to do. All it needs is for the bus driver to be given a bundle of 20 in a plastic bag. That is all there is to it. There is no paperwork to be done by the bus driver or by anybody else. The honourable minister said that these bus timetables are available at the Coolalinga and Howard Springs stores. That is quite correct, Mr Speaker, but not everybody goes to those stores for their supplies, not everybody goes there for bus timetables. Many people go there, admittedly, and many people come into my office for bus timetables. I had to make a personal request to obtain bus timetables because there were not any on the buses. It seems to me that the people out in the rural area are very pleased to have the buses running, but it seems to me, if you will excuse the expression, that there is a nigger in the woodpile somewhere in that somebody does not seem to want the buses to be patronised to their fullest extent. Nobody seems to be prepared to meet people half-way by simply giving them bus timetables or making them available. When I made my request somebody did come out immediately and gave me a whole bundle of bus timetables and 2 days later somebody else come out to check that I had them. I have received good service from the Department of Transport and Works, but I do not travel on the buses usually. I feel that the travelling public in the rural area could be permitted the convenience of having these bus timetables from the bus drivers on request.

The third subject on which I shall speak this afternoon is something that has been put to me by several people over the last couple of weeks. I am representing their views; they may be mine and they may not be mine. My views on gambling in the form that I am going to mention are not violently pro or con.

At the moment, a lot of money leaves the Territory in the form of money that people expend on buying tickets for games of chance. I cannot make a list of all the lotteries etc for which people buy tickets in the Territory and other ways they spend their money gambling. I am not advocating that people spend any more money in this way; I am advocating that some of that money stay in the Territory. One way that people spend their money in the Territory at the moment is by buying tickets in the Golden Casket which is from Queensland; they also buy tickets in the Opera House Lottery which I believe is from New South Wales; they buy tickets in the Charities which is from Western Australia; they buy tickets in New South Wales Lotto; they also buy tickets in Australian Lotto Bloc, which is from Victoria, South Australia, Western Australia, Tasmania and the Northern Territory; they also buy tickets in soccer pools and Instant Money. Money is spent at our casino, in off-course betting shops, with on-course bookies, with SP bookies.

If we instituted a Northern Territory lottery, much of that money would remain in the Territory. It has been put to me that, to give a large enough prize to encourage people to buy tickets, we would have to wait too long before there would be a draw. This may be true but I would like somebody more competent than I in the field of figures to investigate this. It was put to me that, in the Australian Lotto Bloc, something like $800,000 left the Territory last year and $300,000 stayed here. That is a difference of $500,000. We could do something with $500,000. In putting this forward, I am not advocating that people gamble more but we have to face the fact that people will buy tickets in these games of chance. Why shouldn't we encourage them to take their chances in the Territory?

Mr ISAACS (Opposition Leader): Mr Speaker, I want to make a brief comment about the statement by the Minister for Education when he moved that the Assembly adjourn. He made some remarks about the sitting days of the Assembly and I believe that the statement that he made is an outrage to this Assembly and will make this Assembly a laughing-stock, not just to the Territory but to Australia.

If we do not sit on Thursday - and I guess we will be treated to the same sort of thing at the next sittings and the sittings after that - we will be lucky this year to crack 20 days of sitting of the Northern Territory Legislative Assembly. By the government's own timetable we will now sit, at the most, for 22 days. The minister pats us all on the head and says, in his patronising and condescending way, that we have done very well and that we have gone through the notice paper extremely well - shades of old Mr Grace - and says that, because we have all been such good little people, he is going to give us all an early mark. We are going to break a day early. When you look at the notice paper, Mr Speaker, you will see just how little we have done and how much more there is to deal with.

We have been given notice by ministers opposite of ministerial statements on exploration on Aboriginal land - by the Minister for Mines and Energy I assume - a ministerial statement on brucellosis and TB to be given by the Minister for Primary Production and Tourism and a statement by the Treasurer on sales tax which was circulated on Thursday. By the look of boredom on his face, it is pretty obvious he does not want to proceed with that. No wonder the scheme has been botched entirely. We had an indication from the Minister for Mines and Energy on Thursday that he wanted to make a statement about the Ord River hydro-electric scheme. Has he decided that the Assembly does not matter and he wants to give it to the public anyway? We have in front of us the education Green Paper which the Minister for Education now does not want to have debated in this Assembly. We have the draft criminal code and, although I would not have expected that to have occupied every member's time, certainly

there ought to have been debate on it. There has been a recent statement by the Chief Minister on public drunkenness in which he has called for public debate and yet this Assembly, according to the Chief Minister himself, ought not to have a debate on it. We have, on the notice paper, papers to be discussed which include the report of the Auditor-General for the year 1979-80. By the time we sit next, the financial year 1981-82 will have commenced. Most importantly, we have the Ombudsman's report for 1979-80. The report has yet to be debated. The Minister for Education said we have been such good people getting through the notice paper; there is plenty yet.

In addition to that, there is the Supply Bill to carry us through until November of this year. That is a poorly presented document without any amplification. If it is thought we are going to finish tomorrow, we shall be finishing late because I shall be asking questions about each of the expenditure items in that supply legislation.

Mr Speaker, this Assembly is being treated as a laughing-stock. When we say to people of the Territory and of Australia that we sit for 22 days, they laugh at us, and deservedly so. The Northern Territory government treats this Assembly with disdain and that is apparent to everybody. This Assembly interferes with the processes determined by the Northern Territory executive. They bring us together just so that we can pass legislation which is important to them. The people of the Territory and their problems can go hang. I believe it is important for this Assembly to debate the issues of the day. There is no way in the world that we can debate adequately the issues already on the notice paper tomorrow. We ought to sit on Thursday; we ought not to be adjourning tomorrow just to suit the convenience of ministers opposite who wish to travel overseas.

Mr D.W. COLLINS (Alice Springs): On the weekend just past, the Alice Springs Motor Cycle Club held its sixth Finke Desert Race. I would like to put on record that this was an excellently run program and the committee of that particular motor cycle club deserves warm congratulations. This particular race encourages competitors from interstate and a number of those competitors are Australian people who have ridden internationally. They were strong in their praise of the organisation by the Alice Springs Motor Cycle Club. Helping the Alice Springs Motor Cycle Club were the ever reliable St John Ambulance Brigade and the Northern Territory Emergency Services who were keeping radio communication so necessary in case of an accident. Fortunately, there were no serious accidents - merely a lot of weary and sore riders. It was a great time and I commend those people. I think they are helping to put the Territory on the map.

On Friday night last, I had the honour to represent the Minister for Mines and Energy at the Northern Territory Electricity Commission's parent-orientation and apprentice-indenture night in Alice Springs. The intention was to bring together the parents of the apprentices, the apprentices, the people involved in their training and other people interested in education so that they could exchange ideas and get to know one another and form a contact which should make the apprenticeship easier for these people. It was an excellent night and I commend it.

I turn my attention now to a subject which concerns me and that is the matter of matriculation numbers. We have the intention - which I support - of developing a university in the Northern Territory. I believe that is a very important aim as far as education is concerned. Matriculation is used as a decider. If someone matriculates, then he has the right to go on to university and study at tertiary level in such an institution. In a sense, that tends to be going by the way these days and many institutions are letting in mature age students without the so-called matriculation. This trend may have some merit

but I believe there is also a danger there because I think it tends to lower the standard in the universities to some extent. One of the problems is that the universites tend to be funded according to the number of students they are able to enrol. One sees a temptation to admit people with lower qualifications.

I came to the Territory in 1970 under a South Australian scheme which finished in 1973 with the Commonwealth taking over the responsibility for education. Quite a number of changes took place at that particular time. I will not name the school I am talking about but you do not need to be too smart to identify it. In 1973, the number of students taking matriculation was some 54 students in a population of about 700 students. I have had some difficulty getting the figures. I would like to have checked them out. In 1980, the secondary school population had grown by 50% to about 1,050 students. However, the number of students who tackled matriculation for 5 subjects - if my information is correct - was 26. On a pro rata basis, there should have been 81, and 26 out of 81 gives you roughly 30%. It is no wonder that the idea of matriculation in 2 high schools in my area had to fall by the wayside. With a total number of 26, one can appreciate that it was not economical to run 2 schools. This is a matter which concerns me.

I do not know what the trends are elsewhere in the Territory but, if the trend happens to be this way, then it does not augur well for having students suitably qualified to kick off a university for the Northern Territory. It is a matter which I would like to see fully investigated. I realise that maybe 1973, the end of the South Australian reign, for some odd reason, might have been a freak year with numbers. If my memory serves me right, they were building up gradually each year towards that figure. There may be some reason why the figures were so low last year. However, I believe it is a matter which ought to be investigated fully so that we can see whether we will have anything like the necessary number of qualified people for a university. I certainly do not think we would do our university here any credit if we started letting people in who did not have the background to kick a university off at a reasonable standard.

I have just one last point. The member for MacDonnell this afternoon happened to mention a couple of people, namely a gentleman whom I have never met, Mr Tim Lander, and a Mr Ian Conway. He claimed that they were party members. In my discussion some time ago with Mr Conway about Mr Lander, his thoughts were that he could well be an ALP voter. For what it is worth to the member for MacDonnell, that is something which he ought to consider. Conway has been a member and supporter of the Country Liberal Party but, at the moment, just to keep the record straight, he is not a financial member.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, once again the member for Alice Springs, on the subject of education, has provided me with a very interesting statement indeed. I put a lot of work into the government's proposal to establish a university in the Northern Territory. I spent a lot of time reading that document. Indeed, it takes a lot of reading. It was on the basis of the research that both I and the Leader of the Opposition had done on that document that we made submissions to the TEC and in fact formulated our own ideas generally on the foundation of the university. There is a very large section of that report which deals extensively with the demographic statistics for the viability of that university. The Northern Territory government's own submission establishes clearly that such a university could be viably commenced and provide 15 degree and sub-degree courses in 1982.

It was with great interest then that I heard the honourable member for Alice Springs say that, unless we pull our socks up in the Northern Territory,

unless we start getting stuck into the students and unless we start to encourage more students to take matriculation only heaven knows - according to the member for Alice Springs - how we gather together a sufficient number of matriculated students to justify having a university. That is an interesting divergence of views between the official submission of the government to the TEC and that of the honourable member for Alice Springs. Obviously there must be something wrong with the figures provided, at least on paper, to supply overwhelming justification for starting that university. Certainly there must be something wrong with the numbers given in the report.

Mr Deputy Speaker, the other thing that the member for Alice Springs touched on was mature age admissions to universities. I would suggest to the member for Alice Springs that he look at the admission requirements for mature age students in universities. Let me assure the member they are very thorough indeed. They are sensible and I for one certainly welcome the fact that that system has been introduced. They do not lead to a lowering of standards. The universities are aware that they cannot afford to have that happen and, in fact, the whole thrust of the TEC's determinations - and this was one of the criticisms I had and still have of the proposal put forward by the Northern Territory government for the establishment of a university - is that the TEC is opposed totally and categorically to the concept of universities offering less than degree courses. In their 1982 triennial report which they have just produced, they reiterated all through the report that that was the case. They said they were most reluctant to fund those sections which were providing less than degree courses. Mr Deputy Speaker, let me assure you and the member for Alice Springs that universitites are very aware of the detrimental effects of the lowering of standards. If that happens, the TEC will not fund them.

I can think of half a dozen Territorians who have availed themselves of the facility of mature age entry into universities. In each case, I am happy to say, they succeeded in getting their degrees. It is an extremely hard way to do it, I must say. Most of them had wives and children when they did it, took part-time jobs, worked at nights, worked at weekends, looked after a wife and family. Somehow or other, the families coped with the strain of one of its members being occupied for 90% of the time on other things. It was only as a result of mature age admission that they were able to gain entry into the university because they were of a generation when education was not as easily available and as good as it is now.

That is another thing that I became extremely annoyed about. People keep on talking about examinations and returning to the 3 Rs and so on. There is a lot of rubbish talked about the poor standard of education provided today. I am sure the Minister for Education would agree with me. There is very little evidence that the education provided today is in any way inferior to that provided 20 years ago. In fact, the figures are there for anyone who wants to have a look at them. The strides that Australia has made in becoming one of the most literate countries in the world are commendable. It has been a continually improving educational system that has brought that about. There is a lot of rubbish and a lot of looking back through rose-tinted glass.

My father could not read or write because he happened to be brought up in a country town in New South Wales that did not have the education facilities that everybody tells us were so wonderful in those days. I might add that that was not an uncommon thing for a man of his generation. In fact, prior to his generation, there was a large percentage of people that I remember as a kid who could not read or write. The same town now boasts 3 magnificent high schools, preschools, primary schools and every other kind of school. There is not the slightest doubt that the standard of education is demonstrably higher now, than

then, yet we constantly have this business of let's have examinations, let's bring back exams, let's keep the standards up.

The facts are that there are many people these days, particularly younger people, who think that a matriculation certificate is irrelevant to the way in which they want to live. They think it would be more appropriate to enter a trade; for example, to become a highly paid mechanic or welder. Some of the wages that are paid to those people now, particularly in high development areas such as the Northern Territory, are astronomical. At Gove, for example, there are tradesmen who save $18,000 to $20,000 a year. Many people these days look at the education options that are open to them and consider simply that a university education is not relevant to them. They are perfectly justified in having that option. To assess the success of an education system and the success of a society generally from the percentage of the society that matriculates and goes to university is ridiculous. I reject it completely. I would like to expand a little more on education in the Northern Territory. It appears that I will not be given the opportunity.

I would like to conclude this afternoon by adding my voice to the condemnation of the Leader of the House for the announcement we heard in the adjournment debate this afternoon: that once again we are to finish these sessions a day early. This is something about which I am becoming seriously concerned because we are starting to be held in public contempt for our number of sitting days a year. I say that with every sincerity. When I am travelling around the electorate, and even here in Darwin, I am asked more often these days by people: 'How many days do you sit a year?' It may not be couched in those exact words. When I tell people, as I have to, that we will only be sitting 22 days this year, I am laughed at. People say to me: 'Oh, that's not very much, is it?' I then have to explain and say that the work of a member of the Assembly outside of the Assembly is considerable - as of course it is, particularly with people with large electorates.

After years and years of untiring effort on the part of a large number of people to establish this Assembly, we appear, now that we have achieved it, to be treating it - or at least the government appears to be treating it - with complete comtempt. As the Leader of the Opposition has pointed out, we still have a considerable amount of business to get through on the notice paper and what I am particularly annoyed about is that I asked the Whip today to determine whether the education Green Paper would be debated here in the Assembly. I had asked the Whip to indicate at the beginning of this sittings that it was the opposition's desire to have the education Green Paper debated. He came back to me this afternoon and said that he had been told by the Minister for Education that it would not be debated. Mr Speaker, I believe that it is necessary to debate it at this sittings because submissions for that Green Paper close on 25 June. We will not be meeting again in this Assembly until August. Submissions will close on the Green Paper about which the government is so concerned, and should be. They will close on 25 June. We are not meeting again until after that date.

What concerns me is that, in a number of public seminars which have been held recently - which I attended as I have done over the 4 years I have been in this Assembly - and in a number of meetings held by departmental officers at high schools, it has now become apparent that the department has already gone beyond the Green Paper. There are a number of recommendations in the Green Paper which it has indicated that it has abandoned already. It has been said at those meetings that the department is not considering the proposition now. I will quote one example: the recommendation to turn Casuarina High School into a secondary college. It has been publicly stated already that the department

is no longer considering that as an option. It makes it very difficult when you are asking people to put submissions in on a document that is supposed to be used as a basis for a White Paper policy on education to find out that the department has already made decisions prior to the closing date for submissions.

At meetings that were held at 2 high schools in Darwin, departmental officers were subjected to expert questioning from educators, teachers who were interested, particularly years 11 and 12 - specialist teachers - as to whether there are recommendations in that Green Paper that have been abandoned already and which the department has gone beyond in its formulation of the White Paper. I understand the work has already started on the White Paper. We will not be given an opportunity to debate that Green Paper here in the Assembly. The Minister for Education has asked for as much public debate as possible but he does not consider the matter important enough to be debated in the Assembly. We are to be chopped off a day early. We have reduced our sitting days to 22 this year. If we keep going the way we are going, rising early at sittings after sittings because people want to go away or go home, then by the end of the year we will be sitting for 15 or 20 days. As I have said, we are already in the dangerous period where members of the public, even people who are not all that concerned about the Assembly in its day-to-day running, are starting to raise their eyebrows at the contempt with which the government is treating this Assembly and at the ridiculously small number of sitting days we already have. It is bad enough as already scheduled; it is the lowest in Australia at the moment. Queensland was the one that was always laughed at, and they sit for 10 more days a year than we do on the schedule. We have already cut that by one day and we are just about to cut it by another.

I would like to debate the Green Paper on Education before submissions close, before the August sittings of the Assembly. If it is necessary, there is no reason why it cannot be debated again in the August sittings. If the Minister for Education expects the public to be interested in debating it, I consider that the elected representatives of the public should demonstrate that they are interested to debate it. This is the appropriate place to do it. If we are not to have an opportunity to debate it in the Assembly, how can the Minister for Education expect anybody to take the government's intention seriously?

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I have heard the member for Arnhem and the Leader of the Opposition work themselves into a state of righteous indignation over the number of days this Assembly will sit. The honourable Leader of the Opposition, who himself has a rather odiously pompous manner of address, had the hide to refer to my colleague the Minister for Education, as speaking in a patronising fashion. We have been told that we are bringing this Assembly into contempt by reason of the fact that its sitting days are being reduced. The first point to make is that the Minister for Education no doubt will not make this mistake again with these people who seize the indication of a possibility as being a major denouement.

The Minister for Education, in pursuance of his rightful duties, attempted to indicate to the Speaker and the Clerk the way the timetable is proceeding. On the notice paper there are 3 pieces of legislation left with which this Assembly can deal unless - with the opposition's permission - we suspend Standing Orders and deal with legislation that we introduced only the other day. The 3 pieces of legislation are the Jabiru Town Development Amendment Bill, the Supply Bill and the Legislative Assembly Register of Members' Interests Bill. The Chiropractic Bill, which has been deferred to the next session, could possibly be considered also. The Leader of the Opposition asked me himself if we were deferring the Building Societies Bill for further consideration and submissions from the societies. He indicated that he wanted to hear from the

building societies between now and the next session. The Douglas River Agricultural Area Bill is not going forward. It is to be withdrawn by the Minister for Lands and Housing. That is a matter of public notoriety as well.

We heard the Leader of the Opposition turn then to the Draft Criminal Code as something that should be debated this sittings. He was in this Assembly also when I gave earlier this year my timetable for the discussion of the code. That allowed for debate on the code to take place in this Assembly in the August sittings. I indicated at the last session, when I introduced the first part of the code, that I would be introducing the second part of the code at this sittings. It seems to me a bit premature to discuss the code before it is all before you. However, if the opposition wants to talk about it, then it may. But it will be talking about half of it only.

We have also heard from the Leader of the Opposition that government ministers will be making statements tomorrow. He presumes a bit too much. It may be that government ministers will make some statements and they will be debated, if that is the desire of the Assembly. The fact of the matter is that we had 3 matters of public importance that occupied the whole of each morning's sittings last week. We still managed to get through the Notice Paper to the point where we have exactly 3 pieces of legislation left to deal with. As far as I can see, the only one that requires debate is the Supply Bill. I acknowledge that we have other papers on the notice paper which can be debated. One is the report of my visit to South-east Asia.

That brings me to another point. In another snide aside, the Leader of the Opposition said that the sittings will finish early so that someone can go away on an overseas trip. This is completely without foundation. I have set aside Thursday for the sittings of the Assembly and I do not have one appointment during sitting hours. I am sure that all other ministers are the same. I can assure the Assembly that, with the exception of the member for Stuart, everyone in this Assembly will be in this Assembly on Thursday. We can talk about the Auditor-General's Report, the Ombudsman's Report, the Consumer Affairs Report and so on down to the fisheries policy. With great respect, it seems to me that we might still finish this sittings tomorrow. I think what the Minister for Education did was a fair thing. This place cannot sit unless it has something to deal with. The member for Arnhem might say that to those of his constituents who are so concerned about the number of days he is here in this Assembly. This Assembly cannot sit unless it has legislation or other matters before it with which to deal. It simply cannot go on filibustering without any measures before it.

I regard the tactics adopted by the Leader of the Opposition and the member for Arnhem in this particular matter as unworthy of them. Certainly their conduct brings this place into contempt because one now realises that one cannot deal with them as one ought to be able to do with regard to the normal courtesies.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, I had not intended to speak in this afternoon's adjournment but I feel I should rise in defence of some dozens of my constituents who are in fact mature age students at universities around the country. I must say I find the remarks of the member for Alice Springs quite offensive. He stands without any evidence whatever and tells us that the entry of mature age people to universities will lower the standard. He went so far as to say universities are admitting people who do not have the necessary qualifications. I can assure the member for Alice Springs that any person who qualifies for mature age entry and is eventually offered a place at a university earns that right to a place. It is not simply that a person has to attain a certain age and apply to a university to gain admission. That is certainly not the case and. I expect the member for Alice Springs, who purports to know so much about education, at least to educate himself in that matter.

It is all very well to speak about young people gaining matriculation and going on to university. Certainly one commends the efforts of young people who have some sort of long-range plan for their education in mind. But the honourable member for Alice Springs does not tell us the other side of the story and that is about the large number of people who drop out at the end of the first year and during the first academic year of university study. Nevertheless, some other people have gone to the extent of finding out why this happens. In a large number of cases, it is nothing against the young people concerned; it is simply the immaturity of those people and their inability to cope with this new type of institution. It is the lack of experience in life which contributes to their leaving for all kinds of reasons, including inability to meet with the ordinary pressures of living away from home.

Mr Deputy Speaker, I might say that mature age students have been studied in great depth over the years by various people. It has been found that in fact they make excellent students when they are admitted to universities. The reason for this is quite obvious, if the honourable member for Alice Springs would give it only a moment's thought. Universities are jealous of their standards; they allow nobody, least of all mature age students, to undermine the so-called standards that the member for Alice Springs is so concerned about. I can assure him that universities do not tout mature age entry just for the purpose of being funded. The idea behind mature age entry is extremely enlightened. It is to enable people who demonstrate ability to cope with university study to gain entry notwithstanding the fact that they do not have matriculation. That is the reason for allowing people to come into universities without matriculation, provided that they have attained a certain age.

As the member for Arnhem mentioned, a number of these people have not had the opportunity before. Perhaps they have not lived in areas where this type of facility was available. There might have been necessitous circumstances during their youth when they could have availed themselves otherwise of university education. There might have been any number of reasons including the necessity to serve as a conscript in the armed forces when Australia had conscription. It is not that these people are in any way substandard students. Indeed, the evidence shows quite the contrary: they are extremely good students. The reasons are that firstly they can cope; secondly, they have had some experience in the workforce and therefore have a more realistic idea of life; and, thirdly, they are found to have a very high motivation. They are better able to assess the consequences of dropping out before the course is finished. I can assure the member for Alice Springs that mature age entry into universities does not in any way undermine the standards which have been set by universities.

Mr Deputy Speaker, I would not have bothered to comment except for the fact that I have in my electorate quite a large number of people who have availed themselves of a university education by earning their place in a university because of their general attitude and the fact that they have been assessed as being able to cope. I can say that not one of those people, except in the most economically necessitous circumstances, would leave that course; they are very highly motivated and they know the consequences of dropping out. They have worked out the reasons for doing the course, whether it is the best course for them to do and so on. That is in contrast to many young students who drop out simply because they find that they are not in the right course.

I do not really think that the member for Alice Springs has very much idea about the facts of life in this matter. He has made statements which reflect on a large number of worthy citizens of the Territory by implying somehow that they have got in the back door to university, that they are not able to cope with university study and, worst of all, that they are not entitled to it for

no other reason than they have not entered a university at age 18 with a matriculation certificate. I defend these people and I admire their courage and the personal and financial sacrifices that they make in order to complete their university education. I condemn the remarks of the honourable member for Alice Springs.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, there are a number of functions of parliamentary sittings such as these. One is to debate bills. This is where we are essential to the government. One should be able to debate reports and I certainly hope that we will be able to debate some of the many reports on our notice paper. Another is to discuss issues of general interest, issues of the day. Finally, we use it to discuss matters of interest to our electorate, the so-called grievance debate. That is what I wish to talk about this afternoon.

I have on many occasions discussed the problems of some of the residents of the Kurringal Housing Commission flats in my electorate. In particular, I have discussed the problems of the single parents, mostly single mothers, living there with children. I have spoken of the Housing Commission transfer policy with regard to these people and the unsuitability of that very large complex as a place for bringing up young Territorians. One of the things in recent years that has made life a little easier for those parents has been the regular visit to Kurringal Flats of the Fun Bus. The bus was funded initially during the International Year of the Child to take playing facilities, equipment and an experienced staff member to places such as Kurringal for the benefit of those children and their parents. I thought that this was a worthy initiative at the time, not particularly expensive and a very useful thing to do with the funding available in the International Year of the Child. It was seen to be so successful at the time that funding was continued in the subsequent year. I was pleased about that and I am sure the parents were too.

Consequently, I was disturbed in the last month to receive some letters from mothers in my electorate about the Fun Bus and their fear that it may not continue to come to Kurringal Flats. Obviously they heard - and it certainly was not from me because I was not aware of it - that the Fun Bus may not be able to continue if funding is not available. I have these letters and any member is welcome to peruse them afterwards. I would like to read just a couple of samples to members to demonstrate the feeling of these mothers for the Fun Bus and the disadvantage they face by living in those circumstances:

Dear Mrs O'Neil,
I would like to ask for your support in ensuring that the Fun Bus continues to come to the Kurringal Flats in the future. It is hard to provide a variety of activities for children in a small flat and noisy and annoying to close neighbours to let the children have friends there. The Fun Bus gives us a chance to meet others in the same boat and our children look forward to this outing each week. Thank you.

Dear Mrs O'Neil,
I am writing about the Fun Bus. My little girl really enjoys going out and playing with the other children.

Dear Mrs O'Neil,
It can be very depressing living in a flat with small children trying to keep them quiet. The Fun Bus gives us something to look forward to. We haven't a car. I have made good friends.

Mrs O'Neil,
I am writing to say that I find the Fun Bus is a very good thing because it gets mothers and children out of their flats and out meeting people.

The children enjoy it and learn to mix. My son, being an only child, has learned to share and has come right out of his shell and I find living in a highly populated area hard but with the Fun Bus I meet people and can sit and have a cup of tea while my son plays.

Mr Deputy Speaker, there are more. It seems to me that this is a very small area but an area in which we have seen genuine community development. This is what community development is all about. These mothers and these little Territory children have gained by a prudent application of funds. They have been provided with play material and a chance to mix and meet others and to overcome some of the disadvantages of living in that particularly disadvantaged environment. I urge all members and particularly ministers to look with sympathy on the request for continued funding for this Fun Bus which is run by the Darwin Family Centres. The advantages of years such as the International Year of the Child are not only the activities that they generate in that year but the ongoing areas of need that they point out which can be satisfied without a great deal of effort. I trust that the request for this funding will receive sympathetic consideration from the government.

Mr PERRON (Stuart Park): Mr Deputy Speaker, I too have received a number of letters from parents whose children use the services of the Darwin Family Centres Fun Bus. As she said, it is a program that has been running a couple of years with government funding and was initiated during the International Year of the Child. I am not sure who is spreading the rumour that, for some reason, the Fun Bus project is under threat. Like all programs that are funded by the government through the Department of Community Development's grants-in-aid program, it will be under review along with all the other projects that come up from year to year in the budgetary context. Having regard to the numbers of letters and campaigns that seem to exist, someone has prematurely decided that this project has had a decision made upon it already. I can assure honourable members that it has not.

The fact is that the Fun Bus is one of those projects which I support. There are quite a number of very good projects that the government funds at present. New ones come to light every year, and they too are worthwhile programs. Some of them are experimental and some of them are not. There is usually insufficient funding to tackle them all. This does not only apply to community development. In this area, we have to balance each program against other things that can be done for the same money. If I recall correctly, the bid to run the Fun Bus is in the vicinity of over $20,000 per annum. That sort of money is enough to fund community welfare workers subsidies or additional homemakers, both of which have my complete support. I think that grants-in-aid can achieve much more than the same funds would if they were given to government departments to do those same jobs. Thus, it is a difficult decision to make. Every year, at budget time, we examine the applications for grants-in-aid, both the renewals of past approvals and new ones. Quite a number of them simply do not make the grade and you know that before you even start the exercise. That is the case with all governments and it has to be done every year.

I would like to speak about the sudden massive proliferation around this town of stop signs. It disappointed me greatly to see, in the very same week that the widespread publicity campaign for the T-junction rule commenced, stop signs suddenly appeared all over Darwin at goodness knows what cost. When you consider the cost of the signs and the pipes and erections, it is just a terrible waste of money. When I raised the matter with the Minister for Transport and Works, he informed me that the city council was responsible in most areas except section 307 roads. If you drive around town, you will see these signs in the most absurd situations. The shame about it is that the money has been spent.

It would in fact cost more money to pull them down. I can assure members that driving around at all hours of the day and night and being faced with these insane stop signs is absolute nonsense. It really means that we need not have adopted the T-junction rule at all. We may as well have just dismissed the whole program and simply erected the stop signs. We do not need both.

Mr ROBERTSON (Gillen): Mr Deputy Speaker, I must say that there is a mixture of agreement here. I agree with what I heard on the other side this evening and I certainly agree with the Treasurer. As the elected member for Gillen, I would like to add my weight to the concern of the people in the area on the proliferation of stop signs generally. I hate to be accused of misleading the Assembly, so I will give a broad figure. When driving through the Gap at Alice Springs coming from the airport, one would need to be a mathematician or possess a decent IBM to count the number of signs between the Gap and the top end of Todd Street.

What happens with these sorts of signs is that they constitute a traffic hazard rather than a safety device. The simple fact is that, where there is no traffic visible on either side of a person pulling up to a T-junction, he looks either way, gives way if necessary, and drives on. It is an excellent rule. If you are faced with a stop sign, the law requires that you stop which means that you put your vehicle out of gear. By the time you have done that, a car appears and our new law comes into play and you have to give way. The car goes past and, by the time you have done all this, you are getting rather mad and around the corner comes another car. You have a tension situation which inevitably results in an accident which would not have occurred had the stupid stop sign not been there. I find it absolutely staggering that a council that is so paranoid about the type of roof you put on a place, the type of fences or the height of buildings, absolutely desecrates a place like Alice Springs with these absurd forests of signs all over the place. I am quite sure we are of one mind on that one. It is of some significance, I suppose, that the person who raised this subject in the Assembly is also the minister responsible for local government, if not responsible for their actions. Who can be responsible for those? Suffice to say that I agree entirely with what the Treasurer indicated.

However, I must say that I disagree with my colleague's comments in respect of adult or mature age admissions to tertiary education. If there is a university in this land which is steeped in traditionalism and conservatism, it is Adelaide University. To its everlasting credit in my view, that university, for the first time, has gone into adult admissions. Not only has it bitten the bullet on that subject, one of the sacred cows of degree courses, law, which for the first time in this country, will be open for adult students. It is no derogation of the standard of young teachers to say that, at least for their first few years of teaching, the best teachers we are getting in the Northern Territory come from the ranks of mature aged students at the Darwin Community College. There is no doubt about that; I cannot agree with my colleague from Alice Springs.

I do not normally use words like 'disappointed' or 'saddening' such as we hear from the honourable member for MacDonnell but I did find surprising, disappointing and somewhat discouraging, to say the least, the tirade which emanated from the Leader of the Opposition and the member for Arnhem. What we heard in relation to my courtesy announcement earlier, I would expect from the Leader of the Opposition, but I would not have expected it from the member for Arnhem. What I said was as a courtesy to the Speaker, the Clerk and his staff and to the members of the opposition. I said that, if we had nothing to discuss - in other words, if we had run out of a program, which is highly likely by the end of tomorrow - we would not be here on Thursday. I did nothing more and

nothing less. If the opposition wants to put forward to the public that, because it wants more sitting days, we should sit here in dumb silence and look at the roof for 7 hours, from 10 until 12 and from 2 until 7, let it name the date and we will sit here and look at the roof. There is only a certain amount of time available for such things as adjournment debates and even that would not, in my judgment, warrant sitting on Thursday if we are out of business tomorrow. That is all I said. If the opposition is going to use courtesies delivered by me as Leader of the House in this way, I ought to review the policy of being courteous.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

PETITIONS

Neglect of Vacant Crown Land in Ludmilla

Mr STEELE (Ludmilla): I present a petition from 132 citizens of the Northern Territory expressing their concern with municipal problems in the Ludmilla area. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the citizens of the Northern Territory respectfully showeth that long-standing problems in the Ludmilla electorate of open drains, long grass on vacant Crown land and general neglect of parks and open spaces is of great concern to residents. Positive steps need to be taken by the Darwin city council and the Northern Territory government to upgrade open drains in Martin Crescent and along Nemarluk Drive to alleviate the dangers of stagnant water, breeding of mosquitoes, health risks, presence of crocodiles and obvious dangers with children in these areas. The neglect of vacant land, parks and footpaths under Darwin city council control in this area is obvious and constant. The danger of fire, snakes and other reptiles in the grass and the unsightly mess throughout the electorate is distressing. Your petitioners humbly pray that ministers of government in the Legislative Assembly act to ensure the beautification of areas in our electorate under government and city council control be undertaken and these long-standing problems be permanently eradicated, and your petitioners, as in duty bound, will ever pray.

Hartley Street School

Mr D.W. COLLINS (Alice Springs): I present a petition from 1,968 residents of Central Australia requesting the preservation of the Hartley Street school building for use as a National Trust centre. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned residents of the Northern Territory of Australia respectfully showeth that the Hartley Street school is the oldest existing school building in Alice Springs. The Hartley Street school building is worthy of preservation and restoration for use as a National Trust centre. Your petitioners therefore humbly pray that immediate funds be made available from the Heritage Commission grant for the restoration of the Hartley Street school and the Hartley Street school be adopted as a building worthy of preservation and your petitioners, as in duty bound, will ever pray.

Poker Machines in Alice Springs Casino

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I present a petition from 571 citizens of Alice Springs and Central Australia expressing their concern at the proposed introduction of poker machines in the Alice Springs Casino. The petition bears the Clerk's certificate that it conforms with the requirements

of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens respectfully showeth that the proposed introduction of poker machines in the Alice Springs Casino will cause considerable social distress and hardship to the community of Alice Springs, is quite unnecessary, will lead to pressure for the introduction of poker machines at social clubs and other such venues and is against the wishes of the community of Alice Springs. Your petitioners therefore humbly pray that the proposed introduction of poker machines, being against the interests and wishes of the Alice Springs community, will not be proceeded with and your petitioners, as in duty bound, will ever pray.

SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE - SECOND REPORT

Mr HARRIS (Port Darwin): Mr Speaker, I present the Second Report of the Subordinate Legislation and Tabled Papers Committee. I move that the report be noted.

I apologise to the Assembly for the delay in bringing forward this second report. The papers included in the report were in fact adopted by the committee at a meeting held in March. We met on the first day of this sittings and it was decided then that we would have the papers from March included with the papers passed and adopted at the last meeting and that these would be put together to form this report.

There are 4 papers that have been reported to the Department of Law. The first paper requested more information with regard to revocation of land. The information was forthcoming and the committee was satisfied. There were 2 queries on whether the regulations that were made were within power. These were copy paper No 16, which was to amend the Motor Vehicle Regulations, and copy paper No 21, to amend the Explosives Regulations. The reply received from the Department of Law was that these 2 regulations were made within power of the enabling act and that the queries that the committee had raised were matters of policy and should be taken up with the minister and his department.

The fourth paper was copy paper No 2 which really should have been included in the first report. It simply points out some errors in drafting.

Mrs LAWRIE (Nightcliff): In rising to speak on the tabling of this report, I want to make 2 points. The Subordinate Legislation and Tabled Papers Committee is most important and has a duty to ensure that regulations are within power. Its workload is fairly heavy. Whilst it does not shirk that, Mr Speaker, most members of the committee have queries from time to time regarding the validity of the regulations and have also drawn to the attention of various departments the lack of information provided in certain circumstances. The chairman is ensuring that departments provide the necessary information on which to make a reasoned judgment on the regulations in future.

I believe it is becoming almost imperative that the committee have access to legal advice, independent of the people who are drafting and presenting the regulations. You will be aware, Sir, that the chairman of the committee and I attended a conference held in the national capital which discussed this point at length. It has become apparent to us that subordinate legislation and tabled papers committees in other areas of Australia have the right to independent legal

advice. I ask that this be taken up with the Attorney-General to ensure that our committee has the same facility. Our Subordinate Legislation and Tabled Papers Committee has importance and status equal to those elsewhere.

I also wish to speak to copy paper No 16 which deals with the separation of motor-cycles into 3 categories for licence purposes. The problem with regulations is that they come into effect immediately upon gazettal and are then subject to disallowance. The public is rarely as well informed about regulations as it is about bills which, of course, are not in force until passed by the Assembly. By and large, the public is totally confused about the effects of regulations. Whilst we could embark on an education program, I doubt if it would really have the effect that it deserves.

Upon perusing this regulation, I felt that, because it was of such importance, it would have been better presented as a separate bill amending the Motor Vehicles Act. The regulation is a fairly dramatic departure from what was the law in the Territory prior to its gazettal. We now issue separate licences for motor-cycles up to 250 cc, motor-cycles up to 750 cc and all motor cycles. I am not quarrelling with either the policy or with the fact that it is within the power of the regulations under the Motor Vehicles Act to provide for such a strategem, but I feel that the lack of public information about this particular regulation is a great pity.

Our committee will have to address itself to the way in which it can be overcome. It is not simply a matter for our committee however. It is a matter for Cabinet and for the Chief Minister to try to ensure that, when the regulations are being gazetted which are of such importance in the public mind - in this case, the buying and riding of motor-cycles and joining motor-cycle clubs - some form of public awareness is created. I am aware of the problems facing this Assembly when bills are introduced. Quite often the press ignores them. It is difficult to get any public information out and back again. However, the registration of motor-cycles has an effect across the great Northern Territory community, particularly in Darwin. It has an impact on retail sales. Nevertheless, we find that this set of regulations came into being with nary a whimper. I ask that government ministers address themselves to this problem and, where regulations have a fairly traumatic impact, consider the introduction of a separate bill into the Assembly.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, as a member of the Subordinate Legislation and Tabled Papers Committee, I would like to make some brief general comments. My first comment is that some of these reports have been remarkably tardy in presentation. Some reports have been presented in this Assembly some years after the end of the financial year in question. This situation must be remedied if we are to appreciate reports fully and consider the recommendations of a department.

I will not single out any reports in particular but a couple of them were remarkably brief. While I appreciate brevity and simplicity, I feel that all the activities of a particular government department should be covered. It may slip the memory of members when they consider these reports if the whole scope of work of the department is not mentioned, however briefly.

On the other hand, some reports were remarkably verbose and they were completely surrounded by circumlocution. I do not know which is worse, a report you have to wade through to get down to the nitty-gritty or one that does not say enough. I think that in future more consideration has to be given to presenting on time, brief but comprehensive reports.

Ms D'ROZARIO (Sanderson): I would like to take this opportunity to comment

on 2 of the papers listed. The member for Nightcliff has already mentioned paper No 16 dealing with the new system of graded licences for motor-cyclists. I commend the members of motor-cycle clubs who have for some years been trying to obtain such a system of graded licences. The club members themselves have formed a legislation subcommittee. All members would have received its particular proposals a few weeks ago. It is quite heartening to see that members of these clubs do take an interest in licensing matters and have voluntarily come forth with a graded licensing proposal. It is certainly with some pleasure that I support the amendment of the motor vehicle regulations.

The House of Representatives Standing Committee on Road Safety has given quite a deal of attention to motor cycle safety. I refer members to the report of May 1978 of that committee. Perhaps I could highlight some of the discussion which took place during that committee's consideration of this topic just to show how important this particular matter of graded licences can be as far as motor-cycle safety is concerned.

Mr Speaker, it was encouraging for the committee to note that rider training was one of the chief preoccupations of witnesses who appeared before it. In particular, the witnesses were representative of road safety councils, police organisations and motor cycle clubs. It was recognised by those organisations that the inexperience of riders was a particularly contributory factor in accidents involving motor-cyclists. Whilst the committee identified as fact that 70% of collisions between motor cycles and motor vehicles were in fact the fault of the motor vehicle driver rather than the motor-cyclist, there was some cognizance of the fact that inexperience in handling high-powered machines could also be a contributory factor.

The committee noted that 3 states, Western Australia, New South Wales and Queensland, have a system of graded licensing. Unfortunately, the systems have not been in force long enough to allow a complete evaluation but, nevertheless, the committee is fairly confident that the system of graded licences would contribute to a reduction in road accidents.

It was noted with some disappointment by the committee that very few riders, upon obtaining a licence, have had any training whatsoever. In New South Wales this proportion was 1%. One percent of people holding motor-cycle licences had received any training at all prior to taking out a licence. In Queensland, the Road Safety Council estimated that perhaps 2.9% of registered motor-cyclists had in fact received training before receiving a licence.

I think that these findings would certainly indicate that there is a need for riders to obtain some experience on the road, particularly with low-powered machines, before graduating to high-powered machines. However, it is important to note that the engine capacity, which is what we are dealing with in this particular regulation, is not necessarily related to the speed or power of the engine. Nevertheless, it does give an opportunity for riders to become familiar with the handling capabilities of the machine and so on before graduating to high-powered machines.

I certainly support that particular set of regulations and again would like to commend the motor-cycle organisations themselves for having taken an initiative in this regard.

Mr Speaker, I will turn now to paper No 33 which is the Second Annual Report of the Commissioner of Consumer Affairs for the year ending June 1980. I am pleased to see that again the commission has been very active during that particular year. Members who read the report will see the extent to which the

commission has involved itself in ordinary matters of concern to consumers in the Northern Territory. The commission has not been backward in performing its advisory function to the minister. Members will note that the recommendations made to the minister and the number of matters raised for general discussion in all centres of the Territory were quite wide ranging indeed. The one that concerns me most is the recommendation of the commission to the minister on the establishment of a rental bond board in the Northern Territory. The recommendation was that a Northern Territory rental bond board be established similar to that operating in New South Wales to act as custodian of tenancy bonds.

Members will recall that, when we debated the Tenancy Act, the opposition put forward a series of amendments which would have achieved just this. The reason was the same then as it is now: the difficulty of obtaining bonds back from landlords who are reluctant to part with them, in many cases quite unfairly or simply because the landlord cannot be located. The arrangement that we have at the moment is that the Commissioner for Tenancies, who is an officer attached to the Treasury, adjudicates disputes between landlords and tenants. I think the Consumer Affairs Commission has taken up this matter simply because it has been found that the Commissioner for Tenancies has been put in quite awkward positions on several occasions and has not been able to resolve particular disputes. Whilst he has understood what they were, there has been very little that he has been able to do pragmatically to resolve them.

I commend again this particular recommendation of the Consumer Affairs Commission to both the Minister for Lands and Housing and the Minister for Community Development within whose portfolio this commission operates. It is a matter that should be taken up, particularly since bonds are now able to be taken whereas, before the passage of the Tenancy Act, bonds were illegal even though they changed hands. Now we have a situation where bonds can be requested and have to be paid. In many cases, they amount to quite large amounts of money since the landlord is entitled to ask for a bond equivalent of 4 weeks rent. Given the level of rents in the Northern Territory, these bonds often amount to $600 to $800. To dispute that amount can become quite a difficult task in cases which involve the Commissioner for Tenancies. I ask both ministers to consider again this question in order to enable some more amicable arrangement for the settling of disputes between landlords and tenants.

Mr DONDAS (Transport and Works): Mr Speaker, the members for Nightcliff and Sanderson commented on item 16 relating to motor vehicle regulations. We have been doing it by regulation in response to the needs of the community. A complete review of the Motor Vehicles Act is in progress at the moment. When the bill is presented, the Assembly will be able to determine what should be covered by regulations and what should be covered by the principal act. An amendment regarding the grading of motor-cycles has only just gone through yet I have signed a letter today to the Motor-cyclists Association informing it that we will review an approach it has made to have that regulation amended to stipulate 1 year instead of 2 years. It is constantly upgrading its own thoughts on the matter and we have to evaluate the suggestions. In answer to the member for Nightcliff, I believe that it would be better to do it by regulation until such time as we have a new motor vehicles act.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I am sure the Motor-cyclists Association will be pleased to hear from the minister that he is reviewing that situation. Like all members, I received a most reasonable submission from it on this matter. It is very pleasing to see community groups taking an interest in legislation and it is most important that people know what is happening. As the member for Nightcliff pointed out, when things are done by regulation, it is even harder for the community to appreciate the state of the law as it applies to them. I welcome that statement from the minister.

There is one other matter that I wish to raise during this discussion. I have been looking forward to debating the Northern Territory Ombudsman's Report for the year 1 July 1979 to 30 June 1980. It is now almost out of date. One of the things that the Ombudsman's Report points out is the state of community concern and the lack of confidence of members of the community in the question of water supply accounts. I am sure that the minister is aware of this. I have had many discussions with the Ombudsman as a result of complaints from my constituents. He assures me that he has now become extremely expert on the question of water billing because of the volume of complaints that he has received.

If members look at the report which was tabled a long time ago, they will see on page 33 that the Ombudsman received 100 complaints in that 1 year regarding the Water and Sewerage Division of the Department of Transport and Works. While one would always expect that those sorts of services would be the ones that people would complain about, when compared to electricity supply which might be considered to be an equivalent service - and there are many more electricity consumers than there are water consumers - it is seen that there were only 40 complaints in that same period. So I believe the Ombudsman's Report does highlight for that period the great concern and lack of confidence that people have in the procedures of the water supply section. As I said, I believe that the minister is probably aware of the concern. I know that the department has been looking at it for some time. This is the sort of valuable insight into small matters which the Ombudsman's Report presents to us and which should not be ignored.

There was one other matter in the Ombudsman's Report which related to my electorate. It was the complaint about the licensing section and the Health Department inspectorate. The Ombudsman used this as one of his selected case summaries. It concerns me because I had felt that, while the Ombudsman's office existed, any lack of confidence in that office was a most undesirable thing. If it existed, it was more likely to be on the part of ordinary members of the public than by departments. In fact, the Ombudsman himself says in his introduction: 'The effectiveness of the Ombudsman rests to a significant extent on the acceptance of the impartiality of his role by both authorities and the public alike'. I am sure that we would all agree with that. Subsequently, I was concerned when I read a quoted reply which he received from the Department of Health: 'The Department of Health has not been helped in this by the tardy action of the courts and, more recently, by the use of the Ombudsman's offices by proprietors to resist the improvement of standards'.

Mr Speaker, I was shocked by that. The head of a department wrote to the Ombudsman and said it is unfortunate that members of the community use the Ombudsman's office in disputes that they might have with departments. I hope that the Ombudsman does not receive letters like that in the future. Departments as well as members of the public must respect the right of people to use his office to seek redress. I would think that most people who have availed themselves of the office of the Ombudsman have come away reasonably satisfied. I think that the report which is before us indicates that.

I want to reflect on the report of the Northern Territory Tourist Commission for the 6 months 1 January 1980 to 30 June 1980. I do not know whether it is the report that the member for Tiwi referred to. It presents all the proper information but unfortunately not the sort of information which members of the general public might be looking for. There has been a great deal of interest in this area. It is a matter of some importance to the Northern Territory. We hope to increase sources of revenue through tourism. All members have supported the expansion of this industry.

There is some concern - whether it is justified I have been unable to determine - about the way in which promotional and advertising material is being

commissioned by that commission and where the money is being spent. There is definite concern among people in the Northern Territory, people in business with an interest in the matter, that the commission is sometimes unnecessarily spending money with southern firms to provide material which could be provided by businesses in the Northern Territory. I find it difficult to come to the crux of the matter. Certainly, by looking at the Tourist Commission's Report, I was absolutely no wiser as to where the money is being spent - whether it is being spent in the Northern Territory or whatever. There are figures of $72,000 for advertising, $51,000 for promotion and $115,000 for printing brochures. I do not know whether most of that is being spent in the Northern Territory or not, but certainly I believe that most of it has not been. There is some concern and I think it is unfortunate that the report did not expand a little more on that major area of its budget.

Mr LEO (Nhulunbuy): I would like to address myself to one particular report. It is the second report of the Commissioner for Consumer Affairs. There is a brief mention here of the situation in Nhulunbuy where apparently the commissioner investigated complaints against the only retail outlet store there, Woolworths. The commissioner seems to think the solution would be a larger store: 'The fact that the store is far too small is apparently the biggest single factor in its implied problem. Management has taken steps to improve the position. Many residents feel that the problems would be less if there was an alternative supplier'.

It is the biggest single problem of retail outlets and indeed almost any outlet in Nhulunbuy. Consumer legislation is so weak that it offers us no protection. There is no normal competitive retailing to bring about any fairness in marketing in Nhulunbuy. The only area where there was some degree of competition was between the airlines. The Minister for Transport and Works has seen to that. It is a major problem in Nhulunbuy. Something that this government will have to address itself to is competition in Nhulunbuy, hence my questions this morning to the Chief Minister. The holder of the lease over there seems very reluctant to get into competitive trading, the you-beaut, old laissez faire.

I think it is really up to this government to take some initiative and introduce competitive trading in Nhulunbuy. It is an extremely forced situation. It is very strange how such a situation could exist in Australia. If any member has been to Nhulunbuy he would realise the situation which exists. There is simply no retail competition. That is extremely distasteful to me and it should be distasteful to this government.

Mr PERRON (Treasurer): Mr Speaker, after the remarks of the member for Nhulunbuy, I feel compelled to rise. He made the amazing statement that consumer legislation in the Territory is so weak that it does not ensure competition for the residents of Nhulunbuy. It seems fairly ridiculous to me that we would correct the problem in Nhulunbuy by consumer legislation. I think he should put his mind to the job a little more. This government has many times demonstrated in this Assembly and outside of this Assembly its concern for the unsatisfactory situation that prevails in Nhulunbuy in relation to its being a closed mining town on a sublease of land, which is now Aboriginal land, under certain agreements between the Commonwealth and the company. The Northern Territory is not party to these in a complete sense and yet it is party to part of the agreements in another sense. It is a very difficult legal question and it places the Northern Territory government in a difficult bargaining position.

We have the best legal brains available to us working to ensure that, over a period of time, Nhulunbuy will become as open and as complete a town in the Northern Territory as any other. I would like to hear the member for Nhulunbuy

state in this Assembly what he has done during his term to try to rectify the problem. Who has he lobbied, written to and sought support from to try to correct the problem instead of saying we should change the consumer legislation so that everybody has more choice in purchasing goods in Nhulunbuy. What a load of rubbish!

Mr HARRIS (Port Darwin): Mr Speaker, I would like to thank members for their contribution to this debate. We would all agree with the member for Nightcliff who stressed the importance of this particular committee. With the enormous amount of paperwork that comes across the desks of the committee, it is very difficult to give the attention that some of the matters require. I will be making comment on many of the points raised when I speak to the first report. It is difficult when one is speaking to the second report before the first report has been debated. I will make some further comments at that time.

STATEMENT

Exploration Licences over Aboriginal Land

Mr TUXWORTH (Mines and Energy) (by leave): Mr Speaker, I am now in a position to inform members of the situation in respect of exploration licences over Aboriginal land. I have recently made offers of grant of a number of exploration licences over Aboriginal land subject to the consent of the relevant Aboriginal land councils and the Minister for Aboriginal Affairs. This is provided for in the Aboriginal Land Rights (Northern Territory) Act. The stage is now set for an end to the 9-year period of exploration inactivity over a significant part of the Territory.

On 15 December 1972, the then Commonwealth government placed a freeze on the processing of mining titles pending an inquiry into Aboriginal land rights. As a result of this decision, on 8 February 1973, the Commonwealth government established the Aboriginal Land Rights Commission and appointed Mr Justice R.E. Woodward as commissioner to inquire into and report on the most appropriate means to recognise and establish the traditional rights and interests of Aborigines in and in relation to land in the Northern Territory.

In May 1974, after comment and criticism by interested persons including traditional landowners, the Aboriginal Land Rights Commission presented its final report. As a consequence of this, the Northern and Central Land Councils were then constituted and have since been joined by the Tiwi Land Council. On 26 January 1977, the Aboriginal Land Rights (Northern Territory) Act came into operation. The Mining Act was subsequently amended on 9 November 1978 and the Northern Territory Aboriginal Land Act was introduced to complement the provisions of the Aboriginal Land Rights (Northern Territory) Act. Following the finalisation of the legislation, discussions were held with the land councils concerning procedural arrangements for the processing of exploration and mining titles that were on Aboriginal land.

The Department of Mines and Energy has categorised all applications for exploration licences into 2 distinct groups: those that relate to exploration interests already held or applied for prior to the 15 December 1972 and those applications which were received after this date. Applications within the first category have now been processed using the following criteria: suitability of the proposed exploration program, the applicant's technical competence, the applicant's financial resources, prior interests in the area, past exploration history and the program's environmental effect.

It has been the policy of both the Commonwealth and this government to inform applicants that the exploration licence applications received prior to 15 December 1972 would be assessed on their priority of lodgement and that, as long as all

other criteria were met, the first applicant would be the one recommended. As a result of these considerations, I have made offers of the grant of 55 exploration licences to different companies or individuals involving several other major companies through joint venture agreements. I am still considering the offer of grant of a further 42 exploration licences within this category. It is my intention to refuse those pre-1972 applications that are not included amongst those recommended or under consideration.

The majority of successful applications fall into 2 groups: conversions from titles granted or previously applied for and applications with no conflict. There were several applications lodged by individual Aborigines, Aboriginal groups or on behalf of Aborigines, either recommended or under consideration, and these applications are of prime concern to me. It is my desire to see some participation on their part. The Department of Mines and Energy has afforded these applicants additional time to formulate their proposals.

I am now prepared to proceed with the processing of applications for exploration licences received after 15 December 1972. It is also my intention to accept further applications over those areas not recommended for grant in the pre-15 December 1972 category. Priority will not be a factor of consideration in the case of any application received between 15 December 1972 and the future date that I will now nominate. Section 38(H)(1)(ba) of the Mining Act provides that, in respect of Aboriginal land, priority need not be taken into account in respect of applications lodged after 15 December 1972 and before a date to be notified in the Gazette. It is my intention to gazette 30 September 1981 as that date. Applications lodged after 30 September 1981 will be subject to the normal provisions of the Mining Act and priority of lodgement will again become a factor. Applicants who have lodged applications over Aboriginal land since 15 December 1972 will be afforded the opportunity to update their programs if they so desire.

I must reiterate that, whilst my department has commenced to process and will continue to process applications over Aboriginal land and I will subsequently make offers of grants to suitable applicants, the actual grant will be conditional upon the consent in writing of the land councils and the Commonwealth Minister for Aboriginal Affairs as required under section 40(1)(a) of the Aboriginal Land Rights (Northern Territory) Act. For the information of each member of the Assembly, I have had maps prepared for the whole of the Territory showing the following 3 categories of Aboriginal land: areas recommended for the grant of exploration licences, shaded in orange; areas still under consideration for the grant of exploration licences, shaded in blue; if the current applications are rejected, these areas could become available for further application; and areas that are now available for application, shaded green. Because the maps are so large, I have left them with the Clerk for distribution at a more convenient time.

I move that the statement be noted.

Mr B. COLLINS (Arnhem): Mr Speaker, I suppose it is possible to say that, over the number of years that the freeze has been in operation, the people in my electorate of Arnhem Land have been living in what might be called a fool's paradise in respect to mining. Following the introduction of the land rights act, a great many of my constituents simply considered that, because the land was given to them to do with what they would, mining had simply gone away. Of course, that was not the case. I have done what I can to advise my constituents that that was not the case. As the Minister for Mines and Energy knows, shortly after the last election I communicated several times with him and his department to obtain this information. I received the information and an excellent map prepared by the draughtsmen in the Mines Division.

Over the last 2 or 3 months, I have been doing a John the Baptist in travelling around my electorate advising my constituents that this matter was about to proceed. This is not a criticism of the Northern Territory government at all but, unfortunately, I have been very much a lone voice in this matter. The scope of the job really is too much for one person, no matter how much time one might like to spend away from home. It is a pity that organisations which have statutory obligations in this area have not discharged them for whatever reaons - lack of staff, resources or whatever. The honeymoon is most definitely over.

Looking at the map that has been provided with this statement, one sees that there are few communities in Arnhem Land that will not be affected. Certainly, the applications that have been recommended include the whole of both North and South Goulburn Islands, the Murgenella area and a considerable area around Oenpelli. This means that the people who will be involved immediately will be those at Croker Island, Goulburn Islands, Oenpelli, Milingimbi, Ramangining and at Galiwinku. In fact, there are very few areas in my electorate that are not being considered currently.

I want to make a very crucial point in this debate which arises from a much earlier debate about mining, and about a visit made by a number of government ministers to Port Keats. The debate was held on Wednesday 12 September 1979 in the adjournment. It concerned what the Minister for Mines and Energy considered to be a distinction between exploration and mining. So far as he was concerned, the 2 were very different things indeed. I was very disturbed by what the minister had to say at that time. So far as the 1976 Aboriginal Land Rights (Northern Territory) Act is concerned, exploration and mining are very strongly linked together, certainly in legal terms.

I draw once again to the attention of the Assembly what the minister said: 'The point I would like to touch on this afternoon is the difference between mining on Aboriginal land and research and exploration on Aboriginal land. I believe they are 2 vastly different things. Often the word "mining" is used in the sense of exploration. I think it is an unfair application of the word to that particular expertise'. He then went on to say: 'The Northern Territory probably has the greatest mineral potential in the Commonwealth. One of the factors that is most important in realising the wealth of this place concerns the cooperation of all the people that live in it to develop that wealth. If the people in any particular area, whether they are pastoralists, private land owners, Aboriginals and people who operate national parks have an objection to mining, that is fine' - I am sure he did not really mean that - 'I think that it is absolutely tragic for the Northern Territory, however, that any group can sit back and say "Well up you for the rent! We do not want anyone on our land at any expense because we do not want mining" It is quite a practical proposition for any of these groups to say, "We do not mind you exploring but let us have a clear understanding from the outset that there will be no mining"'. That is a reasonable proposition on which any organisation, particularly a government geological bureau - but I stress again any organisation - could enter an area.

Mr Deputy Speaker, I do not know whether that statement by the Minister for Mines and Energy was a deliberate attempt to misinterpret the terms of the land rights act or whether in fact it just meant that he was in stupendous ignorance of the terms of the land rights act. I suspect that probably the latter was the case. Section 40 of the land rights act - and as I have said before in this Assembly, I could probably recite this particular piece of legislation off by heart from front to back - says: '(1) A mining interest in respect of Aboriginal land shall not be granted unless - (a) both the minister and the land council for the area in which the land is situated have consented in writing to the making of the grant; or (b) the Governor-General has by proclamation declared that the national interest requires that the grant be made'. Subsection (2) is

the important one: 'Where the minister and a land council, after considering proposals placed before them by an applicant for an exploration licence in respect of Aboriginal land, being proposals for the exploration for minerals on that land and the recovery of any minerals found as a result of the exploration, have for the purposes of subsection (1) consented to the grant of that exploration licence, that subsection does not apply to a later grant to that person for any other mining interests in respect of that land that are substantially in accordance with those proposals'.

That is a very important section of the land rights act because what it says is quite contrary to the statement from the Minister for Mines and Energy. If Aboriginal land owners agree to a proposal for exploration on their land, it is not then necessary for the company concerned to apply for consent to mine it. It is only necessary then for those sections of the land rights act dealing with negotiation, royalties and so on to be invoked. But if the company comes to an Aboriginal community and says, 'We wish to explore in your area for uranium and, should we find uranium, we are going to dig it up' - which stands to reason - then no consent has to be given to the mining.

Now let me say that I support this arrangement in the land rights act. I think it is a very sensible proposal; a very sensible state of affairs. As the minister knows, a great deal of trouble has been caused for companies that have in fact gone through the stages of exploration and then had to deal with this freeze. This seeks to prevent that situation from happening because it is unreasonable to expect a company to expend large amounts of money on exploration, after being given permission to spend that amount of money, and then be told that it cannot recoup its investment through mining. Section 40 of the 1976 land rights act prevents that from happening by saying that, if you have given consent to explore, then it is considered that you have given consent for the exploitation of those minerals.

That is a very vital distinction that has to be pointed out to people in my electorate. It is certainly contrary to the view put by the Minister for Mines and Energy when he was talking about the situation at Port Keats. I can understand what the minister was getting at. He was saying that the presence of a couple of Toyotas, engineers, a small camp and maybe a few test holes is quite a different proposition to a big mining operation. But the vital thing is that, in so far as the 1976 land rights act is concerned, there is no distinction. The important factor so far as Aboriginal people are concerned is the veto provision provided in this act. As far as they are concerned, that is what this whole act stands or falls on. With the rider that there can be a proclamation that it is in the national interest, they can be given a veto power over mining.

If Aboriginal land owners decide that they do not want mining in their area, they have to say 'no' right from the outset. It is no good them saying 'yes, you can come in and explore' but afterwards 'no, you cannot mine'. That is precisely the proposition that the Minister for Mines and Energy said was the case. He said that it was okay for them to come in and look but afterwards they could say 'you cannot mine'. Let me assure the minister - and I do not apologise for doing this at some length - that that is not the case in law, as it should not be the case in law.

I have said before in this Assembly that I have never taken the stand of saying that there should not be mining on Aboriginal land. I would never do so because that would mean that I am standing here making up my mind for somebody else. I never work that way in this Assembly and I think the success of the particular way that I represent my electorate is evident. I have never worked that way and I know that it has upset a lot of people that I have not taken a strong stand against mining on Aboriginal land. For the benefit of the minister,

and probably for the fourth time in this Assembly, where Aboriginal people wish to exercise the veto provisions of the land rights act and prevent mining on Aboriginal land, I will give them all the assistance and help that I can to prevent mining on their land. Where they have indicated that they wish mining to proceed, as they have in a number of cases, I will assist them to get the best deal they can for that mining to go ahead.

Unfortunately, in the past,the efforts of people to push mining down the throats of Aboriginal people have worked against the development of the Northern Territory. If members want to be instructed on that subject, I am perfectly happy to devote a number of adjournment debates to it. I can cite a number of examples where, because of the zeal of the people involved in the operation, because of their overweening ambition to get the hole dug, they have gone so far so fast and given out so much wrong information to people that their efforts have had the reverse effect. I have no doubt that Ranger, for example, would have been signed a lot quicker than it was with a lot less trouble had the people who were dealing with the Aboriginal people simply been honest and tried to represent what those people wanted. I say again that the over-anxiousness - the greed - of people who are interested in pushing mining down the throats of Aboriginal people is working against the development of the Northern Territory.

Unfortunately, in the case of the negotiations which are currently being held into Koongarra and Pancontinental, there have been some further examples of it. One of them, through no fault of the Northern Territory government or the mining companies, led to a formal suspension of negotiations by the Aboriginal people concerned. This occurred because people were a little anxious, started to push a little too hard and delivered information which was not quite correct. When they were found out, they started screaming how unreasonable Aboriginal people are. Let me say that the reason this happens is that the people involved think, as do many politicians - and I do not know how much more evidence they require to convince them otherwise - that Aboriginal people are incapable of making decisions and incapable of assessing information when it is given to them. They think that, by the old tested method which worked in the past when communications were not quite so good and the representation of the Northern Territory constituents was not quite as good as it is now with our own Assembly, that they can tell one story in the bush and not expect it to be exposed as a lie when it is a lie. That no longer applies. The only way for mining negotiations to be successfully completed these days is for them to be done with honesty, providing all the information that is necessary, and making a genuine attempt to carry out the negotiations in a way which the Aboriginal people will understand.

I remember treating this Assembly to the saga of the Ranger negotiations. I suggest to the Minister for Mines and Energy that that is a classic example of how not to conduct mining negotiations. In a roomful of 50 people, firm promises were given by a minister of the Crown that that particular agreement would be translated into Aboriginal languages. This promise was given after experts had determined that such a course of action was perfectly possible. Linguists were made available and were waiting to start work translating onto tapes so that meaningful negotiations could take place. Promises like that were made and some 2 or 3 weeks afterwards were thrown contemptuously out of the window by the minister who made them.

It is no wonder that absolutely appalling social conditions exist at Oenpelli now. They resulted in the social monitoring unit recommending in its first tabled report to parliament that there be a moratorium on all future mining operations in the area. You have only to examine the number of deaths out there over the last 12 months. All that could have been avoided if that agreement had been based on truth, on honesty and on fair dealing. Instead it was based on bad faith and carpetbagging tactics by people placed in positions of trust who

performed actions that were highly unworthy of them.

The Minister for Aboriginal Affairs was out at Oenpwlli. In front of the whole community,he overrode the decisions of the chairman of the council - a man who had been chairman for 15 years. The federal Minister for Aboriginal Affairs shamed and disgraced the chairman in front of his whole community by overriding his decision on who could come to the meeting and who could stay away. That little incident is recorded on 16mm movie film as the Minister for Mines and Energy knows because he has seen it. It is to the disgrace of that particular gentleman that that event occurred. It is no wonder Oenpelli has the problems it has. They stem from that agreement. If people had waited for another 6 months, if people had honoured the promises that the document those Aboriginal people signed would be put in a form that they could understand, then the troubles that have occurred since out at Oenpelli - certainly a great many of them - would not have occurred. I am suggesting that the Northern Territory government, in its negotiations with Aboriginal landowners over this matter, learn a lesson from Ranger and from the negotiations that have been held with Koongarra and Pancontinental. It should not make the same mistakes but deal fairly with people. If the principle of telling lies, misinterpreting facts and not dealing with people is adopted, it will be found out. Then, quite naturally, people will become upset and agitated, and negotiating an agreement, even assuming that people want it in the first place, will take twice as long as it would otherwise. Do not misunderstand me. I am not suggesting that this had been done by the Northern Territory government.

Mr Speaker, on that note of advice, I conclude the comments I want to make on this statement. To reiterate my position on this question of mining on Aboriginal land, because I have no doubt that within the next 6 months officers of the Northern Territory government and I will come face to face in my electorate over this matter, in no way do I seek to influence the opinion of Aboriginal people on whether they want mining on their land or not. If members would just consider the absolute idiocy of me or anyone else trying to do that in respect of something as fundamental as mining on Aboriginal land, I would ask them to accept that statement at its face value. If I tried to do that, I would not last 5 minutes in my electorate. I have never sought to influence Aboriginal people as to that decision; they will make it themselves. Let me tell you, they can certainly decide whether they want mining on their land or not.

In the case of their deciding in favour of it, I will help them to negotiate as best I can for the best deal they can get using many examples around the world such as that which exists in Saskatchewan which has many parallels with the Northern Territory. In the case of Aboriginal people who decide from the outset that they do not want mining on their land, I will give them all the assistance that they need to prevent it.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank the member for his comments. He touched on a wide range of issues that I think to a degree fall outside the parameters of the statement that I made this morning. I would just like to clarify for members the position so far as I see it. We have an administrative difficulty in that many parts of the Northern Territory that are now Aboriginal land had mining exploration licences granted over them prior to the act. In fact, to give you an idea how far they go back, some of them are still registered as ADPs.

From the administrative point of view, the department has a process that it goes through to get rid of the backlog. I am not suggesting in any way at all that Aboriginals who do not want mining on their land should have it. Our difficulty is sitting in an office knowing who wants it and who does not. It is not a practical proposition to send people into the field to find out whether one group

or other wants it.

In dealing with the Northern Land Council, it declined any responsibility in this matter until it had an application to deal with. At the same time, it did not have the arms and legs to go out and undertake the work. So we waited for some time until we had established within the Department of Mines and Energy a small unit to specifically deal with this particular problem and until the Northern Land Council, in particular, was in a position to undertake the field work involved in seeking the attitudes of the traditional owners towards our proposals.

Mr Speaker, ostensibly the statement outlines the procedures that will take place from now on. As the member said, the land rights act outlines certain provisions which we must follow and says that responsibility falls upon the Aboriginals who do allow exploration on their land.

The member touched on the issue of Port Keats which I think may be a little out of context so far as I am concerned. My recollection was that the department was particularly interested in carrying out some exploration at Port Keats. I say exploration, which means aerial work, diamond drilling and perhaps some traverse work on the surface. The reason for that was to try to ascertain whether there were in fact any coal seams at Port Keats that were worthy of further activity.

So far as section 40 of the Aboriginal Land Rights (Northern Territory) Act is concerned, what we were proposing for the Aboriginals was a little different to what CRA or Utah or someone else might propose. I would suggest that it is not unreasonable for Aboriginals to say to any company, given section 40, 'We are happy for you to explore but be on notice, and in writing, that under no circumstances at all will we entertain mining'. The reason that I say that is that the geological formation of our earth does not begin and end with state boundaries, local government boundaries, station boundaries nor Aboriginal land boundaries. The expertise of defining our nation's resources, in geological terms, is really proving a theory. Geologists have theories about how the land was all put together and where one might find oil, gas, gold, uranium, copper etc. For their own reasons, many of them take a regional approach. Already one has been demonstrated in the south of the Northern Territory. At the moment, a company is saying that it has a theory on the gas formations in this region and it would like to put some holes in an area of Aboriginal land. It is not because it wants to draw gas from it - it is of no use to it in that sense - but, if it is right, it may prove that the whole of that central Australian region is a series of basins formed on certain geological formations. That is its thinking. If the holes are dry, then it will walk away from it.

I would propose to the member that that sort of thinking is totally different to the concept of a company going in with a specific exploration licence and the determination to mine if it finds an ore body. I accept what the member says and I believe in it myself. If people do not want to have mining on their land, that is a matter for themselves. I am of the view that some Aboriginal people do want to have mining on their land. When their turn comes, they will have their chance.

I did want to take the opportunity of briefing members on the direction that we are taking. If members become aware of problems that we could put down to zeal or misjudgment on the part of government employees or mining companies, I would be happy to know about it so they can be rectified.

Motion agreed to.

STATEMENT
Draft Criminal Code

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, on 4 March, I tabled in the Assembly what I described as the first part of the Draft Criminal Code with the object of encouraging public discussion on what the criminal laws should be in the Territory. At the time of tabling that document, I indicated that a further version of the draft would be available in due course but that the version tabled probably contained those provisions in which the public would be most interested.

I now table the further version of the draft code. This version does little more than add to the draft provisions contained in the first version. There has been little attempt to take into account matters that have been raised as a result of the examination of the first. This will be done as a co-ordinated exercise when I am confident that all relevant comment is received and I certainly would expect that this draft code would be debated in this Assembly in the August sittings.

I say that the total version does little more than add provisions. In fact, the additional provisions result in almost doubling the size of the document. Before outlining what it contains, I would like to make some comment on the public's response so far. I have to say that I am a little disappointed. I could almost be excused for thinking that considerable public money could have been saved by simply having printed the 5 or 6 pages dealing with sexual offences. The public appears to be obsessed with the subject almost to the exclusion of all else. I hasten to add that some of the comment on the sexual offences provisions has been of high quality and well reasoned but I remind members and the public that there are many other matters dealt with in the draft code, a good number of which have been approached in a fairly original manner and are worthy of examination. For instance, I have so far received no comment on the doing away with the common law rule that death must occur within a year and a day before an action for murder will lie. I would have expected some comment on this at least from the legal and medical professions.

I have said that there is very little change to the provisions contained in the original draft. There is, however, one notable exception. Members will see that clause 93 of the draft has been redrafted to reflect what I think is widespread feeling that the age of consent should be at 16 years. The revised provision also takes into account the possibility of marriage taking place while one of the parties is younger than that age.

Members will see that part VII of the new draft contains provisions relating to forgery and uttering and other offences of deception. The provisions in division 1 of that part incorporate the existing forgery provisions in part V of the Criminal Law and Procedure Act while the provisions in division 2 cover certain crimes relating to impersonation and other deceptions.

Part IX of the draft relates to terrorism and I draw the attention of honourable members most particularly to this part. Terrorism is currently a disgusting sickness throughout the world which causes pain, suffering and death to many innocent people who have simply been carrying on their everyday business. While, thank God, no serious terrorist activities have occurred in the Territory, members will be only too aware of various bomb hoaxes - for example, in the case of the Alitalia jet only the other day - and will appreciate the tragedy that could have occurred had any of these incidences not been hoaxes. Our closer proximity to more unsettled parts of the world also has to be taken into account when considering this subject.

Clause 190 defines the 'acts of terrorism' and clause 193 reflects this government's desire that persons taking part in acts of terrorism be subject to the most stringent penalties. A person who does take part in an act of terrorism will incur a mandatory penalty of imprisonment for life and such a person will not be eligible for parole or remission of sentence although, of course, the Crown's prerogative of mercy remains. The terrorism provisions also prohibit membership or support of or assistance to prohibited organisations and provide for offences relating to contributing towards acts of terrorism. Certain offences relating to aircraft are also included in this part.

Part X relates to piracy. Clause 200 defines 'act of piracy' and to prevent constitutional and jurisdictional difficulties, the major offence relating to piracy in clause 201 is, in fact, the offence of entering the Territory having committed an act of piracy.

Part XI covers offences against public order and includes the offence of sedition, various offences against the executive and legislative power and offences relating to unlawful assembly, riot, affray and similar acts. Honourable members will note that there are no provisions relating to treason as this matter is covered in the Commonwealth Crimes Act and the omission of treason is in line with existing policy as established in the Treason Repeal of Imperial Acts and State Acts Act 1968 of the Territory.

Parts XII and XIII cover offences relating to the administration of justice and offences by and against public officers and are mainly drawn from existing legislation. The same can be said for part XIV, police powers of arrest, entry. search and so on, and part XV, procedure and indictments, which are drawn from the Police Administration Act and the Indictment Act respectively.

There are not many more provisions to be included in the draft code before it is in a form suitable for introduction as a bill. Most of those yet to be included are procedural and administrative in nature, although various summary offences provisions are yet to be added. However, there is still a deal of work to be done and a considerable number of consequential amendments to other pieces of legislation to be considered, apart from the detailed consideration of comments received or yet to be received. I hope to be in a position to introduce the bill later in the year, hopefully in November.

In conclusion, I would like to point out again that the question of penalties has not been finally settled. As soon as the offences in the code have been finalised, penalties will be set having regard to the relative seriousness of each offence.

I invite honourable members to examine the further draft and comment on it in due course. I would like to express my thanks to Mr Dorling and Mr Oakey, the 2 officers of the Department of Law most concerned with this very difficult, tedious and time-consuming exercise.

Mr ISAACS (Opposition Leader): Mr Speaker, I move that the Assembly take note of the paper.

I wish to make a couple of points on it. These relate to the 2 matters which have created most of the public discussion: the question of rape within marriage and the age of consent. The current provisions which allow for exclusion of the rape provisions for a husband are not in keeping with community standards. I believe, by and large, that the approach taken by the Northern Territory government in regard to sexual assault is an excellent approach. It picks up the enlightened views of the state of Michigan in the United States and I understand New South Wales will adopt them as well. However, I believe

that the government has not gone as far as it ought to go.

The current provisions preclude a husband from being guilty of sexual assault with regard to his wife except for a number of qualifications which are set out in the legislation. These provisions rest on a view which dates back to that put forward by Sir Matthew Hale who said in the 17th century: 'A woman gives herself up in marriage'. Apparently that is the basis on which this particular provision is located. That is an absurd proposition in 1981. I do not know of any woman on 1981 who gives herself up in marriage and certainly that kind of concept is not reflected in the vows which husbands and wives make when they are married. The vows which they make, the undertakings which they give to each other, relate to mutual respect of each other's individuality and equality. It is the very antithesis of the 17th century dogma outlined in the comment which I have quoted. That being so, it ought to be accepted that,where in a marriage relationship one or the other of the partners takes to the other person in a way which contradicts the agreements that they have made with each other, then the law ought to intervene.

I believe very firmly that the laws of sexual assault apply to married people. Where a person is subjected to harassment or assault, whether it be either by a husband or unknown person, that offender ought to be subject to the law. I believe very simply, as does the Labor Party, that the question of sexual assault ought to apply within marriage. Where a husband, or a wife for that matter, assaults his or her partner, then there ought to be that protection in the law.

Mr Speaker, the other matter is the question of the age of consent. The previous draft code had the age at 13. The government has now indicated that it will raise it to 16. I think that is a shame that the government has taken that course. I would have hoped that once the dust had settled - and I agree with the Chief Minister that there has been a fair degree of hysterical comment about it - a commonsense position could have been adopted. I believe the commonsense age to adopt is the age of 15. Let us hope that we can still get the government around to that position.

The Northern Territory News recently contributed well to the debate on the question of the age of consent when it printed details of statistics put out by the Family Planning Association of Western Australia. It indicated quite clearly in those statistics that 15-year-old males and females do have sexual relationships. In fact, from the figures of the Family Planning Association, 1 in 4 of 15-year-olds have had sexual intercourse. It seems absurd that, if those are the statistics - certainly there is nothing to indicate an epidemic - we should have the law applied to young people who do have relationships with each other. It seems to me that at 15 they are sexually mature. They are certainly not emotionally as mature as they might be but certainly emotionally mature enough to have these kinds of relationships. I believe that the sensible age of consent is 15.

Nobody would suggest that an adult should be allowed to have sexual relationships with a person under the age of 15 because of the great difference in emotional strength of those people. It is true that young people, perhaps even younger than 15, will have sexual relationships.

It seems to me that, when applying our minds to the particular problem, it is as well to look at the Royal Commission on Human Relationships to see what has been said on the matter. The Royal Commission into Human Relationships put forward a fairly sensible proposition: that people under the age of consent could have sexual relationships with an older person so long as there was an acceptable age difference between them. The Royal Commission suggested 5 years. The Women's Electoral Lobby, which made the submissions to the Royal Commission, suggested

that the difference not be 5 years, but 3 years. I understand that the Victorian government will adopt that provision. It may be that the government, after allowing the dust to settle, will come to recognise a commonsense position. I believe that 16 is too old and that the acceptable age of consent is 15. The statistics produced by the Western Australian Family Planning Association bear that out.

I will conclude on this question of people under the age of consent having sexual relationships. The Family Planning Association's figures also touched on this matter. It showed that, out of every 100 Australian girls aged 14 to 19, 8 will have an ex-nuptial child, 5 will marry because of pregnancy and 6 will deliver a child in marriage. It is a matter of looking at reality, accepting the facts and seeking to make our legislation accord with that reality. I believe that the proposition suggested by the Royal Commission, with perhaps a modification from 5 years to 3 years, is acceptable. There is still further debate to take place on this. I am pleased that the government has moved its age of consent from 13. However, I believe its bald assertion that the age of consent shall be 16, without any other qualifications, is not consistent with common sense and with current practice. It ought to be changed.

Mrs LAWRIE (Nightcliff): Mr Speaker, I am unclear as to how many bites at the cherry we will have on this. On the assumption that we will be debating the Draft Criminal Code in toto at the next sittings, I am quite prepared to discuss the paper which the Chief Minister has just presented in the interests of giving an indication to him of contemporary views that have been presented to the Assembly so far. I hope that my remarks will not preclude my speaking to the full criminal code at some future time before the actual bill is introduced.

It is no secret that I have publicly criticised the provision in clause 94 relating to sexual intercourse between spouses: 'Nothing in this division should be construed as rendering a person guilty of an offence by reason only of that person having sexual intercourse, in the natural sense, with, but without the consent of, a person to whom he was, at the time, legally married and was living together with a spouse where (a) there was not in force a degree of separation in respect of their marriage; (b) proceedings for the dissolution of their marriage were not in progress; and (c) the first-mentioned person was not, to his knowledge, suffering from a communicable venereal disease'.

I have seen the Chief Minister's defence of this clause in the press and I totally discount it. Clauses 91 and 92 of the draft code should stand alone. Clause 91 states: 'Subject to section 94, a person who has unlawful intercourse with another person is guilty of an offence'. Clause 92 reads: 'A person who performs an unlawful sexual act on another person is guilty of an offence'. Elsewhere in the draft bill, it is defined that, if a person has sexual intercourse without full and free consent, it is unlawful. I find it ridiculous to presume that, simply because one is married, one has given consent at all times for sexual intercourse to take place. My view is not simply a personal one; it is shared by what I regard as the majority of women who have had the opportunity to look at the Draft Criminal Code. Most have expressed to me their total disagreement with section 94 in no uncertain terms.

The Chief Minister made a statement saying that the Women's Electoral Lobby seemed to be wilfully misleading the public.

Mr D.W. Collins: Hear, hear!

Mrs LAWRIE: The honourable member for Alice Springs says 'Hear, hear! I take it that he is agreeing that the Women's Electoral Lobby is wilfully misleading the public. If so, he had better have another look at their statement

and at the criminal codes of Victoria, New South Wales and South Australia. These state clearly and unequivocally that marriage does not give the right to a person to inflict his will, no matter what the wishes and desires of the spouse, without the law intervening to protect the weaker partner whomsoever that may be. It is to the discredit of the member for Alice Springs that he lies back there making snide interjections about the Women's Electoral Lobby when, to my knowledge, he has not attended any of the meetings called, at least in Darwin, for the purposes of discussing this particular cause. In his patriachal innocence, he decides that he is the font of all wisdom. I most vehemently disagree with the member for Alice Springs.

The Marriage Act of Australia takes precedence over the criminal code of the Northern Territory and anything else that this august Assembly may wish to pass. As a marriage celebrant, one of my duties before I perform a marriage under law in Australia is to ascertain to my satisfaction that the parties are of marriageable age, that they are free and competent to marry, that there is no reason why they should not marry and, as importantly, that the marriage is free and voluntary. Celebrants in Australia, according to the law of this country, must indicate in the service at some stage that marriage according to law in Australia is freely and voluntarily entered into by both partners. Even more interestingly, the Marriage Act deals with marriageable age and, as the Attorney-General well knows, implicit in marriage is sexual intercourse.

I quote from the explanatory summary of that act: 'A male person is of marriageable age if he has attained the age of 18 years and a female is of marriageable age if she has attained the age of 16 years'. That is in section 11 of the act. However: 'A male under 18 years of age who has attained the age of 16 years may apply to a judge or magistrate in a state or territory for an order authorising him or her to marry a particular person of marriageable age'. That is in section 12(1). Section 12(2) reads: 'If the judge or magistrate is satisfied as to the applicant's age and that the circumstances of the case are so exceptional and unusual as to justify the making of the order, he may make the order'. It should be noted that the terms of the legislation do not permit the obtaining of orders authorising a male and female who are both under marriageable age to marry each other'. It goes on to say that, if either of the parties is not of marriageable age, the marriage is void.

Mr Speaker, we must consider the provisions of the Marriage Act in dealing with what is commonly termed the age of consent. The law of Australia states that, having attained the age of 14 years, given certain circumstances and a magistrate or judge so ordering, a female person may be permitted to marry. In other words, she may be legally permitted to indulge in acts of sexual intercourse as a married woman. I looked at this particularly in relation to that section of the Draft Criminal Code which has so excited public interest; that is, the age of consent. I share the Chief Minister's views and those of other members that it is, in some respects, a pity that community focus has been particularly on that point. There are so many other provisions of the draft code deserving of comment. The Chief Minister, in introducing the second part of the code, addressed himself to those parts; I felt it no less than my duty to advise the Assembly of the other ramifications of that section.

The Leader of the Opposition has suggested that, rather than raising the age of consent - and I use 'age of consent' in inverted commas - from 13 to 16, it be lowered to 15. My particular reason for rising to speak on that aspect today was the fact that Australian law, which is above Northern Territory legislation, recognises that, in certain circumstances, 14 is considered an adequate age for a female person to enter into a lifelong commitment of marriage - freely and voluntarily - and implicit in that is sexual intercourse. I do not believe we should pass legislation in the Northern Territory which appears to conflict with superior legislation without great care and consideration.

I have had many representations from constituents and others who live outside the boundaries of the electorate of Nightcliff on the question of the age of consent. I have shown them the Marriage Act, a copy of which I always have in my office, and have explained the difficulties which can be seen to arise if we determine a different age at which a female can be deemed to have given free consent. My speech today is in no way to be considered in a derogatory sense and as a reflection upon the Chief Minister's decision to raise the age but I do think that this Assembly must consider what the Marriage Act of Australia says because implicit in that is the recognition that, given certain circumstances, a female person at the age of 14 has arrived at a position where she can make a decision as to whether or not she will freely and voluntarily indulge in sexual intercourse. The Marriage Act of course means within marriage. Nevertheless, it is an indication of Australian contemporary thinking.

How can we say that, according to Northern Territory law, a girl is not capable of freely giving that consent for intercourse and yet at the same time say she is however capable socially and physically of giving consent to marriage? Such a conflict should not exist. I have explained the Marriage Act to my constituents who approached me. In many cases, it has caused them to rethink their position.

I have also put forward the view - which will probably cause the draftsmen to get ulcers - that sexual intercourse between young people - over the age of 14 in the case of a female and perhaps over the age of 16 in the case of a male - should not attract the sanctions of the law if the age difference is not great. If one of the persons was much older and able to exercise undue influence, as this Draft Criminal Code recognises, upon the other partner, then the law should be used, and I make no distinction as to whether the older person is male or female. The Draft Criminal Code, to its credit, recognises that and in clause 88(2)(g) states: 'the use by the perpetrator of his position of authority over, or professional or other trust in relation to, the person to overbear the will of the person'. The 'will' means the free and fully-informed consent.

I think that the provisions of the Draft Criminal Code relating to sexual offences are enlightened. I am delighted that the present government has taken such a reasoned stance. I think, in its decision in tabling the second part of the draft and raising the age of consent to 16, it may wish to consider the Marriage Act with which it appears to come in conflict.

Mr B. COLLINS (Arnhem): Mr Speaker, I would like to speak briefly in support of both the Leader of the Opposition and the member for Nightcliff. I think that raising the age of consent to 16 is extraordinarily unrealistic of this government. I believe that it is really satisfying the aspirations of the parents rather than recognising the realities of being 16 years of age.

We constantly hear about what a so-called permissive society we have these days and how it was not like that when we were young. I grew up in a small country town in north-west New South Wales. I grew up on the land. I do not recall, in the short time that I spent at school, getting any formal instruction on sex education or anything like that. But in the peer group that I moved in - a very small number of boys and girls of my own age - I do remember that we worked on the principle that, if it was good enough for the pigs, the goats, the ducks and the sheep, then it was good enough for us. I do recall, even at that age, thinking that parents who thought that their children had not indulged in some sort of sexual activity - and a lot of parents find it distasteful to think about it - by the time they reached the age of 16 were having themselves on. I do not believe that the situation today is markedly different from the situation that existed when I grew up.

Mr Dondas: They didn't have the pill in your day, Bob.

Mr B. COLLINS: I didn't need the pill,Nick. We did not worry about things like that because we did not have this formal training that I was telling you about.

It really is extraordinary how adults can behave like a bunch of 5-year-olds when sex is mentioned. Is it not extraordinary? Even the front bench of the government is carrying on. It is precisely what I am talking about. Even in 1981 you cannot take the sniggers out of sex. It is a fact that a lot of parents do find it distasteful to consider seriously whether their children are indulging in sexual activity. I spent many years engaged in community work with organisations such as the St John Ambulance Brigade, the YMCA, a drop-in centre I ran at Nightcliff etc. From the discussions that I have had with young people, and I was in my early 20s in those days, it is my belief that parents who seriously consider that their children have not indulged in some sort of sexual activity by the time they reach 16 years of age in many cases are having themselves on. As I said, the age of consent being raised to 16 reflects what I consider to be unreal aspirations, prejudices and resentments of parents rather than the reality of the situation.

I would be very interested in hearing the member for Alice Springs contribute to this debate. I think it would be most instructive for all of us. I sat through the Leader of the Opposition's contribution and the member for Nightcliff's contribution watching the member for Alice Springs holding his head, shaking his head, grunting and grinding his teeth together and making frantic notes on his piece of paper. Judging from the member's past performances in this Assembly, I would imagine that the member for Alice Springs would consider that the age of consent should be 35 provided that the partners were wearing overalls and had statutory declarations from their parents saying it was all right. I invite the member for Alice Springs to let us know, in consideration of the continual interjections that he made during the previous 2 speakers' addresses, just what he does think about it.

Mr D.W. COLLINS (Alice Springs): On the point of rape in marriage, the member for Nightcliff said that, in her position as a marriage celebrant, one of her jobs is to determine - how she does it I do not know but she apparently does it - that the people entering into the marriage do so freely and willingly. When she has everyone married off, then there will not be any need for thoughts of rape within marriage because she would have them all sorted out perfectly beforehand. I have never heard so much garbage in all my life.

The position I take on rape within marriage is as follows: if there is an assault within marriage, then there are plenty of laws which already cover that. My concern with the idea of rape within marriage is that it is just another attempt to chip away at the institution of marriage. That is the view I hold. They wanted to hear it. That is it in a nutshell. I believe it is another little wedge to break up marriage. I believe marriage is a sacred institution and believe it ought to be treated as such.

That brings me to another point. I would have thought that the member for Arnhem might have also thought that marriage is sacred; I think he deigns to have some Christian beliefs. Have a look at the good book and you might read there the suggestion that marriage ought to be treated as sacred. I think that to have intercourse at a young age will leave scars which in later life will be regretted. I believe that young people should be protected whenever possible. I well know that there are plenty of ways and that the law realises how weak it is. According to the Western Australian Family Planning Association, 1 in 4 are having intercourse by the time they are 15 years old. To say therefore that the law does not work and we will lower the age until it does is not rational. If you lower the age to zero, I suppose you would be well covered. That is about

the mentality of that argument and I detest it.

I believe that young people are important and that they should be protected. Those who are guided through those difficult teenage years and do not fall into these traps will be pleased to be able to enter into marriage without blemish. They can say to their partners: 'Here I am; my record is clean'. I believe that is the basis for a very good marriage and I stick by that. It is a Christian principle and I believe that the members of the opposition, some of whom claim some Christian tradition, should look at that very carefully indeed. I think young people are vitally important. In so far as the law is able - and I know its weaknesses - I want to prevent young people from gaining scars which they will regret in later life. That is my position.

Mrs O'NEIL (Fannie Bay): How the member for Alice Springs can say that marriage is a sacred institution and therefore rape within it is fine is quite beyond me. Marriage is indeed a very important institution. It is one which I respect very deeply because I have been married for a considerable number of years. I think that the basis of marriage should be mutual respect and mutual consent in all activities of which sex is only one. For the member for Alice Springs to say that marriage is a sacred institution and therefore one member can inflict his or her will upon another is totally contradictory to me and I do not believe it is totally contradictory only to me; it is totally contradictory to all the good Christian people within my electorate and my many good Christian friends, good Jewish friends and good Aboriginal friends.

We have to face the fact that we are talking about women because usually they are physically weaker. It is an abhorrent concept that, when a woman marries, she gives up the right to decide when and if she will have sex with her husband. The fact of the matter is that that concept in 1981 unacceptable not only to the majority of good Christians but to the overwhelming majority of women. I do not believe that anybody even suggests that to young women when they enter into marriage these days. I think that many young women, and indeed older women, in the course of this public discussion that we have had over the last few months have been totally amazed and shocked to find out that there is or has been this legal assumption that, when they entered into marriage, they gave up the right to decide when and if they would have sexual intercourse. They are really very shocked to think that the law has been saying that, when they married, they gave up their right to control their own body. They did not know that; nobody told them that. That is not their expectation and it is certainly not the expectation of most of their husbands either. That is the community view at the moment; it is certainly not only my view. It is the view that has been expressed to me by my constituents, regardless of their religious affiliations or otherwise. If we believe that marriage is a sacred institution, a valuable institution, then we must treat it with respect and we assume that those who enter into marriage will treat each other with respect.

Motion agreed to.

STATEMENT

Brucellosis and Tuberculosis Eradication Campaign

Mr STEELE (Primary Producation and Tourism) (by leave): The government has implemented a program to accelerate the brucellosis and tuberculosis eradication campaign. I also introduced a bill last Wednesday to amend the Stock Diseases Act to strengthen certain areas of the act in respect of disease control and eradication. The purpose of this statement is to inform the Assembly about the program and to report progress.

The main reason for accelerating the BTB campaign is because progress in

the eradication of these diseases in the Territory has not matched that in the Australian states. There are several explanations for this, the main one being the very extensive nature of the Territory's cattle husbandry. Members will be aware that most cattle in the Australian states are grazed and controlled intensively making eradication more efficient and less costly to achieve than in the Territory where cattle are grazed extensively, are not well controlled and eradication is much more difficult and costly. Moreover, adverse seasonal conditions, lack of finance and unwillingness by some landholders to participate also contributed to this slow progress.

The Commonwealth government has recently introduced taxation concessions which should encourage the provision of structural improvements needed to facilitate disease eradication. As the industry experienced a succession of financially rewarding seasons, the estimated value of pastoral production was increased from $30m in 1977-78 to $100m in 1979-80. Lack of finance can no longer be the excuse for non-cooperation. Therefore, the government is now insisting that what should be done to eradicate these diseases is in fact done.

The Department of Primary Production is recruiting a senior veterinarian to take charge of the program which will operate under the following major policies: brucellosis eradication is compulsory in all infected and suspected herds in the Territory, TB eradication is also compulsory in most Territory herds except in the larger part of the Darwin and gulf districts where eradication is actively encouraged, landholders with problem herds may be ordered to de-stock, and all cattle and buffalo sent for slaughter are required to be tail-tagged.

Since 30 March 1981, the above policies have been implemented through the following methods: all infected properties are being served with a notice of their infection and quarantine order and turnoff of store stock from affected properties is prohibited unless the property has an approved eradication program and stringent testing requirements are met. However, if the cattle are for export overseas or interstate and such importers have lesser requirements, the stock will be allowed to move to those destinations.

Details of the intra-Territory movement requirements are as follows. I refer first to TB. The movement of store cattle out of herds that do not have approved eradication programs is banned except when other states or overseas authorities accept such cattle. The movement of store cattle out of infected herds that do not have approved eradication programs is permitted but will be subject to the following requirements: if the proposed movement is to an infected herd, breeding cattle will require 2 clean tests 2 months apart while steers and spayed females will require 1 clean test.

The need to extend the control program to include the buffalo industry has not been overlooked. The buffalo symposium showed a recognition of this point and a working party of the Department of Primary Production has been developing policies which will lead to greater herd control and, through this, to a reduction of TB. The Feral Animals Committee, which has now been strengthened by the inclusion of a representative of the Buffalo Industry Council, will further develop these programs.

I turn now to brucellosis. The movement of female cattle out of infected herds is banned. Bulls will be allowed to move out of an infected herd if they pass 2 tests 30 days apart plus an examination of their genitals.

Quarantine properties are being asked to develop eradication programs in consultation with departmental officers. Such programs will need to be strictly adhered to in order to retain the approved status. In the Darwin-gulf area, not

included in the compulsory TB eradication area, there will be some tightening of the requirements. This involves the tail-tagging of both cattle and buffalo and the following minimal movement restrictions on breeder buffalo. They will be branded and ear-tagged at the property of origin. They will then be held in a secure area at the destination and subjected to testing at 2-month intervals until free status is achieved. Facilities for isolation testing at the destination must be approved by the district veterinary officer. The department is devoting considerable resources to this program and a great proportion of the district veterinary officer's time will be spent on its implementation.

Before I turn to the progress of the campaign, it should be noted that the provisionally free status, which is the target of 1984, is an individual breeder prevalence of no more than 0.2%. Members will recall we have a northern provisionally-brucellosis-free area. There are 182 free, 4 infected and 3 suspected herds in a total of 189 herds in this area. Within the southern control area, there are 222 herds of which 47 are infected, 5 suspected, 68 that are 1 or more free-test herds and 102 free herds. In 1978-79, in the same area, we had 45 infected, 12 suspected and 70 free herds. As far as the tuberculosis eradication program is concerned, the overall prevalence in the Territory continues to drop and is presently estimated at 0.4% compared with 0.7% in 1978-79. The herd prevalence remains high with 70% of all the herds in the Territory classed as infected.

The number of cattle slaughtered in Territory abattoirs has risen from 67,520 head worth an estimated gross value of just under $5.5m in 1970-71 to 183,961 head worth just over $27.5m in 1979-80. Live cattle movements in 1979-80 totalled 289,000 at an estimated value of just over $61m. The cattle by-products industry was worth an estimated $4.3m in 1979-80 and when the buffalo industry, which was worth just over $6m last year, is included, we are looking at a $100m industry. On purely financial terms, it is obviously vital that we move quickly to protect market outlets for this major industry to maintain its role in the framework of the Territory's economic system. The government is determined to pursue the BTB program to bring the Territory into line with the national eradication campaign. Time is fast running out and the legislative deadline in our major export market will pay no heed to producers who claim geographical or financial difficulties as terms preventing compliance with disease free status requirements.

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

Leave granted; debate adjourned.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Alcohol Abuse in the Northern Territory

Mr SPEAKER: Honourable members, I have received a proposal for a discussion in the Assembly of a matter of definite public importance; namely, the extent of the abuse of alcohol in the Northern Territory and the need to make rehabilitation the central aim in overcoming the problems associated with alcohol abuse. This comes from the honourable member for Arnhem. Is the honourable member supported? The honourable member is supported.

Mr B. COLLINS (Arnhem): Could I make it clear at the outset of this debate that I want to use, as the basis for much of what I will say, the government's proposal for dealing with the problem of drunkenness, particularly public drunkeness, and alcohol abuse generally. In consideration of the fact that we will not be sitting again until August, it is appropriate, considering the importance of this matter, that members be given the opportunity of debating it. Not only would I like to hear the personal views of my colleagues on this side of the Assembly

but I invite members from the other side to contribute as well. I would like to hear a number of views, particularly from people such as the member for Stuart Park as to what they think about these proposals. I understand that the proposals have been put to get some sort of debate going. I think that it is fair enough that members of the Assembly should head it. I use as my authority for the importance of this debate none other than the Chief Minister himself and I am pleased to see that the debate will proceed.

There was a very interesting debate in this Chamber on 20 August 1975. The debate was provoked by the tabling of a report called 'Darwin Drunks' by Dr Gerald Milner. Most if not all of the members contributed to that debate. I thought that the quality of the debate was very good, and some of the positive things that were said were good. However, it is unfortunate that they have not been implemented. I believe the Chief Minister introduced the bill on drunkenness. In talking about the report on Darwin drunks, he said: 'This report is a far more important document than the budget that has been brought down in this House today. That budget is a transient thing and ensures that there will be a reasonable degree of prosperity in the Northern Territory for the next 12 months. But this report deals with the lives and futures of a good percentage of the population of the Territory for the foreseeable future! In view of the fact that the Chief Minister considers that debates of this kind are more important than budget debates, I was glad of the opportunity to bring this matter forward today.

During the debate on the Darwin Drunks Report, the Chief Minister quoted a very important section from the report. I will quote it again now: 'Thus, whenever public intoxication has been removed from the list of crimes without provision of valid alternative measures, a backward step has impaired community attitude and overall problem-solving success'. That particular section of this very valuable report goes to some length to describe what happened when decriminalisation of drunkenness was brought into Darwin. It said: 'No obvious deterioration resulted from the 1974 decriminalisation of drunkenness and this was due to mere lack of time and, more importantly, to a holding operation by the police force. Police in Darwin continued to take into custody and hold for up to 6 hours, as the laws allow, those whose public state of apparent intoxication looked likely to lead to trouble for themselves or others'. The Darwin police more or less covered up for the inadequate action of the community and the simplistic change in legislation. He went on to say: 'Where decriminalisation has been successful, it followed the development of sobering-up and treatment facilities, their staffing, work and increasing acceptance, so that the change in the law merely reflected a change in community opinion and action. This process took 2 years in Massachussets. The introduction of safety-belt legislation throughout Australia, a world lead much admired internationally, was merely a reasonable flow-on from individual use of the belts. Research such as that of the Snowy Mountains Authority, mass media debate, road safety education campaigns and increasing public acceptance of seat belts were sensible devices. The same phased approach is needed with alcohol problems. Dr Milner went on to talk about that phased approach in some considerable detail.

I will quote again from the 1975 speech of the Chief Minister quoting again from Dr Milner's report: 'I have stood back to let the community stew in its own juice, distilled from a high average intake of alcohol, ethnocentric conflicts and perhaps even local illwill directed towards their law givers'. The Chief Minister then praised Dr Milner for making that statement. That does seem to me to be in some conflict with the Chief Minister's current proposal to solve the problem simply by sending people back to their own communities - perhaps so the communities can stew in their own juices.

The Chief Minister went on to say: 'In Darwin, in the administration of

justice as it stood in 1973, half of the activities and cost of police and court work were alcohol-related. Now that the amendments to the legislation have done away with the offence, there should be, one would imagine, money left over which could be allocated towards the setting up of detoxification centres'. I find it very strange that, in view of the Chief Minister's firm feelings on this subject previously, we should be moving back now to the recriminalisation and the further involvement of courts in this matter. The Chief Minister pointed out himself that half of the work of the courts in 1973 was taken up doing this sort of thing.

The Chief Minister went on to say of a piece of legislation which he himself had introduced into the Chamber: 'Overseas countries have different approaches to treatment of alcoholism. Dr Milner says that Sweden, Poland, Bulgaria and Yugoslavia have compulsory alcohol treatment laws, whilst most other countries offer voluntary treatment. Russia also has compulsory alcohol treatment laws and I consider that the Drunkenness Bill follows on the fine traditions of Soviet legislation'. No wonder Dick Muddimer thinks the Chief Minister is a socialist, Mr Speaker. To which the honourable member of Nightcliff interjected. 'So do I'.

He went on to describe the procedures the Russian government does use. All honourable members will know, I am sure, that alcoholism is a very serious social problem in Russia indeed. The consumption of huge amounts of vodka is coming increasingly to the attention of the world community. Public drunkenness in Moscow is becoming a very serious problem. The Russian government has set up 29 detoxification centres - 28 of them for men and one for women.

The debate then went on with the Chief Minister suggesting that a sobering-up centre should be established in Darwin which would use the facilities of a large old building, to which various members replied, 'How about the Legislative Assembly?' The Chief Minister responded: 'Yes you could put a lot of beds in this room. In fact, I wonder why they do not do it now'.

He then went on to describe the detoxification and treatment centres used in California and I consider that his speech on the subject was a very good one. He said: 'Social controls have an important bearing on diminishing or enhancing the extent of drug use in social problems and, as has been remarked in this House earlier today, they could be a particularly great spur to the use of other drugs such as alcohol, tranquilisers and other stimulants, especially in the present social climate of Darwin. Bans and restrictions cannot provide the answer to large social problems. I agree with Dr Milner on that'. We now see that the government is proposing to bring in further restrictions and bans - the very things the Chief Minister said in 1975 he could not agree with. He concluded then by saying: 'Dr Milner proposes stringent amendments to the law in relation to publicans, imposing requirements on them in relation to the serving of alcohol to young people. He asks us where we are heading. That is the whole question, where are we heading? That is what I ask also. The problem is a very serious one and it is probably because I am one of those Northern Territory alcoholics that I am speaking for quite as long as this. I ask members to view the report seriously'. I shall not involve the Assembly in tedious repetition of the debates and I will only read a few contributions, but I do consider that the arguments put forward by members, and particularly the member for Barkly, were very constructive and useful.

The Minister for Transport and Works also contributed to the debate. He talked at length about the Russian solution which he thought was very good. It is most surprising to read what he said: 'Russia is a very socialistic country but they have hit on a solution which could work very well in Australia or any part of the world. If you are drunk and incapable, you are picked up, given

medical treatment and required to pay for that service. Why should the taxpayers pay for somebody else's folly?' They certainly are paying for other people's follies at the moment. The previous member for Sanderson had gone to some lengths to describe the problems that women had, and still have, with drunken husbands coming home and belting them around. The honourable member, Mr Dondas, took some exception to those remarks and said that he could not understand what the member for Sanderson was on about. To quote him: 'The honourable member for Sanderson made a statement that husbands go home, have a few beers and then punch their wives up. Nobody has to have any beers these days. He can go home and if dinner is spoilt he will still punch his wife up'.

The member for Barkly made a valuable contribution to the debate and I think it would be worth while for honourable members to read it later. I will not quote all of it now, but he said in conclusion: 'We have got to the stage where we must all stop pretending. We have got to stop pretending it is the other bloke who needs the help, not us, because this is the attitude of the community at the moment. We go on killing, maiming and destroying property simply because we are not ready to accept the cold hard fact and God only hopes that it will not be too long before we wake up to ourselves'.

The member for Elsey also contributed to the debate and he did so in a typically abrupt and from the shoulder manner: 'I must support the remarks of the honourable member for Alice Springs. It does seem to me that, before the Attorney-General took this step, he should have at least made some policy on a recommendation of the liquor inquiry concerning the provisions of detoxification centres. I asked the question this morning of the honourable Mr Finger and he has told me to put it on notice. Nobody has any plan at all, including the honourable Mr Finger'.

Mr Speaker, I do want to discuss some aspects of the government's proposal. The first section deals with education and I support every one of those recommendations. I think they are excellent and they need to be implemented. In the section dealing with control, it in fact talks about the restrictions which the Chief Minister said in 1975 he was not in favour of imposing because he did not think they would be in any way useful. I happen to agree with his 1975 opinion rather than his 1981 opinion. I do not see how the hours proposed are really going to tackle the problem at all. It will simply mean that, once people are used to the new trading hours - which go to 7 pm Monday to Friday and Sunday and to 8 pm on Saturday - they will simply buy enough liquor prior to 7 pm or 8 pm to last for however long they think they want to drink. So I do not really see that restricting the trading hours will serve much useful purpose. I am sure that the Leader of the Opposition will comment on that in more detail later.

It goes on to say in section E under 'control': 'every effort be made to place a heavy onus on licensees selling liquor for consumption on premises to exercise strict supervision and refrain from supplying people who are drunk'. Well that is all right. In fact, the member for Nightcliff spoke at length on that subject and I support that, although I concede there would be problems in getting a successful conviction.

He then goes on to say, and this is something I have reservations about: 'Licensees should be also obliged to remove persons who are drunk from their premises'. I have serious reservations about whether licensees should be required by law to carry out that particular act. I do not think that the licence holder of a hotel would be very impressed with having to employ, if he is not big enough to do it himself, a strong-arm bouncer. As a statutory requirement, to physically remove people from the premises if they are drunk is properly a matter for the police. Everyone concedes that, with telephones and radio-controlled vehicles, the police are very prompt when people need help. They certainly have been

prompt in the times I have needed their help. I do not see why a licensee should be required to carry out that physical action of throwing a drunk out himself. If a person is abusive and is annoying other people, the police should carry out that job. If a civilian tries to do it, he is likely to get a punch in the nose.

Very often, the sight of a uniform will in itself restrain people from being stupid if they then realise that they will be placed under instant arrest and charged with assault. The presence of a couple of police officers in uniform will cause far less trouble than a bloke from behind the bar attempting to remove a drunk. I certainly reject the idea of legislating that the publican should remove a drunk.

There is another problem with this. If the police come and pick him up and take him to a detoxification centre or to protective custody, the problem is solved. If the publican simply throws him out the door onto the street, all he is doing is removing the trouble from his own premises to somewhere else. The people outside the hotel would then have to worry about him. The provision 'licensees should be obliged to remove persons who are drunk from their premises' is not very constructive at all.

Mr Speaker, so far as the business of fingerprinting and so on is concerned, the Leader of the Opposition will discuss that in some detail later. I believe that the provisions requiring people not to drink are just absolutely pointless. There is a very large body of evidence from court transcripts in the Territory - and a number of judges have commented at length on this - that it is completely useless to say to a drunk, particularly an alcoholic: 'You shall not drink!' If it was as simple as that to solve alcoholism, there would not be any need for legislation, detoxification centres or anything else. It would be fine if a judge could simply say to somebody, 'You will not drink and that is the end of it'. Of course, that just does not work with people who have an alcohol problem. It does not mean a thing.

The requirement that they be referred to rehabilitation centres etc is a reasonable one. I am running out of time so I will have to skip much of what I was going to say because I do want to finish on something that I reject utterly. I quote a typical order from a judge in a case of a non-urban Aboriginal: 'You return forthwith to your home community and submit yourself to the tribal elders to be ruled and governed by them for 1 year and obey their lawful orders and directions'. Quite apart from the very serious legal ramifications of such a proposal, it really is the proposal of somebody who must be totally out of touch with the realities of day-to-day life in an Aboriginal community.

As I have said previously 'tribal elders' is not a good term because, in many cases, so-called tribal elders are not very old at all. They could be people in their late 20s or mid-30s. Often someone has become a landowner because the older members of the family have died. In my electorate, the people who are custodians of Aboriginal law are still in absolute authority over those things so that they have absolute authority over ceremonial matters, over land ownership etc. But they do not have authority over such things as public drunkenness. As I have said before to the tribal elders - to quote the Chief Minister - in Maningrida, Milingimbi or elsewhere, the problem of one of their community being publicly drunk in Darwin is a matter of very little importance to them. I believe that it is a nonsensical proposition. Anyone who spends any amount of time in Aboriginal communities would know that it is just nonsense.

I believe that, because of the advice the Chief Minister must be able to receive from his Aboriginal Liaison Unit - it must be there to serve some useful purpose - he must know that it is not a realistic proposition. Already the

problems of petrol sniffing, for example, in those communities have proven to be an impossible thing to control with this so-called authority. The authority exists over traditional matters: it does not exist over non-traditional matters such as drinking and stealing cars. The proposition is a completely unrealistic one.

Mr TUXWORTH (Health): Mr Speaker, I am only too happy to join in the debate this afternoon that has been proposed by the member for Arnhem because I think that the topic is a very live one in the Northern Territory. I was interested to listen to one of the radio programs the other day about a report written in 1911 by a person sent to the Northern Territory to investigate the administration's activities. I think the report said, for the most part, that the civil servants were a drunken, lazy lot. It would seem that the problem we are addressing ourselves to today in this community is at least 70 years old if not more.

The member touched on several things but the thrust of his discussion was the abuse of alcohol in the Northern Territory and the need to make rehabilitation the central aim in overcoming the problems associated with alcohol abuse. I accept that there is a very real need for rehabilitation. We have done much and there is much more to be done. But I am not sure that I agree that it is the most important area.

Mr Speaker, I will take a couple of moments to go over the history of the alcohol scene in the Territory since 1973 to give members who may not be aware a bit of background into some of the things that have been done besides the Milner Report. In 1973, Professor Hawkins and Mr Misner investigated the criminal justice system in the Territory and recommended a number of changes to the laws and procedures relating to the consumption and abuse of alcohol. During the same year, a committee of inquiry under the chairmanship of Mr P. Adams investigated and reported on liquor laws in the Territory. He submitted his report and recommended, among other things, that the Licensing Ordinance should be completely redrafted, a full-time liquor commission be established and that public drunkenness be no longer a crime. In 1974, the Territory legislation was amended so that it was no longer a criminal offence to be drunk in a public place. Section 46 of the Police and Police Offences Ordinance was subsequently repealed.

In 1974, Dr Gerald Milner was asked by the Department of Northern Australia to examine problems relating to alcoholism in Darwin. Why they picked on Darwin, I would not know. He proposed that a wide range of services be introduced and honourable members will recall the debate that the member for Arnhem has just referred to. Later that year, Dr Drew of the Commonwealth Department of Health visited Darwin to report on the implementation of Dr Milner's proposals. Dr Drew proposed that the Darwin Advisory Council on Alcohol be appointed and recommended legislation authorising random breath testing.

An interdepartmental committee, chaired by the Department of Northern Australia, was formed in 1975 to take over from an earlier committee and this interdepartmental committee considered Dr Drew's report and made 2 important recommendations. The first was that the Department of Northern Australia be responsible for the development of a comprehensive program of legislation dealing with alcoholism and the second that the Department of Health be responsible for support services in the alcoholic field.

In 1976, the Department of Health established the Northern Territory Advisory Council on Alcoholism and Drug Dependence. The council's membership was drawn from the Legislative Council, as it was in those days, government departments and community groups. Further action on alcohol proposals was deferred until

the final report of the federal government's Standing Committee on Aboriginal Affairs into Aboriginal Health was tabled.

In 1978, the Territory became a self-governing unit and, in 1979, assumed responsibility for health functions transferred to the Territory. The Northern Territory government moved immediately to replace the Licensing Ordinance with a new Liquor Act and this was commenced on 12 February 1979. This action was followed by the introduction of random breath testing in an attempt to reduce motor accidents and road fatalities by keeping drinkers out of the driving seats of cars. The Northern Territory government has also provided financial assistance to numerous community organisations working in the field of drug and alcohol abuse. Problems associated with the abuse of alcohol continue to grow despite every effort taken by the government. The new law relating to public drunkenness has led to a great increase in the number of intoxicated people in the streets and parks of our cities, particularly in the major urban areas.

In an effort to co-ordinate government and community activities directed at the problem, the government approved the establishment of the alcohol authority in 1979. Stage 1 of this authority was to be a small unit in the Department of Health which would work towards the development of an independent authority. Subsequently, the government announced that it would be setting up a bureau within the Department of Health to oversee the alochol area of health administration. The department will be seeking nominations for people to be on the bureau as well as departmental heads of departments involved such as police, health, community welfare and the Liquor Commission.

I think that the member's reference to the heady days of 1975 were quite pertinent. It is also relevant to appreciate that many things have changed in that time. I find it interesting to note that Dr Gerald Milner who was a strong advocate for the decriminalisation of drunkenness, in a paper published within the last 6 months, stated publicly that his original attitude to decriminalisation was wrong and that drunkenness in a public place should be recriminalised because of the mayhem that is occurring in some communities. That is purely academic, Mr Speaker, but if you look around the Northern Territory today there is plenty of argument for corrective measures to be taken to get people off the streets.

I am not so sure that the answer to this problem is rehabilitation. I believe that the answer is education. How we educate the masses to appreciate that they are consuming alcohol, an addictive drug, at a rate that is destroying their minds and bodies, I do not know. It is a little easier with things like heroin where you can say: 'If you keep going at that rate, death is just around the corner'. With alcohol, it takes 40 years and people do not have quite the same appreciation of the threat to their health.

Nevertheless, I believe our main thrust should be on the education front. I can foreshadow problems there and I will outline one of them. Shortly after I was elected in 1974, I asked the Department of Health to run a seminar on drugs and alcohol for schoolchildren in Tennant Creek. The department cooperated and it was a very good exercise. One depressing action that resulted from that seminar - and I too have worked with young people - was that one of the teachers said: 'Oh, you do not want to go for all of that. I take pot every day. Get with it, man!' These are the sort of pressures that children are subjected to. The same group would point to a member of the staff and say: 'They go on at us about all this booze and look at him. You are paying him 20 grand a year to stand in front of us. What is the good oil?' It is very hard to rationalise points of view like that in children's minds. Nevertheless, it has to be done.

If we look at what has to be done, the problem is enormous. It does not hurt to look back from time to time and see what we have achieved. This

government introduced the Liquor Commission. It has started to take a very strict approach on the number of outlets available in the community and the activities, the standards and performance of the outlets. We have introduced the concept of dry areas which, in some places, has been an enormous success. However, in other places, it has had an injurious effect. I cite the fact that some communities have been so keen to have a dry area that they have rid themselves of the people in their own community who were being difficult as far as drinking was concerned. They pushed them on to other communities. The other communities, whether they are Aboriginal or European, are not warming to the influx of the more disturbing elements at all. I believe the commission needs to address itself to that issue quickly because it is a very live problem. With the support of both sides of the Assembly, the government introduced measures to control the consumption of alcohol by motorists and, while not everybody supports random breath testing, most people would have to concede that it has had a measure of success.

Through the establishment of a drug and alcohol bureau in the department, we hope to introduce lifestyle concepts that will encourage communities to be involved in more healthy lifestyles rather than maintaining the beer-swilling image that is so readily promoted on television. I cite an incident in New South Wales where the Health Commission selected a town near Coffs Harbour. It concentrated on a healthy lifestyle theme and, in a period of 2 years, it has been able to identify in medical-statistical terms that its program was a success and well worth continuing. I hope that we can have such programs in the Northern Territory even if they are on a trial basis to start with.

I believe the activities of the Road Safety Council, which have been increased in recent years, are having an impact. So far as I am concerned, it is agreed that the Department of Health as an agency of the government has a very real role to play in rehabilitation areas but it is not on its own in this field. There are many other people working with it. In August last year, the Alcohol Dependence Treatment Unit was established at the old Darwin Hospital. While some people might say it is too little too late, I would remind members that when we came to self-government there was no unit in the department that provided this service. The only activities in the community were those being conducted by charitable organisations. It is our wish to build up a very important unit in the Department of Health that will operate a rehabilitation unit in conjunction with other people working in the field. From the point of view of the Department of Health, this is something that we should build on a very firm foundation rather than throw in millions of dollars to see what we can get out of it. Our attitude is that we should move cautiously and build on a sound foundation. The long-term effects will be much greater than if we just sprayed a few dollars around for political gratification.

Mr Speaker, we have had discussions in the Assembly before on the staffing of the Alcohol Dependence Treatment Unit at the Darwin Hospital. I am still of the view that, with the amount of competition in the Australian medical scene for people who are interested in this work, it will always be a problem in the Territory for us to obtain suitable staff because they are in such strong demand everywhere in Australia. Nevertheless, we will plug on with the program. I hope that, by the end of August, the Alcohol Dependence Treatment Unit will be operating on a 24-hour-a-day basis. I believe at the moment there are 5 beds. We hope to increase that to 15 beds operating on a 24-hour-a-day basis. I would point out also to honourable members that this institution within the Department of Health is designed to work with other groups. The Sunrise Centre, which is sponsored by the Salvation Army in the Stuart Park area, works very closely with the unit at the Darwin Hospital. It is not working with exactly the same methods but they are able to complement each other's activities.

I would point out to members that many people in the Northern Territory who are currently working in this field are funded by the Department of Health or the Department of Aboriginal Affairs. We think that about $1m is currently being spent by charitable groups in the area of alcohol rehabilitation. It is very hard to obtain the exact figures because there are so many agencies doing the funding. One group that is doing very well is the Forwaard group in Stuart Park. It has also come to this government seeking support and, if possible, we will be looking to help it in the next budget. It concentrates on looking after Aboriginals who have alcoholic problems.

I have already mentioned the activities of the Salvation Army. We are funding them quite considerably and I anticipate the level of funding will increase this year. Its work at the Sunrise Centre is commendable. It handles as many as 70 people per night over there. It has a permanent rehabilitation program for up to 20 people at a time. For an organisation that is working on a charitable basis, I reckon that is a pretty fair effort. Not only is it involved in Darwin but it is also involved in Alice Springs. It has been carrying out work down there for some time and I believe it is looking to move into Tennant Creek in the near future.

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

Mr B. COLLINS (Arnhem): I move that an extension of time be granted to the Minister for Health.

Motion agreed to.

Mr TUXWORTH (Health): Mr Speaker, I will be very brief. The activities of Kalano Farm, St Vincent de Paul and some other church groups in the Northern Territory, particularly the Uniting Church, are all worthy of our attention and support. There is no way that we can confront this problem alone; we need the support of as many people as we can get. I would emphasise to members that I do not believe rehabilitation will solve the drug and alcohol problems of the population of the Northern Territory.

Mr ISAACS (Opposition Leader): Mr Speaker, 2 points have come out of the debate so far from the member for Arnhem and the Minister for Health. One is that the question of public drunkenness and alcohol-related matters is a very complex one. What is required is not a simplistic approach in one direction but a co-ordinated effort from several directions. In order to obtain public acceptance of what is being done by the government in relation to the problems arising from public drunkenness, a consensus will be required. I am pleased that the debate so far has come out with that latter point. I would hope that that would be the spirit in which further action is taken.

The Minister for Health referred to the activities of the Department of Health in relation to applying its mind to the matter of public drunkeness over the last 3 to 5 years. It is an impressive list of concerned action. It is appropriate to reflect not only on what the Northern Territory government has done but also on the action of other agencies - the Salvation Army was mentioned and also the Department of Aboriginal Affairs - with regard to the problems that relate specifically to Aboriginal people in towns.

I would encourage the Northern Territory government to look carefully at the submissions being put by that very admirable organisation Forwaard which is operating a unit in Stuart Park and to give favourable consideration to providing funds in addition to the funds it already receives from DAA. When Forwaard made its first application to the planning people to establish a detoxification unit in Stuart Park, a number of statements were made by various people which

predicted all kinds of quaint happenings which, without question, would occur around that centre. The fact of the matter is that not only has it operated successfully but those happenings have not occurred. Indeed, when I was recently at the Forwaard establishment, I spoke to a couple of the people living in the houses adjacent to the place. Without going overboard about it, some were happy that it was there and some were indifferent to it. One person had a like-it-or-lump-it approach but it generally appeared to me that it was accepted that it was doing a worthwhile job. Indeed, a number of the people who are acting as officials at that centre are rehabilitated drunks. It is very good to see those people having something meaningful to do and trying to assist others who have fallen foul of liquor. The same is true of the Salvation Army centre at Salonika. I was delighted recently to see a very good mate of mine organising the place. He was as sober as a judge. Some 4 or 5 years ago, the fellow was a mess and he admitted he was a mess.

It is impressive to see organisations carrying out that sort of work. To indicate the complexities of the problem, it was appropriate for the Minister for Health to give an exposition of what the department and other organisations have done. It is also important that there be a general consensus in the community that what is being done is acceptable. That is why the Deputy Leader of the Opposition and I issued a statement a couple of weeks ago urging the government to adopt an attitude that would ensure that all those organisations and people who have an involvement in the treatment of alcohol-related problems get together in a round table discussion.

I am afraid the idea of putting out a statement and asking for comments is not the appropriate way of dealing with this kind of problem. It puts the cart before the horse. The appropriate way is to bring those people together, to recognise the interrelationship of the constituent parts and to ensure that each group knows what is happening. It was evident from the media and from an interview I heard on one of the morning ABC programs that one of the people who was intimately involved in the question of alcohol treatment had not been involved in this particular discussion. For the exercise to be effective, it requires consensus and public participation in the decision-making process. I would ask the government to take up my constructive suggestion that those organisations involved in the treatment and rehabilitation of alcoholics be brought together with a view to hammering out principles. As the Deputy Leader of the Opposition and I suggested, the paper put out by the government would be an excellent starting point.

I believe that there are a number of problems with the government document. In particular, I want to look at the matters relating to the amendments to the Police Administration Act. Because of the lack of information in the document, I do not understand what it is driving at. The current position in relation to people who are under the influence of alcohol in a public place is that the police are able to apprehend without warrant if they are of a view that the person is under the influence of alcohol and is carrying out his activities in a public place to the extent where he is offensive or will cause damage to himself or others. The police can then take that person into protective custody for a period of time. When that person seems to have overcome the effects of the alcohol, he is released. If after a certain period of time - I think it is 6 hours - the person is still in protective custody and police believe he ought not to be released, there is a protection for his liberties. He is taken before a justice who decides whether a further period of detention ought to be applied or whether he ought to be released.

That is a very practical system of ensuring that drunken people are taken off the streets so that they do not make a fool of themselves and do not behave offensively to others. It is important to note that, as part of that arrangement,

the police are prohibited from fingerprinting, questioning the person or photographing the person. He cannot be questioned about any offence nor can he be charged with any offence. Over the last 7 or 8 years that that particular provision has been in effect, it has had a very good effect in that the courts were no longer being clogged up with cases relating to that kind of offence. Also, it has been good for the people who have been apprehended.

The proposition now being put by the government would change all that. First, the document says that 'the qualification in section 128 of the Police Administration Act is to be removed'. I would be delighted if someone from the government side could explain to me just what that means. Section 128 is pretty clear but I do not know what the 'qualification' is to which the document refers. Unless some explanation is given, the public will not know what it means.

It says that all persons taken into custody will be fingerprinted. That would be a retrograde step. What will happen is that the fingerprints will be retained and destroyed after 12 months if no further offence occurred or if there were not 3 offences within the 12 months. However, they would be destroyed only on the application of the person. It seems to me that that is wide open to abuse. It ought not to be retained in the provisions.

The third thing is that, if a person is so retained 3 times in any 12-month period, he will be liable to an offence and the full weight of the law will be brought down upon him. I believe that that particular proposition is contrary to the best interests of the court system and certainly of the civil liberties of the person apprehended. That particular proposition will recriminalise drunkenness because it means that, if the person is apprehended 3 times in 12 months, an offence will have been committed. That is inappropriate in 1981 in the Northern Territory.

I ask the government to indicate which qualification in section 128 is to be removed. Secondly, I ask it to examine the question of the clogging up of the courts and the question of the civil liberties of the individual concerned. If it does that, it will appreciate that the proposal is inappropriate and ought to be removed.

The central point of the matter of public importance is the question of rehabilitation. I would like to conclude by commenting on what exists currently in the Northern Territory, in particular the rehabilitation unit which is operating at Darwin Hospital. I am advised that, since August, when the Minister for Health said it was established, it has had more than 300 people through its doors. It is not simply a detoxification centre. It has also provided an excellent service in counselling, not only in regard to marital relationships but also employment. It is my information that the number of marriages and jobs that have been saved as a result of the operation of this unit is incalculable. The centre is doing an excellent job. It is a shame that people think of it simply as a detoxification centre. Maybe if it was called a rehabilitation and treatment centre, people would have a much better understanding of the job it does.

Alcohol is a most serious problem in the Northern Territory. Understandably,we have the highest per capita consumption rate of alcohol in Australia. It seems to me then that the Northern Territory exchequer benefits to a great extent from our propensity to consume alcohol. Therefore, it is appropriate to take some of the revenue which we receive from alcohol consumption to spend on detoxification, rehabilitation and treatment centres. I accept the point made by the minister. It is no use jumping into these things and spending $1m or $2m at the wave of a hand. It is important to tread carefully and thoughtfully but we ought to be doing more. I believe there is a will there. I believe that,

with the consensus of the community, the correct steps will be taken.

I ask the government to reconsider the questions raised on sections 128 to 130 of the Police Administration Act. Those are not worth while and ought to be taken away. I also commend the proposition I made of a round-table conference of all the parties involved - Aboriginal organisations, health organisations, voluntary organisations - to ensure that steps continue to be taken in the interests of the community and with the concurrence of the community.

Mr EVERINGHAM (Chief Minister): Mr Speaker, as the Leader of the Opposition said, there appears to be a fair degree of consensus in this debate and it reflects the concern of all members of this Assembly over the very great problem of alcohol abuse in the Northern Territory. The areas of difference relate to how the problem should be attacked. Certainly I must support my colleague, the Minister for Health, when he suggests that education should be the prime weapon of the Territory government in attacking alcohol abuse. I do not reject the concept of rehabilitation and my colleague has outlined what steps have been taken by the government since it has had the opportunity to deal with this matter. I mention that that is not a very great length of time and the problem we have inherited is one that has built up over many years.

I am sorry that the member for Arnhem seems to buck at me and to buck at the Aboriginal Liaison Unit in that peculiarly bitter and vitriolic way. We were told by the member for Arnhem that we are talking about proposals that the government put forward - and I emphasise that these are proposals - with the specific view of gaining community reaction. Nowadays, we seem to be attacked for whatever we do. We cannot really win with this particular opposition because, when we engage in community consultation, we are told that we should move to bring the different groups together. I ask why it is that the different groups cannot get together themselves and make a joint submission to us if they want to. Indeed, how do we know that they want to make a joint submission? They can make individual submissions or decide that they want to make a joint submission. It is a matter for them. We are anxiously awaiting receipt of detailed and serious submissions from the various groups in the community concerned with this matter.

The main burden of what the Leader of the Opposition seemed to be saying appeared to be his concern for civil liberties, that people might have their fingerprints taken and that the taking of people into the courts as a result of their detention on 3 occasions for their own protection is, in fact, recriminalising drunkenness. I must take issue with that. I believe it is in the interests of civil liberties that these persons have their fingerprints taken. I think I outlined this to the media at the time the government put the proposals forward. Quite a number of people in the Northern Territory are not always known by the same name. The only certain means of identification is to take their fingerprints. It is to prevent the possibility of their inadvertently being brought before the court that we would use a simple, nominal identification. We believe that the fingerprint system is the best way. If it becomes necessary, and if the proposal that people be compulsorily rehabilitated is adopted, the only fit tribunal to take away a person's liberty or give directions as to what a person should do is a court. The government has taken the right step by saying that, if this is to take place, it must be a court - not some other tribunal, not some group of medicos - that takes away a person's liberty.

I should say that the government has already set aside considerable funding to commence an education program. As the Minister for Health has said, we also want to increase the funding for rehabilitation. I repeat what I said in the Assembly last week when I was asked whether there would be a debate on this particular proposition: I still believe it is too early because the government

has not yet received any detailed submissions on the subject. I believe that, if members wished to comment on the government's proposals, the adjournment debate would have been a much more suitable arena.

Mr ROBERTSON (Education): I move that business of the day be brought on.

The Assembly divided:

Ayes 10	Noes 7
Mr D.W. Collins	Mr Bell
Mr Dondas	Mr B. Collins
Mr Everingham	Ms D'Rozario
Mr Harris	Mr Isaacs
Mrs Padgham-Purich	Mrs Lawrie
Mr Perron	Mr Leo
Mr Robertson	Mrs O'Neil
Mr Steele	
Mr Tuxworth	
Mr MacFarlane	

Motion agreed to.

TREASON AND FELONY FORFEITURE AMENDMENT BILL
(Serial 120)

Bill presented and read a first time.

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

The purpose of this bill is to repeal sections 4 and 8 of the Treason and Felony Forfeiture Act which was passed by the South Australian Parliament in 1874. Section 4 of that act empowers a court convicting a person of a felony to award monetary compensation for loss of property suffered by the victim of the crime. Section 4 is archaic and superfluous in light of section 25 of the Criminal Law and Procedure Act which was passed by this Assembly in 1978. Section 25 empowers any court, where a person is convicted of any offence, to order the offender to make reparation to the victim of the crime by way of money payment or otherwise. Given the broad terms of section 25, it is clearly no longer necessary to retain section 4 of the Treason and Felony Forfeiture Act.

Section 8 of the Treason and Felony Forfeiture Act disentitles a convict from suing at law or in equity whilst he or she is subject to the operation of the act. It further renders convicts incapable during such time of alienating or charging any property or of making contract. The Universal Declaration of Human Rights provides that all persons are equal before the law and are entitled to equal protection by the law. The disabilities imposed on convicts by section 8 are inconsistent with the principles set out in the universal declaration. The imposition of civil disabilities on convicts has been the subject of much judicial criticism. His Honour the Chief Justice of the Supreme Court of the Northern Territory has described the provisions of section 8 as quite barbarous. The government believes that there is no good reason for denying prisoners their civil rights and so this bill repeals section 8. I commend the bill to honourable members.

Debate adjourned.

CROWN LANDS AMENDMENT BILL
(Serial 123)

Bill presented and read a first time.

Mr ROBERTSON (Lands and Housing): Mr Speaker, I move that the bill be now read a second time.

The Report of the Inquiry into Pastoral Land Tenure in the Northern Territory was tabled in the Assembly on Wednesday 4 March 1981. It is a document that has caused quite some interest in the community, not only from lessees of pastoral leases but from interested and concerned members of the general public. The report was debated by the Assembly during the first day of the current sittings.

Mr Speaker, you would be aware, from that debate, that the opposition is totally against the provisions of better security of tenure over pastoral land. The basis of this view seems to lie in its belief that all pastoral leases should be term leases and that, at the expiry of those terms, the expired leases should be available for land claims by Aboriginal people under the Aboriginal Land Rights (Northern Territory) Act. The government, on the other hand, supports the views and conclusions of the board of inquiry by making available a more secure form of land tenure. Most of the suggested changes can be brought about without amending existing legislation. This bill will cover all but one of the main recommendations that necessitate changes to the principal act. As well, it will introduce additional amendments which do not arise directly from the reports but which will be welcomed by the industry.

The changes proposed by this legislation will bring about a larger workload for the Land Board. It is important that necessary actions undertaken by the board are not unduly delayed. It is proposed, therefore, that the number of persons nominated to be available to service selected members of the board be increased from 10 to 12. This increase will enable meetings of the board to be arranged with greater ease and expediency wherever they may be needed in the Northern Territory.

One of the major recommendations of the report is that a system of perpetual leasehold tenure for pastoral lands be introduced in the Territory. This recommendation is proposed to be implemented by this bill. However, as the definitions of leases and pastoral leases and the conditions under which they are issued are contained in more than one section of the Crown Lands Act, the amendments required will be, of necessity, fairly numerous and widespread in the principal act. The offer of a perpetual lease will be subject to further recommendations of the report that it be considered only where a pastoralist has made a genuine effort to achieve and maintain the eradication of tuberculosis and brucellosis.

Purely coincidentally, the author of the Martin Report, as this report is called, is in the gallery. I understand he was here for the previous debate.

Whilst not a recommendation of the Martin Report, it is proposed to repeal section 48F of the Crown Lands Act. This section provides the mandatory referral of any default detected on pastoral leases granted under section 48D between 1953 and 1967 to the Northern Territory Land Board for consideration and recommendation before action is taken by the minister towards forfeiture of the lease. Approximately 70% of existing pastoral leases were granted under section 48D between 1953 and 1967. In the case of leases issued since 1967, the faults are dealt with under section 24A of the principal act by administrative process within the Department of Lands. The purpose of introducing section 48F was to ensure that the lessee's interests were protected through a semi-independent hearing before default action led to more serious forfeiture action. In many cases default

action under section 24A is often commenced simply to allow the lessee to apply for an extension of time for compliance, and exemption from compliance or a variation of lease conditions. In the vast majority of cases, there is no intention that the default action thus initiated should lead to more serious action which could result in forfeiture.

These minor actions are processed reasonably quickly with the minimum of inconvenience to the lessee, certainly less than would be experienced under a minor default under section 48F which automatically requires a full Land Board hearing. If section 48F is repealed, all the defaults will be dealt with administratively and internally by the Department of Lands under section 24A of the Crown Lands Act. Under this section, the minister has the discretion to take no action in respect of minor defaults if he is satisfied generally with the compliance and development carried out on the lease. The repeal of section 48F has the support of the government and the pastoral lessees and their respective organisations. Indeed, Mr Speaker, it was a decision of Cabinet well over 12 months ago to repeal the section subject to input from the industry and industry representatives which we now have.

The Martin Report recommended the introduction of a system of fines as an alternative to forfeiture for non-compliance with lease covenants. The government supports this view and the necessary amendments are proposed to section 24A of the Crown Lands Act. If I may divert, the provisions presented in the bill before us provide that the minister shall determine, within a set range, the amount of the penalty for breach. I would invite widespread comment on that because it is a departure from what I think is normally acceptable. I believe that, where a monetary penalty is involved, the court is certainly the place for the imposition of such a penalty. I foreshadow that I will probably be taking to Cabinet a recommendation for an amendment that that will become the subject of a prosecution and not the arbitrary discretion of the minister.

The government supports the recommendation that lessees be allowed to mortgage a pastoral lease without consent. Amendments to section 26 of the principal act to allow this procedure have been included in the bill.

Section 38A of the principal act is to be amended to include another recommendation of the report that, with the consent of the minister, the maximum area of a pastoral lease may be increased by nearly 54% and the current maximum of 1.3 million hectares to 2 million hectares. In amending this section, the opportunity has been taken to increase the maximum penalties, long out-dated, as deterrents which may be imposed on shareholders and the unincorporated company which may hold a beneficial interest in pastoral land and which may withold certain information requested by the minister.

An important issue raised during the debate on the Martin Report concerned the question of public access to major watercourses within pastoral leases. Such a provision in general terms has been allowed for in this bill. As you will understand, it is not possible to prescribe in detail for every particular location or eventuality that the public may require or desire. Instead it has been considered as a more rational step to make provision for public access in such a manner that it may be negotiated with each pastoral lessee bearing in mind the particular circumstances of waterways occurring on his lease and also the particular circumstances pertaining to the lessee's requirements.

Another important recommendation agreed to by the government concerns agricultural development on pastoral stations. No amendment is required for pastoral lessees to continue to be permitted to use their land for other purposes. There is need, however, to amend sections 40A and 40B of the principal act in relation to the future use of pastoral properties for agricultural purposes and to require

lessees to inform the minister of any radical changes in activities undertaken or the lapse of such activities.

Mr Speaker, you will be aware that the report addresses itself to the question of community living for Aboriginal people. Such provision is already contained in section 24B of the principal act. The government had proposed making certain amendments to that section in accordance with the report but it decided not to do so at this time as negotiations are still proceeding with the land councils on this matter among others. If agreement can be reached with the land councils on these issues, appropriate amendments will be considered for introduction.

Finally, although not dealt with in the Martin Report, the government has introduced an amendment which will greatly simplify the problems of consolidating small areas of vacant crown land with neighbouring pastoral leases. At present such cases must be dealt with under section 10B of the Crown Lands Act even when only one pastoral property is involved. In such cases, to avoid the great expense and time involved with section 10B applications, it is proposed that procedures be simplified so that, at roll-over or where a new lease is to be granted under these provisions, the Land Board may recommend to the minister that such areas of vacant crown land may be included in the new lease. I wonder if there is any more vacant crown land that is not under claim under the Aboriginal Land Rights (Northern Territory) Act at the moment which is available for section 10B consideration. It is the government's desire to amend the Crown Lands Act in a manner which reflects, as closely as possible, the recommendations of the Martin Report. The government would welcome constructive criticism of the bill from members of this Assembly, the pastoral industry and the public. I commend the bill.

Debate adjourned.

PAY-ROLL TAX AMENDMENT BILL
(Serial 95)

Bill presented and read a first time.

Mr PERRON (Treasurer and Industrial Development): I move that the bill be now read a second time.

Honourable members will recall that, in the April 1980 sittings, a bill was passed in this Assembly to enable pay-roll tax relief to be extended to employers in relation to defined activities, localities or classes of employees to be specified in regulations. This provision was made by the insertion of section 20A of the Pay-Roll Tax Act. Regulations have subsequently been made to provide for refunds of pay-roll tax paid in respect of the wages of apprentices and wages paid to employees engaged in the manufacture of fibreboard products. It has become apparent, however, that the existing legislation would not meet the original intention in that employers whose taxable wages are on or near the threshold for pay-roll tax purposes would still be disadvantaged when taking on apprentices even after receiving the full rebate on the pay-roll tax paid in respect of these apprentices. The amendment to the Pay-Roll Tax Act in this bill will ensure that no tax liability will be incurred, either directly or indirectly, as a result of engaging staff under categories for which regulations are made under section 20A of the Pay-Roll Tax Act. I commend the bill to honourable members.

Debate adjourned.

NORTHERN TERRITORY DISASTERS AMENDMENT BILL
(Serial 122)

Bill presented and read a first time.

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

This bill proposes the amendment of the Northern Territory Disasters Act with respect to the role of the Director of Emergency Services, the role of the Territory Co-ordinator and Regional Co-ordinators, the composition of the Counter Disaster Council and to provide for the declaration of a state of emergency.

Cyclone Max did not result in a great deal of damage to our city but it tested the state of preparedness of our organisation. It had another beneficial result in that it showed us that there were some problems with the operation of the act and how the Territory might be able to be even better organised in the event of another cyclone or indeed any other sort of disaster.

For instance, we have discovered that to be operationally effective in a disaster situation, the Counter Disaster Council should consist of a small number of key persons. This bill proposes that the council consist of a core of 5 persons: the Director General of the Chief Minister's Department, who shall be chairman, the Territory Co-ordinator, the Director of Emergency Services, the departmental head of the Department of Transport and Works and the departmental head of the Department of Health. This would omit from the proposed council other departmental heads and the senior members of the defence forces resident in the Territory who are presently members. It has been found that the larger council of 13 members was unwieldy. The bill would still allow the minister to appoint other members as necessary but, where they were to be appointed as representatives of the Commonwealth, the minister would have to obtain Commonwealth consent for their appointments.

The bill proposes also that the powers of the council be subject to the direction of the minister. The proposed amendments would bring the Director of Emergency Services under the direction of the Territory Co-ordinator who is the Commissioner of Police. The Emergency Services organisation is linked administratively with the police force and the proposal is that the Territory Co-ordinator delegate counter disaster operational responsibilities to the director as necessary. The bill proposes clarification of the role of regional co-ordinators so that the Commissioner of Police, whether acting in his role of Territory Co-ordinator or not, would have control over those officers in emergency situations or otherwise. At present, the legislation is not specific concerning the control the commissioner may exercise over the police officers performing the duties of regional co-ordinators in situations where there is no state of disaster.

It is considered desirable that co-ordinators have powers to take certain steps prior to a disaster actually occurring. At present, the duties and powers conferred on disaster co-ordinators are extensive and may only be organised during the time a state of disaster declaration continues in force. The bill proposes to amend the act to allow the minister to declare a state of emergency where a disaster is pending.

New sections 23A and 23B are proposed to provide for the declaration of a state of emergency and for the exercise by co-ordinators of special powers during the time leading up to the disaster. The bill proposes that, where the minister believes, on reasonable grounds, that a disaster is pending and is likely to require measures beyond the scope of existing services, he may declare a state of emergency. It would come into effect immediately and would last for 7 days or until revoked or superseded by declaration by the Administrator.

The bill also proposes another minor amendment of a statute law revision nature. The government believes that these measures would greatly facilitate the efficient operation of the Territory counter disaster organisation in the

event of another disaster on the scale of Cyclone Tracy. I commend the bill to honourable members.

Debate adjourned.

STATEMENT
Draft Mineral Royalty Bill and Green Paper on Mining Royalty Policy

Mr TUXWORTH (Mines and Energy): Mr Speaker, I table a draft Mineral Royalty Bill.

This important bill will help to maximise the contribution of the Northern Territory's mineral resources to the standard of living of the people of the Territory in the long term. The draft bill is based on the recommendations of the Green Paper on Mining Royalty Policy for the Northern Territory. This paper contains the most comprehensive analysis of royalty policy options ever undertaken in Australia. It reflects the relevant literature and discussion within the government over a period of more than 18 months. The paper was prepared with the benefit and advice of representatives of the mining industry, academics, accountants and others specialising in mining taxation. I wish to table also, for the benefit of members, the Green Paper on Mining Royalty Policy in the Northern Territory.

The background to and the philosophy underlying the draft Mineral Royalty Bill are discussed in great detail in the Green Paper but I would like to provide members with a brief explanation. On self-government, responsibility for mining and ownership of minerals, other than uranium, was transferred to the Territory by the Commonwealth. This gave the Territory the right to levy royalties on minerals other than uranium. Since self-government, miners have been paying royalties at very low rates inherited from the Commonwealth. The standard royalty rate is only 1¼% of ex-mine value. The rate on Aboriginal land is 2½%, but the Commonwealth is taking this amount back by deducting it from the Territory's grant from the Commonwealth.

Territory royalty rates compare very unfavourably with those levied elsewhere in Australia. Some states, particularly Queensland, earn large additional revenues by a substantial excess rail freight profit. Queensland's take from export coal and bauxite is estimated to be about 16% and 10% respectively of fob value and Western Australia collects a royalty of 7½% on the fob value of iron ore.

The government recognises that Territorians have not been getting a fair royalty price for the minerals sold to mining companies. The Mineral Royalty Bill will improve the situation dramatically. However, in determining the royalty system and rate, justice and revenue-raising were not the only objectives. Administrative considerations and the effects of various systems and rates on future recovery of minerals, investment and exploration were also taken into account.

A large range of different royalty systems was evaluated using these criteria. The systems included royalties based on tonnage mined, revenue, profits, surplus profits and so-called resource rent. Auction systems were also considered. Since no royalty system or rate would perform better than all others in all respects, a compromise between criteria was necessary when selecting a system and a rate for the Territory. An element of judgment was necessary in determining the best compromise because of quantification problems.

The system specified in the draft bill levies royalty on profits before tax. The rate is 35%. The royalty applies on a project basis up to and including the

stage of production where the output becomes saleable. Operating, marketing and administrative costs that are directly attributable to a project are deductible Depreciation allowances are calculable over the shorter of economic life of assets or 20 years. Exploration costs are deducted over the shorter of mine life or 20 years. Income taxes, excise taxes on mineral output or exports or other payments in the nature of royalties are not deductible. Provision has been made in the draft bill to overcome special pricing and capital funding arrangements that frustrate the intention of the system. The new royalty system and rate would not apply to Gove at this stage. The government is still netotiating with the Gove partners concerning their royalty situation.

For a mine with Australian average profitability, the proposed rating system would approximate a royalty of 10% of fob value. This is within the range of royalty and excess freight rates applying to major mineral export mines elsewhere in Australia. The proposed new Territory system has, however, significant advantages over the systems applying to those mines which are based on tonnage or revenue produced. A profit-based system will collect higher royalties from a highly profitable mine than will a tonnage or revenue-based system. Conversely, a profits royalty will collect less from below average profitability mines than other systems. For this reason, the mining industry has long supported the concept of a profits royalty. A profits royalty is also less likely to deter production of low-quality, high-cost ore than the other systems because it takes cost variations into account. For the same reason, it is less likely to deter investment and exploration.

The government gave some thought to the concept of a resource rent royalty which has received considerable publicity in recent years. In addition to the deduction permitted by a profits royalty, a resource rent royalty allows rapid capital asset cost write-offs and the deduction for a reasonable rebate of return on capital. This type of royalty system has been proposed by a number of academics. While a resource rent royalty is appealing in certain theoretical respects, it has significant revenue adequacy and administrative deficiencies. These substantial obstacles to the successful implementation of a resource rent royalty are discussed in detail in the Green Paper on Mining Royalty Policy. The government concluded that overall a profits royalty was better suited to the Territory's requirements.

I will return now to the content of the draft Mineral Royalty Bill. It provides for the payment of royalty in respect of minerals recovered. It specifies the royalty rate and the definition of 'profit' I mentioned earlier. The administrative provisions of the bill have been framed to ensure that royalty is not avoided by transfer pricing or other mechanisms. The draft bill provides for provisional royalty payments on a quarterly basis and adjustment will be made after the end of each year to allow for the difference between provisional payments and actual royalty liability for a given year. Royalty returns are to be submitted annually. Thereafter, assessments will be made.

The draft bill provides for the keeping of proper books of account, inspection of books and other documents relevant to royalty returns and full disclosure of relevant information. Heavy penalties apply for the provision of false information or failure to furnish information. Provision has been made for appeals to the secretary and ultimately to the courts in relation to royalty assessments.

Cabinet has not yet determined the commencement date of the new system but the industry will receive adequate time to prepare administratively. Mr Speaker, the draft royalty bill could be expected to increase royalty revenues from about $2.5m per year to around $15m per year. This figure will vary depending on metal prices and economic conditions. This additional revenue will allow the government to further boost the standard of living of Territorians through improved services

or lower taxes. No adverse employment consequences are anticipated in the mining industry because of the type of royalty system to be adopted. Other Territory employment opportunities will arise from increased government spending or lower rates of other types of taxes.

Mr Speaker, the draft bill before honourable members is very important and innovative legislation. Therefore, the government does not intend to introduce the bill until the budget sittings to afford interested parties adequate time to examine the draft bill and the Green Paper and to make submissions to me on matters of concern.

In conclusion, in commending the draft bill to members, I would just like to pay a tribute to Mr Willard in the Department of Mines and Energy who has been working on this project now for at least 12 months and who, I believe, has put together a very acceptable proposition for the consideration of members. I move that the Assembly take note of the statement.

Debate adjourned.

LEAVE OF ABSENCE

Mr LEO (Nhulunbuy): Mr Speaker, I move that leave of absence for this day be granted to Mr Doolan on the ground of ill health.

Motion agreed to.

JABIRU TOWN DEVELOPMENT AMENDMENT BILL
(Serial 90)

Continued from 4 March 1981.

Mr BELL (MacDonnell): Mr Speaker, I was a bit slow on my feet this morning, I was gagged this afternoon but at last I have got a guernsey. In speaking to the Jabiru Town Development Amendment Bill, I want to explain an amendment that has been circulated. First I will make a few general comments.

The Chief Minister, in his second-reading speech, stated that he wants the Jabiru Town Development Authority to assume more local government responsibilities than are identifiable with other forms of local government. He expressed a wish, for example, to give the authority powers to make bylaws and to levy rates. He said that he hopes that this will break ground in the preparation for a move towards local government at Jabiru and for the transfer of responsibility from the authority to a local government body.

This of course is commendable but I think it is a little surprising that the government seems hell bent on ignoring the forms of local government and the local government councils that are in operation today. We have already had mention of this in the sittings and I will not elaborate. The question in our mind is whether the Northern Territory government, when it creates a local government at Jabiru, will allow it to govern in fact. Citizens of the Territory would quite legitimately have some misgivings in that regard.

In regard to my amendment, I am quite prepared to give the government the benefit of the doubt and accept that it is an oversight. As we have said, this bill will allow the extension of the powers of the authority. Under clause 5 of the bill, it will extend the powers of the authority outside the town area of Jabiru; that is, within the Kakadu National Park. The bill says that the authority may perform the functions listed in subsection (1) on or in relation to land outside Jabiru. When we turn to clause 15, we find that this will enable the

authority to develop and maintain the Kakadu National Park, to give leases of land and premises and parts of premises in the Kakadu National Park and to administer, manage and control the national park. That of course is not the intent of the bill. We quite appreciate that there are certain essential town services, such as water mains and powerlines, that lie in the national park.

The thrust of our amendment is then to enact cooperation between the Jabiru Town Development Authority and the director of national parks and wildlife. This may not strictly be necessary because the National Parks and Wildlife Conservation Act 1975 does have precedence. But it seems that it would be wise to tidy up this bill in that respect and enshrine in it what is a fact of life.

In case members are a little worried about the validation clause which is against 38.1 in the schedule, allow me to explain. This is a technical amendment which was suggested by the legal draftsman who pointed out that, as 38.2 and 38.3 would enact that the agreement in writing of the director may be given for powers outside the national park, there may be circumstances in the past where this has not been done. This will eliminate a conflict in the operation of the bill.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to speak to this bill, the first thing I would like to say is that it is a self-evident fact that Jabiru is a rather unusual town in that it is completely surrounded by Kakadu National Park. It is in a unique position in the Territory if not in Australia. Its uniqueness stems not only from its position but also from the people who will be in the town. At the moment they are from one mining project but, in the future, it is expected that people from 3 mining projects will live there. It is also unique for the part it will play in the decentralisation of services in townships and local government areas in the Northern Territory.

Clause 5 deals with functions of the authority. This defines the scope of interest of the authority and it refers to things being done on land outside Jabiru. This is often the case in towns where the boundaries are delineated but actions and functions connected with them are perfomed outside the boundary. I have no doubt that there will be close cooperation and negotiation between the Jabiru Town Development Authority, the national parks organisation and the Conservation Commission on the use of the land outside the town.

Clause 6 deals with powers of the authority and gives power to the Jabiru Town Development Authority to perform the functions previously mentioned. I was very interested to read that section 16 of the principal act will be amended by the addition of 2 further subsections relating to the impounding, removal, destruction and disposal of animals found straying in Jabiru. I hope that they have more luck in impounding straying stock than they seem to have in the Berrimah area. I realise the intention is to impound, destroy, remove and dispose of feral amimals but that is not stated plainly. I do not think there is any definition of 'animal'. There could be a straying dingo or wallaby. These are not feral animals. I understand the intention of the subsection but it needs clarification.

Clause 7 relates to section 16A. Mention is made of the proper and correct liaison which will be necessary and which will occur between the development authority and the Australian National Parks and Wildlife Service. As I said earlier, this township is unique in being completely within a national park.

The amendment to section 17 of the principal act relating to local government functions states quite clearly that the township of Jabiru is in a transition stage. I was very pleased to see the amendment that the Chief Minister has introduced relating to powers of delegation. I commented on this in a

previous bill relating to the Palmerston Development Authority. The amendment states more clearly and succinctly the powers of delegation as they relate to the delegatee and the delegator. It leaves the reader of the legislation, and those to whom it applies, in no doubt at all as to what is intended by the legislation.

Clause 10 relates to section 23 of the principal act. The amendment relates to land as well as persons. The principal act refers to a class of such persons. The addition made by the amendment is 'any land'. I assume that is because the land attracts the rates and the people only pay them.

Clause 11 as it relates to section 41(1A)(b) shows that the local government position is better defined. It is quite obvious that local government will eventually be introduced in the area and this is in preparation for the transition of the Jabiru Town Development Authority to a local government authority. It says that certain rates and penalties 'must be paid'. Perhaps it is to be inferred from that that a person must pay them. I would like the Chief Minister to explain that for me.

In conclusion, this bill reflects the government view that no legislation is static but must change in accordance with the needs of those in the community which it serves. The town of Jabiru is changing all the time in population: more permanent residents are moving in from Jabiru East, new contractors are coming in and other contractors are leaving. The township is becoming more settled generally. Major works such as schools and hospitals are reaching completion and the state of the roads will change. The township will change further with the commencement of 2 other mining projects in the area. There will be further changes in the legislation relating to the township of Jabiru.

Mr EVERINGHAM (Chief Minister): Mr Speaker, there is not a great deal that needs to be said in reply. There was a point made by the member for MacDonnell, the spokesperson for the Director of the Australian National Parks and Wildlife Service.

Mr Bell: Rubbish!

Mr EVERINGHAM: The member for MacDonnell indicated that there was really no need for his amendment but that he would still like to make it. It appears to me that it seeks to limit the authority by statutorily requiring the consent of the Director of the Australian National Parks and Wildlife Service for actions that it takes in the Kakadu National Park outside the Jabiru town boundaries. I understand that in some respects the amendment is similar to provisions of the Local Government Act. However, all actions in the park are capable of being controlled by the director who derives his powers from the National Parks and Wildlife Conservation Act 1975 of the Commonwealth and it is for the Commonwealth to amend its legislation if it feels the director's powers are insufficient.

The National Parks and Wildlife Conservation Act itself contains adequate provision for controlling activities in the park: section 10(3) prohibits mining, building and other works in the park except in accordance with the plan of management; section 14 requires the director to comply with the plan of management; and section 9(2) permits the director to grant leases and licences in respect of land in the park in accordance with the plan of management. Other provisions of a similar nature apply specifically to the development of the Jabiru townsite itself. I believe, quite frankly, that the director can control almost every action down to the growing of cabbages in the park and any actions taken by the authority to date in respect of lands outside the town have only been taken with specific prior approval of the director obtained in the form of licences.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

New clause 3A:

Mr BELL: I move amendment 38.1.

In response to the Chief Minister, I would like to point out that in no way are we seeking to diminish the powers of the Jabiru Town Development Authority. This amendment is not giving the power of veto in any way to the director. It is seeking to enshrine the sort of cooperation that has hitherto been in existence.

Mr EVERINGHAM: Mr Chairman, I oppose the amendment for the reasons that I outlined earlier. If the cooperation has been in existence, I see no need to enshrine it in legislation. This particular amendment is indeed totally unnecessary.

Amendment negatived.

Clause 4 agreed to.

Clause 5:

Mr BELL: I move amendment 38.2.

Mr EVERINGHAM: I oppose the amendment.

Amendment negatived.

Clause 5 agreed to.

Clauses 6 to 8 agreed to.

Clause 9:

Mr EVERINGHAM: I invite defeat of clause 9.

Clause 9 negatived.

New clause 9:

Mr EVERINGHAM: I move amendment 33.1.

It is a drafting amendment to replace the previous draft delegation clause which is a standard clause which will be used in future bills.

New clause 9 agreed to.

Remainder of bill take as a whole and agreed to.

Bill passed remaining stages without debate.

COBOURG PENINSULA ABORIGINAL LAND AND SANCTUARY BILL
(Serial 86)

Continued from 9 June 1981.

In committee:

Clauses 1 to 29 agreed to.

Clause 30:

Mr EVERINGHAM: Mr Chairman, I undertook yesterday to make inquiries on behalf of the member for Nightcliff in relation to her query as to why Knocker Bay, which she regards as a superior anchorage to that part of Port Essington adjacent to the Victoria Settlement, should not be included in this particular piece of legislation as a place of access by fishermen to the shore. I am informed that, when setting up the plan of management, it is necessary to specify limited access points to enable proper management. The areas specified within the legislation were chosen on 3 main criteria: firstly, traditionally and historically safe anchorages will be protected from severe storms; secondly, to enable the beaching of shallow draft craft for temporary repairs; and, thirdly, having good access to fresh water surface wells and soaks. The reason why Knocker Bay cannot be included in that is that there is a land lease and 8 sea leases over the area. These are held by the Paspaleys for pearl culture and oyster growing.

Mrs LAWRIE: Mr Chairman, I thank the Chief Minister for his explanations on the point of the sanctuary during storms. I think that Knocker Bay is superior to that part of Port Essington in the vicinity of Victoria Settlement.

One of the problems with having the access so delineated in the principal act is that, if it is found that disturbance is being caused to Victoria Settlement, it will be some time before the access can be further restricted. The Chief Minister has the responsibility for sites of significance and national estate matters. I appreciate his interest in the matter. I can still only record my concern at the access to Victoria Settlement which is still in urgent need of repair and maintenance to stop it deteriorating further. Some of my concern may be lessened when the repairs which are about 25 years overdue are effected. These repairs must ensure that no further damage occurs. Until that time, there is a real danger that this most historic site may crumble.

Mr EVERINGHAM: On the matter of access to Knocker Bay, the fact is that there are these pearling leases in Knocker Bay which legally preclude the bill providing for access to mariners into Knocker Bay. As for Port Essington, the ranger station is situated on Black Point just adjacent to Smith Point at the entrance to Port Essington. The ranger obviously can exercise some surveillance of the craft that enter Port Essington. Indeed, during a recent inspection of Port Victoria with His Honour the Administrator, it was apparent to us that certain work had recently been carried out there regarding the clearing of the ruins. I do understand that there are some plans for restoration work to proceed, perhaps not next year but within the foreseeable future, on the ruins at Port Victoria.

I appreciate the member's concern but again there is the question of availability of water at soakages and so on. I believe that, in view of the fact that any sailor can go there now virtually without permission - they should have permission to go on shore into the sanctuary - this bill will rectify the situation by providing more control.

Clause 30 agreed to.

Clauses 31 to 38 agreed to.

Clause 39:

Mr EVERINGHAM: I move amendment 37.9.

The reason for this amendment is simply because the numbers of the Northern Territory portions were wrong in the first place and it is to correct them.

Clause 39 agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

SUPPLY BILL 1981-82
(Serial 118)

Continued from 2 June 1981.

Mr ISAACS (Opposition Leader): Mr Speaker, the opposition naturally supports the passage of the Supply Bill to ensure continued payment until November of this year. But I would like to make a number of observations about the Supply Bill.

First of all, the information contained is absurd if we are to make any sensible contribution to this debate. The Supply Ordinance 1977-78 was the last supply bill which we have debated in this parliament which has had a satisfactory set of explanations with it. On that occasion, we received a document which detailed the various provisions, what they related to and a short explanation of them. The next year the Assembly debated the 1978-79 supply bill. The government on that occasion did not supply explanations with it. I took the government to task for failing to supply the Assembly with any indication of what the various allocations meant. The Treasurer, the executive member for finance and planning, said, and I quote from Hansard at page 1,464: 'Mr Speaker, I would just like to touch briefly on a matter raised by the Opposition Leader. It is my intention to have this House provided with all reasonable details when dealing with money bills. It would certainly have been the case with this bill before us if we had a little more time and resources'.

At that time, it was a perfectly reasonable explanation by the executive member. The number of bills which this parliament debated at that time was extraordinary and everybody accepted what the executive member said. There was the enormous task of establishing all kinds of transfers and the explanation made by the executive member was accepted.

He then went on to say: 'I do undertake that, in future, more detail will be provided because we want the House to truly participate in matters of the allocation of funds'. Thus spoke a raw recruit to the Treasury benches. Since then the Treasurer has learnt and the supply bill for 1979-80 had no explanations and there are no explanations on this occasion either.

Mr Speaker, it really is quite ludicrous for us to debate a piece of legislation which allocates to the Department of the Chief Minister a total of $24,166m when the only explanations we are given are a breakdown of salaries and payments in the nature of salary, administrative expenses etc. Capital items get a guernsey, and in some cases they are quite significant. Yet there is no explanation whatever. As I say, it is quite unacceptable that this Assembly should debate legislation and make any sensible comment when that is the level of the explanation. The Treasurer, in introducing the bill last Tuesday, gave a number of examples of what the money would be used for, but in no way were members in a position to adequately debate this question. It raises the question of that very fine exhortation of the Treasurer when he said that it was truly his view that members of this parliament should be adequately informed as to matters relating to the finance of the parliament. However, in the 3 successive years that supply bills have been presented, there have been no explanations.

It does highlight what members on this side feel very strongly about: the participation by this Assembly in matters relating to finance. I do not know

how much longer we have to go on making the point to the government that there should be an expenditure committee which is able to go through these matters and examine them. We cannot seriously say to the people of the Northern Territory that we have properly given consideration to this peice of legislation when there is no explanation whatsoever as to the breakdown of the amounts of money other than the very informative headings: salaries and payments in the nature of salary, administrative expenses, capital items, and other services. 'Other services' seems to get a bit of a guernsey. What the hell that means, I do not know yet it accounts for very significant items. In the Department of Health, for example, it accounts for $2.5m.

Mr Speaker, it is important that the government be given money - this is a significant amount of money, some $288m, to carry it through until the November period. Naturally we will have explanations of the budget in August. But if we are going to pass this bill, we need to know what it means. There is not one member of this Assembly other than the Treasurer who is in any position to comment on it.

I am not going to be a dog in the manger and ask the Treasurer in the committee stage for a breakdown of each item; for example, the $525,000 for salaries and payments in the nature of salary for the Legislative Assembly. Obviously, that is not an acceptable way of doing things. But the fact is that something like that ought to be done if we are to properly consider this legislation. For example, how many people are contemplated being employed, how are these figures arrived at and so on? There ought to be a mechanism whereby members of this Assembly can satisfy themselves as to what the money is for.

In 1977-78, when the supply bill was being debated, the government did provide the Assembly with a document. It did not provide explanations in 1978-79 or 1979-80. It is not doing it this year either.

I put it to the Treasurer that he ought to take at face value the comments he made in 1978 when he said that members would be fully informed. There is nothing much else that can be said on that. I urge the government once again to seriously take up this question of a committee of this Assembly which will be able to scrutinise expenditures, not in the Assembly's time, but as a committee meeting between sittings.

Mr EVERINGHAM (Chief Minister): Mr Speaker, once again we have seen the Leader of the Opposition work himself into a state of righteous indignation for the benefit of the media about the sinister figures contained in a particular bill. The Leader of the Opposition knows as well as I do that the $525,000, for instance, for the salaries and payments in the nature of salary for the Legislative Assembly that he referred to provides funds for 11 pay periods in the supply period at the existing establishment level. He knows too that the administrative expenses provide five-twelfths of the 1980-81 administrative expenses plus, in some cases, some special items.

Certainly, there are some capital items referred to but the Leader of the Opposition knows that by far the great bulk of these funds are required for the pay of public servants based on last year's budget, which he has already examined and debated. He is attempting to make a mystery out of something that is really quite straightforward.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would like to speak briefly this afternoon on one particular item in the budget. It relates to the allocation for the Northern Territory Housing Commission of $24.5m, which the Treasurer in his brief second-reading address told us was for the construction and loan programs of the Housing Commission. I do not know how much of that is for the

Home Loans Scheme but it is reasonable to assume that some of it is. It is about the Home Loans Scheme of the Northern Territory Housing Commission that I wish to speak.

Members might recall in the Appropriation Bill debate held earlier this year that the member for Sanderson spent some time expressing her concern at the effect of changing the conditions of the Home Loans Scheme by the government in January of this year, particularly the effect that this would have in reducing access to home ownership by low-income earners. The minimum required deposit was increased to $5,000 and the minimum wage before a person was eligible to participate was increased to $200 a week. The member for Sanderson expressed her concern that this would preclude access to home ownership by low-income earners in the Northern Territory.

In November last year we amended the Housing Act to allow the Housing Commission to sell home units to its tenants in the Northern Territory. Members strongly supported that. At that time, Housing Commission tenants in various parts of the Territory had received a letter from the Housing Commission explaining that this scheme was coming into operation, listing the units which would be available for sale and mentioning the price. The price which was quoted in Darwin was $42,000 to $43,000.

In that debate last November, I said: 'That is a very competitive price indeed and that will be most attractive to some tenants of the Housing Commission'. It is interesting to see how changes to the government Home Loans Scheme in January have impinged directly on the sale of Housing Commission home units. It has happened exactly as the member for Sanderson predicted. Two things have happened as a result of that change in January. The Housing Commission has found that the number of its tenants who are willing and able to purchase home units which they are offering for sale is much less than originally anticipated. That can only be because of the increased deposit that is required and the other conditions of the loan which changed in January.

Housing Commission tenants tend to be low-income earners. Perhaps many of them looked forward to purchasing these units but find the opportunity has been taken out of their grasp. The Housing Commission has found that the estimates which it made last year, before the Home Loans Scheme changes, of the number of units which would be sold to tenants were far too high. Following the changes, the number of people who would have been able to enter into that agreement has been reduced. That is most unfortunate because the government said it is anxious to encourage home ownership by people in the Northern Territory, particularly for those people who, because of their financial circumstances, might be precluded from other avenues of finance.

Mr Speaker, the other effect which was predicted in that Appropriation Bill debate has also taken place. The price of those home units offered for sale by the Housing Commission has increased dramatically. When the Housing Commission sent a circular to all tenants last November or thereabouts, the prices quoted were $42,00 to $43,000. Because of the fewer units being sold - I believe all the units in Darwin being sold are new Housing Commission units within my electorate - tenants have moved in. The sale price now being offered to tenants is from $54,000 to $56,000. This is a dramatic increase.

Those tenants were not deceived. I am not suggesting that for a moment. They knew of the increase in costs before they moved in but, even so, there is a dramatic difference between the price quoted by the Housing Commission to its tenants towards the end of last year and the price at which it proposes to sell now. Quite clearly, the value of those units as estimated by the Housing Commission has increased dramatically. This is again a very precise demonstration

of what the member for Sanderson said would happen as a result of the change in the Home Loans Scheme.

Mr Speaker, this came to my attention because a person living in one of those new units and intending to purchase came to me and said: 'Look the price went up from $43,000 to $56,000 but I thought it was still a good buy. I was able to enter into a loan so I am going ahead with it. The Valuer-General is coming round again and I am worried that the price might go above $56,000'. Those tenants do not have a binding contract yet. I have checked with the Housing Commission and that is what I found out - the Valuer-General is now revaluing those units once again by checking on individual differences from one unit to another. Naturally, that causes concern. I have written to the Housing Commission asking them to ensure that the price will not go above the quoted maximum of $56,000.

Mr Speaker, I raise this in the Supply Bill debate because we are allocating money to the Housing Commision for use in the Home Loan Scheme. The Minister for Lands and Housing said in a debate earlier this year that he was aware of legitimate concerns about the operation of the Home Loans Scheme and that he and government members would be giving it a thorough re-examination before the next budget because he believed that as many Territorians as possible should have access to home ownership.

I bring this matter to the minister's attention now. There has been this very clear demonstration with his own portfolio of how prices have risen. This valuable scheme to enable tenants to purchase units was supported by all members of the Assembly but now fewer people on low incomes have access to it.

Mr PERRON (Treasurer and Industrial Development): Mr Speaker, this is a day for learning about people turning 180 degrees in their opinions - like Dr Spock. We heard earlier today of a Dr Milner who changed 180 degrees in his attitude on how the drunks problem should be tackled, and the Leader of the Opposition said that 3 years ago I had indicated I would be providing supplementary papers with supply bills, which I have not done - there is 180 degrees. It is a bit like the ALP stance on self-government and, more recently, on the TAB. That is getting a little bit closer to the subject before us. There seems to have been a 180 degrees turn by the Leader of the Opposition himself in his attitude to supply bills over the last 2 years. His contribution has been some 4 lines in support of the bill, no questions of any description and no complaint that details were not before us in the Assembly either for 1979-80 or 1980-81. That was the total contribution by the opposition to this debate.

I do not expect that a debate on supply would take up much of the Assembly's time. That is the nature of supply legislation. However, it seems that what was quite acceptable for the past 2 years, all of a sudden no longer is acceptable to tne Leader of the Opposition. History has shown that, in the raft of documentation and explanatory memoranda that is tabled with the budget in here every year, very little is used by the opposition in debate anyway.

Mr Speaker, to explain briefly the various subheadings and how the figures were reached in the Supply Bill, I point out that as a general rule salary estimates for the 1981-82 supply period were based on the number of staff within approved establishment levels expected to be employed as at 30 June 1981. The provision is for a forward projection of 11 pay days. There are, however, a number of exceptions to this rule such as where additional staffing is required to be funded in the supply period in respect of important government programs to be commenced early in the financial year.

Some examples are the establishment of a tourist bureau in Perth and the

setting up of an accounting service centre in Alice Springs to which I alluded earlier in these sittings. Provision for the future national wage increases and other wage determinations are included in the advance to the Treasurer.

Estimates for administrative expenses would not exceed five-twelfths of the estimated expenditure for 1980-81 and adjusted to provide for the effects of inflation. Again, however, there are some circumstances where funding in excess of this amount is provided. The cases of the tourist bureau in Perth and the Alice Springs accounting service centre could be cited once again.

The capital items subdivision provides for the plant and equipment programs of departments and authorities. The supply estimates provide revoted commitments from 1980-81; that is, equipment ordered during 1980-81 which will not be paid for until 1981-82 and the replacement of some departmental equipment which has become unserviceable or obsolete. Only in special circumstances is funding provided for additional plant and equipment items.

The 'other' services subdivision covers such payments as grants-in-aid, subsidies and funding for prescribed statutory corporations. The supply estimates provide for essential payments which fall due during the supply period, including financing for the Palmerston Development Authority and the Agricultural Development and Marketing Authority.

The repairs and maintenance subdivision provides for repairs and maintenance to government buildings, roads and other assets. The supply provision provides largely for revoted commitments from 1980-81, although funding is made available for urgent and unavoidable works during the supply period.

As far as capital works is concerned, as in repairs and maintenance, the bulk of the supply provision relates to revoted commitments from 1980-81. Provision is also included for new capital works which are programmed to commence during the supply period.

The property management subdivision occurs in 2 departments only. In the Department of Lands, it represents the Northern Territory government's acquisitions program and provision is included in that department's supply estimates for acquisitions due to be finalised in the supply period including the buy-back of land from private developers. In the Department of Transport and Works, the subdivision provides for office rental, cleaning and other service charges including the cost of the Northern Territory government's switchboards. The supply estimate does not provide for the rental of any new premises in the supply period, but the Treasurer's advance of $5m has been provided to cover emergent or unforeseen expenditures including the cost of future wage determinations. New initiatives not specifically provided for in the supply estimates may also be funded from the Treasurer's advance as they emerge.

Mr Speaker, in relation to comments made by the member for Fannie Bay, the government has given undertakings that the Home Loans Scheme would be reviewed during the course of the budget deliberations which are taking place at the present time and announcements in that regard perhaps will be forthcoming when decisions have been taken. But in regard to her comments about rapidly escalating prices of homes and the availability of funds for low-income earners to keep up with purchasing them, she must bear in mind that part of the deliberations of government in making finance freely available to low-income earners and others is the fact that such easily accessible funds of themselves push up prices of buildings. That is well known. People can argue what degree the effect will be, but simply chasing higher prices with ever-increasing quantum of loan funds is not the answer to maintaining the situation. That must be borne in mind amongst many other considerations that may alter any aspect of the government's Home Loans Scheme.

Mr Speaker, I foreshadowed earlier in the sittings when delivering my second-reading speech that this legislation must pass through the Assembly during these sittings. I move that so much of Standing Orders be suspended as would prevent the passage through all stages at this sittings of the Supply Bill 1981-82.

Motion agreed to; bill read a second time.

Mr PERRON (Treasurer and Industrial Development) (by leave): I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MINING ACT 1980 AMENDMENT BILL
(Serial 84)

Continued from 4 March 1981.

In committee:

Clauses 1 to 4 agreed to.

Clauses 5 and 6 negatived.

New clauses 5 and 6:

Mr TUXWORTH: I move amendment 40.1.

Mr Chairman, the provision of a new clause 5 in the present bill is to section 166(1)(g) which relates to the obligations of a tenement holder to pay royalties as are prescribed. The amendment proposed, as is varied by this clause of the amendment schedule, is designed to take into account the government's intention of introducing royalty legislation. The further variation proposed by this clause is to take account of the scheme to be contained in the proposed royalty bill under which the operator under a mining tenement will be the person liable to pay royalty and this may not always be the tenement holder.

New clauses 5 and 6 agreed to.

Clause 7:

Mr TUXWORTH: I move amendment 40.2.

This amends the new proposed section 191A contained in clause 7 of the bill. The amendment is to tie in the application of the new subsections (15) and (15B) so that there is no conflict. The effect is that all special mineral lease applications will be dealt with under section 191(15) and 191(15B). The new subsection (15A) is to ensure that applications for special mineral leases under the repealed act retain their priority under the present act.

Amendment agreed to.

Clause 7, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly do now

adjourn.

Mr B. COLLINS (Arnhem): Mr Speaker, the Minister for Education is a compelling and convincing speaker. Yesterday the Minister for Education spoke in a compelling and convincing way. I sincerely admit that, by the time he had finished, he had me convinced that my ears had been playing tricks on me. But I am pleased to know that they had not done so. I heard the words he used.

After the Assembly adjourned yesterday, 2 members of our staff who listened to the debate assured me that my ears had not been playing tricks on me and I am pleased to see that the tape recorder in the Hansard room did not either. When I am accused of abusing the courtesies of the Assembly, I take it very seriously because I try consistently to observe the courtesies of the Assembly and I certainly take it amiss when I am accused of abusing them.

Mr Speaker, from the copious notes which I took during the adjournment debate yesterday - because of course I would not quote from the daily Hansard - the Minister for Education in a fairly impassioned address, said: 'I said that, if we had nothing to discuss - in other words, if we have run out of program which is highly likely by the end of tomorrow - we would not be here on Thursday. I did nothing more and nothing less'. In fact the minister said: 'It is quite likely that we may conclude tomorrow night. In fact, we will!'

Mr Robertson: I meant the legislative program. Read the rest of it.

Mr B. COLLINS: I cannot read the rest of it, Mr Speaker, in answer to the interjection, because there isn't any more. That was the last statement the minister made as he sat down. I do not want to take up the time of the Assembly by reading out the whole statement. That was, in fact, the minister's concluding remark: 'In fact, we will finish tomorrow night'.

I want to comment on something which I find of interest. When the decision to mine uranium was first being discussed in the Australian community, the federal government said that we in Australia had an obligation to supply our uranium to the world market. Those sentiments are contained at some length in that historical document. 'Uranium - Australia's Decision' of which probably 100 copies are still around the Assembly somewhere. Thousands of those documents were produced for circulation. In each of the speeches contained in that document will be seen: 'Look, we are not worried about the guilt. We are not worried about the filthy lucre. In fact, we do not even want to discuss the amount of money we are going to make out of it. We want to mine uranium because we have an obligation to help the poor people in the world, third world countries and the underdeveloped countries, by providing them with what they really need most, a $1.2 billion reactor. We really need to supply the Philippines and all these countries. We have got an obligation, in fact, and if we do not supply uranium, our uranium, to those energy-starved countries they will come and get it'. In fact, that particular statement was made in debate in this Assembly.

The whole thrust of the government's sales job to the Australian public was that it is not for the money, it is an energy-starved world; we have got to give it to them and we have a social and moral obligation to do it.

Mr Speaker, I was at Oenpelli when the then Minister for Aboriginal Affairs, Mr Viner, addressed a large public meeting there to officially pass on to those people that their acknowledged objection to uranium mining was going to be overruled by the federal government. I stood in the language centre at Oenpelli - a large room there - while Mr Ian Viner said to the people in the room: 'You notice how hot today is? You see these wonderful overhead fans that are turning around overhead to cool us down. Well there are lots of poor people in the

world who also need to be cooled down by overhead fans just like the ones that we have got going around in this room'. By that stage, I thought that he was talking to a bunch of pre-schoolers. He explained that electricity is needed to turn those fans around and those poor people in all third world countries desperately need our uranium so they can have fans to cool them down on a hot day and that Australia really has a moral obligation to ship uranium to those countries. The honourable minister's address did not once mention money. His message was that Australia was compelled by this overwhelming moral determination of the government to supply all these energy-starved countries with uranium.

There were a number of speakers at the time who pointed out that this was a load of nonsense. There were a number of speakers at the time who pointed out that the future market as far as uranium is concerned is very dicey indeed. There were a number of speakers who pointed out the fact that the price had dropped from $42 a pound down to about $25 which it is currently at. That was all howled down at the time. It is very interesting now to pick up a contemporary document, the Australian Financial Review, and to read in it a statement from our Minister for Mines and Energy, Mr Tuxworth. I will quote from that document:

Financial Review - Tuesday May 26 1981.

Uranium mine development must take place immediately or it will be in danger of not getting off the ground at all according to the Northern Territory Minister for Mines and Energy, Mr Ian Tuxworth.

'Our assessment - and we use both the Commonwealth and overseas advice in where the market is going - is that there will not be many contracts written between 1985 and the year 2000,' he says. 'The expanded consumption of uranium will be accounted for in that period. Our view is that, if we have not sold our uranium by contract by 1985, we will not be selling any more uranium until the year 2000 or that order. Our assessment is that, if those 2, Pancontinental and Denison, have not sold their yellowcake and are off and running by 1985, they are not going to go'.

Mr Tuxworth made his comments in an interview earlier this month with the Financial Review when he was asked whether in view of the falling uranium market, it would not be wiser to hold off development.

'Do you want half of something or all of nothing?' He replied. 'I will take half of something every time'.

It was with some amusement that I read a statement from the Minister for Mines and Energy in which he discounted very vehemently that same statement when I made it 4 years ago. As I say, the statements made by Mr Viner when he went to Oenpelli and spoke to Aboriginals are still very fresh in my mind: 'Money is not in it. We are not interested in the lucre. We are not interested in signing up contracts. We are selling uranium because we have a moral obligation to supply all those energy-starved countries and those poor people with the uranium they require. We are not in it for the dough but we want to supply electricity to turn those fans around to cool all those people in underdeveloped countries'. It was nonsense then and that has now been proven.

We now have the Minister for Mines and Energy making precisely the statements that I was making 4 years ago. He is totally abandoning any pretence that anybody needs our uranium. In fact, he is saying that, if we do not get into that highly competitive market now - of course, it is that highly competitive market which has caused the price to plummet - and fight South Africa and

Canada which has just discovered a huge new deposit, they will get in there and cut our throats. According to the minister, if Pancontinental, Noranda and Koongarra do not get signed up by 1985, they will not proceed at all. That is how much the world needs our uranium, Mr Deputy Speaker. That is why we will be invaded, which was some of the nonsense delivered in this Assembly at that time.

I want to conclude carefully on one other matter of rewriting history. I am sure that all members have read '1984' by George Orwell. It is not that far away. Certainly, some members were a little alarmed at the rewriting of history which is detailed in that particular book. Some totalitarian governments operate routinely like that. But I do not like seeing Australian history rewritten or attempts being made to rewrite Australian history. I have just referred to one. We are now adopting a completely different stance towards uranium to the one we adopted 4 years ago. But there is another one which has just come to light which I find just as disturbing.

Mr Deputy Speaker, I was asked a week or so ago if I would speak to the committee which was promoting the recognition of Australia Day. I know from past experience how carefully you have to spell these things out in here. I am not in any way being traitorous or treasonous or attacking the fact that there should be an Australia Day. I am doing nothing of the sort but it does disturb me to find the sort of stuff that is in this document. I am quite happy to speak to the committee. I have agreed to speak to it. I do not know whether it will particularly like what I say but I will certainly take the trouble to warn it about what I am going to say before I speak. It can then change its mind if it so desires.

But there is some documentation that has been put out by the Australia Day Committee about the celebration of Australia Day. I notice that there are many prominent Australians, including one Aboriginal, Galarrwuy Yunupingu, on the national committee. Document 1 reads as follows: 'Let's have a day for all Australians - a new concept'. It certainly is a new concept. '26 January 1788 should be seen and promoted as a day of contact, not of conquest; the day on which contact was established between 2 peoples. The contact has continued and we have had 3 basic periods or waves'. There was no conflict. That never happened. It was simply the contact between 2 friendly cultures that just happened to come together in Australia. 'First there was the black man. Then came the white settler and finally, some of the immigrants, people with backgrounds and cultures that were not Anglo-Saxon. All have contributed immensely to our heritage and have helped weld us as a nation. Australia is today a multi-cultural society and on Australia Day this simple fact must be recognised and celebrated. A new concept for Australia Day must be simple and almost self-evident. It is not possible to get away from the fact that 26 January is the anniversary of the coming of the white man. The conquest aspect must be taken out of Phillip's landing and replaced with an emphasis on pride in achievement, on confidence based on a sense of commitment to the future and on development of a sense of togetherness of all Australians'.

Mr Deputy Speaker, I applaud celebrating Australia Day. I support it but let us for goodness sake do it honestly. Let us not try this fatuous attempt to rewrite Australian history. I do not have to go over ad nauseum the documentation available to show what absolute nonsense that statement is. There is no doubt at all that it was a conquest. It was a bloody conquest. It was a conquest in which thousands of the original inhabitants of this country were annihilated. I do not enjoy having to go over this past history. I do not really see why it should be necessary to do so. I have not talked about it in this Assembly over the last 4 years perhaps as much as I would have liked to. But certainly the documented history of the Territory available in the Darwin Community College Library, in the Territory section, is ample to show that certainly a conquest

was attached to it.

It talks about this friendly contact between the white settlers and the Aboriginal people. Well the early history of New South Wales shows only too clearly that the white settlers shot the Aboriginal people, gave them smallpox-infected blankets and strychnine-laced flour, and introduced the dominant culture to them in all kinds of interesting ways. To see it fobbed off like this and to see what is nothing more than a deliberate attempt to rewrite Australian history is really something which is not worthy of this committee. Certainly, Australia Day should be celebrated. As I say, let us not try to pretend that the things that happened did not happen. Let us not try to pretend that history should be rewritten. There is plenty of it about. It is well documented. A great deal of it is freely available from public libraries in the Northern Territory. If we are going to celebrate Australia Day in any meaningful way, let us be able to look at the past and acknowledge the mistakes that happened in the past. Let us not try to rewrite what happened in the past and pretend that none of it happened.

Mr PERRON (Treasurer and Industrial Development): Mr Deputy Speaker, the Trades and Labour Council prepared recently a report with recommendations on the housing situation in Darwin and the rest of the Territory. Having had responsibility for that area last year, I thought that I would take the opportunity today to pass some comments on some of the recommendations that were put forward by the TLC. I think it is important that the record be straightened out. Many people who tackle the housing problem from a theoretical point of view, no doubt with good intent, simply overlook many facts of life. I will read most of the recommendations out and speak on each of them.

Recommendation 1: 'That the needs of the family and individual low-income earners dependent on social security, pensions and benefits be taken into consideration within the housing policies to ensure that cheap and easily obtainable accommodation is available'. The recommendation is more a statement than a recommendation but it really is saying: consider these people. It raises 2 issues: low-cost housing and emergency accommodation. The report does not define 'emergency housing'. However, I assume that it is talking about short-term housing as distinct from other housing. One does not normally think of the ordinary Housing Commission accommodation - 2 or 3-bedroom houses and flats - as emergency housing. People are on waiting lists for such housing for a considerable period. Thus, emergency housing must be a stock of housing that is available outside the pool of resources that the commission allocates to those persons who have diligently waited in line. If, in fact, one argues that people should be allowed to occupy 3-bedroom houses on an emergency basis, one is simply talking about queue jumping on the Housing Commission list based on perceived needs. I believe most people do not consider that to be emergency housing.

The TLC said in its report that it does not regard bedsitter units and hostels as being acceptable accommodation today. That is most unfortunate because it really has excluded as a possible source of emergency accommodation some 1,082 hostel bedrooms in Darwin alone. I think that some of them are regarded as fairly acceptable accommodation by those persons living in them. If you are not there for long, do not have a lot of responsibilities or do not desire to cook for yourself, a hostel can be fairly handy.

In regard to low-cost housing, of the Housing Commission's current 5,000 tenants, 1,050 are in receipt of rental rebates specifically designed to assist this class of tenant. Rent, for example, on a 1-bedroom flat is reduced from $36 to $10.80 per week for an aged pensioner. Rebates are calculated at 15% of the applicant's income leaving 85% of any pension for other needs of the person.

Recommendation 2: 'Any housing agreement should ensure that all types of discrimination, including marital status and sexual preference, are prohibited and that a tenant's ability to pay rent together with an understanding of the responsibilities for satisfactory upkeep of premises is the only criteria'. The TLC recommendation that housing be made available to anyone who can pay the rent is unrealistic, particularly in a situation where an ongoing homes sales policy means that provision of rental housing will never possibly keep up with the demand. It would simply be bad management for the commission to permit anyone who can pay the rent to rent, for example, a 3-bedroom house belonging to the commission.

In recommendation 2, it is arguing that all discrimination be removed. I think that it is the responsibility of the Housing Commission to give preference to a family with 2, 3 or 6 children and their accommodation needs over a single person who is able to afford the rent and who is able to acknowledge the responsibilities of house ownership. Such a person should not get a 3 or 4-bedroom house in preference to a family and that is exactly what is being argued: the total removal of discrimination in housing policy as far as allocation is concerned. We really do have to keep our feet on the ground.

Recommendation 3: 'That research into emergency and crisis accommodation needs of the Territory population be undertaken, provision of such accommodation be a matter of priority and that funding for the provision of housing for emergency or crisis situations be in addition to funds for expansion of the public rental stock'. That is really just an argument that more funds should be ploughed into the area and that any consideration of the emergency housing question should not be at the expense of funds that the commission currently has. That is a dream which is dependent upon budgetary realities.

Recommendation 4: 'That the Housing Commission develop a diversity of housing designs and services to ensure the most effective provision of low-cost accommodation'. This recommendation ignores the fact that the commission already uses 21 different construction designs throughout the Territory, all of which have been developed to meet basic housing needs at the most economical cost.

Recommendation 5: 'That the NT government, as a matter of urgency, reinstate low-interest housing loans to single people'. This matter has been raised in the Assembly earlier and the government has undertaken to re-examine the matter. But in considering revamping the government Home Loans Scheme, very careful consideration has to be given to the other effects of revamping the scheme and making it more accessible, such as increasing the price of dwellings. That is not taken into consideration in the TLC report as a factor bearing on the cost of building houses in the Northern Territory. I thought that that would have been picked up by the investigators.

Recommendation 6: 'Should budgetary constraints be imposed on the NT Housing Commission, such restraints should be applied on an across-the-board basis and that no particular section of the community be discriminated against'. This recommendation particularly refers to the loans scheme. It is really a reference to single people being removed from eligibility. I would not have thought that having a loans scheme by which no particular section of the community is discriminated against would have been within TLC philosophy. Of course the loans scheme is discriminative; it is income discriminative in particular. The more money you have, the less you are entitled to under the loans scheme. If you are a millionaire or if you have owned property elsewhere, you are not even eligible at all. That is discrimination and I am sure that most people would support that sort of discrimination. The recommendation is quite unrealistic and really does not acknowledge a role for private sector financing at all. They are really saying that every person, irrespective of income, sex and personal holding,

should be eligible for the same amount of money on the same terms through a Housing Commission loan. That does not take into consideration such things as banks, superannuation funds and insurance companies and people who lend money for housing.

Recommendation 7: 'With the merging of the public and staff housing list, accommodation standards should reflect the minimum standard currently applied to staff housing'. The effect of that would be a reduction in the number of houses you could build for any given program. If we raise the cost of construction - and staff housing at the present time certainly costs more than basic Housing Commission housing - then we would build fewer houses with any given sum. Besides, some Housing Commission designs are very good designs. They have evolved over a long period and, if people care to make a few modifications, Housing Commission homes can be as fine as any other homes. The thought of spending several thousand dollars more to attain a minimum standard of what is called 'staff house' will not help the situation at all.

Recommendation 8: 'In future planning, hostel and bedsitter accommodation be discontinued as unsuitable'. There are 1,082 hostel rooms alone in Darwin, plus the bedsitters. From my understanding when I was Minister for Lands and Housing, there were a number of people, particularly single public servants, living in government bedsitter accommodation who were absolutely determined to retain that accommodation because they had been there for some years. They were in positions they liked and the size of the bedsitter was just what they were looking for. They wanted to stay there. With the split up of accommodation between the NTPS and the Commonwealth at the time of self-government, there was a great fuss over which people would be moved. I do not accept that we should follow that recommendation. I would hope that people in emergency housing situations would be fairly delighted to have a roof over their head.

Recommendation 9: 'That future housing developments include components for low and medium density accommodation'. In fact, the Housing Commission has been building low and medium density accommodation for some time. Quite a bit has been constructed throughout the Northern Territory since 1972.

Recommendation 10: 'All housing in coastal communities be upgraded to the Darwin area building code'. Despite the wholesale destruction of its housing stock by Cyclone Tracy, the commission completed upgrading all existing NT government-owned houses in the northern coastal area to the building code in June 1979. Upon assuming control of Commonwealth houses in June 1978, it was found that none complied with the code and the commission immediately embarked on a total upgrading program which is still proceeding at present. That information should not be very hard to find out by anyone who is conducting even a moderate inquiry into housing in the Territory. They are being upgraded as a result of a continuous series of contracts yet the recommendation, read in isolation, would indicate irresponsibility on the part of the government and its statutory authorities here.

Recommendation 11: 'That the NT government actively pursue a policy of reducing the waiting time for public housing through the provision of additional housing stocks in all urban centres'. All I can say is that we are trying. We are putting great sums of money into doing exactly that in all centres of the Territory and we will continue to do so.

Recommendation 12: 'That in provision of additional housing stocks in the NT, the government pursue a policy of even-handedness in respect of single and married accommodation'. It seems that they are arguing for the needs of single mothers, and that there should not be discrimination against them in particular in the allocation of houses. The special needs of single mothers are taken

into consideration.

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

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this afternoon I would like to comment on a case of sexual harassment. It concerns the civil liberties of a young girl who was travelling on a bus. This young girl rang me yesterday. She was very angry that she had been submitted to sexual harassment on a bus. I am sorry to keep continuing my saga of the rural bus service but I would like to comment on a particular undesirable person who was travelling on the bus.

This young girl is 20 years old and she lives in the rural area. She is not a shy, retiring girl or a prissy, little miss; she is just an ordinary girl. She has 4 brothers and has just been brought up in a normal atmosphere like most of the kids who are born and educated here. However, she took exception to the way a man was behaving on the bus. Finally, the situation was resolved but, between Berrimah and Howard Springs, she was the butt of some harassment in that insulting remarks were directed to her. The dress of another man across the aisle from her did not of itself concern her - he was wearing a sarong - but the way that he was sitting, leaning against a window, constituted an harassment to her, particularly in view of the remarks passed by his friend. This girl is used to being treated in a sensible way by her brothers and by other people she comes in contact with, but she felt this behaviour was a direct insult to her. Finally, the bus driver approached this man and asked him to adjust his sitting position and his dress. He did so.

I understand from this young girl that he was drinking beer from a can and his friend was drinking something from a bottle. She was not certain what it was. He may have been in an inebriated state and not completely responsible for his actions. However, not only did he cause some sexual harassment to this young girl who in no way whatsoever encouraged it by her manner, by her speaking, by her dress, by anything - she was just sitting there on the bus - but he also made advances to another girl passenger who was sitting in front of him. She did not like the advances he made to her so she and her girlfriend moved to another part of the bus. When they did that, she probably informed the bus driver. The bus driver chipped this person and he did adjust his seating position and his dress. This young man might have been doing his own thing but I think the question of the young girl's civil liberties also should be considered. I hope that this is an isolated case. In cases like this, I feel that the bus driver should have some definite authority invested in him by legislation or regulation to ensure that there is reasonable conduct by passengers. I don't expect people to whinge about every little inconvenience on buses, but I think situations like this cannot be permitted to continue.

I would like to speak about another matter this afternoon. It concerns an unusual situation. I would hate to think it was bloodymindedness but, from the few details that I have been given, I think it might be. I intend to take it further. It is concerned with the import of a certain article into Australia from Singapore and the conduct of customs officers. Another young girl who lives in my electorate at Howard Springs had occasion to receive a parcel from a friend in Singapore. In the parcel was a crocodile skin handbag which was declared and everything was fair and above board. At least, that was what the friend in Singapore and the recipient in Darwin both thought. She was told it was a prohibited import and the handbag was confiscated because crocodiles are on the list of endangered species. I made brief inquiries to the Conservation Commission and I was told that this was so. In 1975, both species of crocodile, crocodylus porosus, and crocodylus johnstoni were put on appendix 2 and, in 1978, crocodylus porosus was put on appendix 1. I was also told that Singapore has not ratified the convention dealing with endangered species.

I have made inquiries from another person and I have also made observations when I have been shopping down south in large stores. I have seen crocodile skin handbags on sale down south in big stores in Melbourne, Sydney, Perth and Adelaide. I am sure they were not made in Australia. I did not inquire at the time. There was no reason to do so; I do not particularly like crocodile skin articles. The point I make is that some thought must be given to our burgeoning crocodile industry here, not only from the Northern Territory government point of view but from a federal government point of view. On the one hand, we are encouraging the husbandry of crocodylus porosus and, on the other hand, the creatures are on the world list of endangered species.

I have been told that other people have brought crocodile skin articles into Australia. They have declared them and they have been allowed to come through with them. It seems that sometimes customs officers confiscate articles and sometimes they do not. I shall make further inquiries of the customs officers up here and, if necessary, the minister responsible for customs and excise following on from a query I made previously with regard to the importation of Scottish kilts into Australia.

However, whilst having regard to the fact that endangered species of animals must be conserved, I think some common sense has to come into the whole argument, particularly in relation to customs, about what is happening in the Northern Territory in relation to crocodiles. I shall make extensive inquiries but I wonder what would be the position if a woman did come into Darwin with a crocodile skin handbag which she was using. Would it be confiscated or would it not? If she was wearing crocodile skin shoes, what would happen to them? I will be pursuing the matter further.

Mr BELL (MacDonnell): Mr Deputy Speaker, I would like to take up the reference of the member for Arnhem to Ian Viner and his quite dishonourable association with the Ranger agreement. I happened to see the film of the particular part that he had to play in it. I am sure it is to his eternal discredit that he browbeat the traditional owners in that area into accepting that agreement. You might wonder why I mention Mr Viner at this stage. In an adjournment debate last week, the member for Alice Springs cast aspersions on the way the campaign for the by-election of MacDonnell was conducted. He, of course, did not do so directly. To use one of the Minister for Education's favourite expressions, he did not really have the intestinal fortitude to do so but, by hypothesising, postulating, ramifying and talking round and round the point, he made his intention fairly obvious. I am sure you will agree, Mr Deputy Speaker, that none of us appreciate being called a cheat. I no more than anybody else appreciate being called a cheat by the member for Alice Springs or anybody else for that matter. By way of defence, let me detail the part played by Ian Viner. It will not rank in terms of the discredit he may bear as far as the part he played in the negotiation of the Ranger agreement, but I think it will pad out the attitude that all decent Australians might have towards the man.

Unfortunately, I do not have with me the evidence of the little pamphleteering that Ian Viner engaged in at Papunya within 48 hours of the commencement of that by-election. Unfortunately, it passed out of my mind. I neglected to bring it from Alice Springs for the sittings. Since the matter of the conduct of that by-election was raised, I thought I might mention it to the Assembly. This particular pamphlet was a work of art - it is called cutting and pasting in primary school. The how-to-vote card that was used in the by-election by the Australian Labor Party fell into the hands of - well I am not sure whether it was Mr Viner or the member for Alice Springs. Whoever it was, I am not really interested. The picture of my face that was on the how-to-vote card was removed. I was interested to know why. My visage might be of a particularly horrifying appearance to members of the government. Well, so be it. It is suffice to say that

it was placed in a photocopy machine and large black marks were stroked through the how-to-vote card and a number of fairly specious and potentially actionable comments were put thereon. I suggest Ian Viner, to his further discredit, may rue the day.

I would make one comment in regard to that by-election. The Minister for Health was involved in it. That fact figured very largely in an article that appeared in the Centralian Advocate soon after the election in which he was shaking his head and very disturbed about the capacity of Aboriginal people to cast their vote. I suppose it is that the Country Liberal Party, in common with conservative governments elsewhere in Australia, believe that it has some sort of divine right to rule, some sort of mortgage on the truth and a belief that every word that proceeds out of it members' mouths must be, by the fact itself, true. The point is that the Country Liberal Party insists on treating Aboriginal people like fools and sits back and scratches its head and wonders why they do not fall in line.

We move from that point raised by the member for Alice Springs to another point raised by him this morning in relation to poker machines. What a great delight it was; I am sure there were many people in Alice Springs who supported so wholeheartedly the opposition to the introduction of poker machines in Alice Springs that their local member has seen fit to present a petition on this matter to the Assembly. This, of course, if fairly absurd. Last Thursday there was presented as a matter of public importance a discussion on poker machines. A number of people spoke but the member for Alice Springs did not feel the need to express his views on the matter of poker machines. However, he feels quite happy to present a petition to this Assembly saying that poker machines should not be introduced in Alice Springs. I quite appreciate that he has been lobbied by his constituents and that he is required to present the petition. However, it is a change of tack. It does not in any way diminish the basic point that I am making. Here was a member of the government criticising what the government is doing, but not having the guts to do so publicly. I do not believe in circumlocutions like the Minister for Education; 'intestinal fortitude' is not a phrase that is in my lexicon.

While on the matter of poker machines, I turn to a question that was raised in this debate. We had a couple of questions about this poll that is alleged to have been commissioned by the Racing and Gaming Commission. The Treasurer is reluctant to table it, and yet the Minister for Education assured us in the debate on a matter of public importance that this poll had been professionally conducted and that these people were experts in their field. The Treasurer and the Minister for Education do not see fit to furnish the citizens of the Northern Territory with that sort of information. Going by the one question that the Minister for Education did present to us, I can understand his reluctance. I quote from Hansard: 'Should poker machines in casinos be legal or illegal?' For people who conduct polls professionally and are expert in their field, that is a truly amazing question. People are being asked to say whether poker machines in casinos should be legal or illegal. I imagine that that sort of wording encourages people to answer yes. It is a surprising question for people who are supposedly experts in their field. However, if this poll is of such import as to encourage the government to introduce poker machines, why in blue blazes don't we get a chance to see it?

While I am on a matter of social ills, I shall refer to the matter of public drunkenness - the matter of importance that was introduced today.

Mr DEPUTY SPEAKER: Order! The member cannot reflect back on debates.

Mr ISAACS: Point of order, Mr Deputy Speaker! He can make a statement in

the adjournment debate. We have had this before. I think Mr Speaker MacFarlane ruled on it. It has been the practice in adjournment debates that any matters may be talked upon so long as they are relevant. In the adjournment debate, everything is relevant.

Mr DEPUTY SPEAKER: The member has referred directly to a debate that has taken place today. I ask him to think about the comment he is making.

Mr BELL: I will not refer to the debate. I will just refer to the comment of the Minister for Education who told me, when the debate was gagged, that I would have the opportunity to address the matter in the adjournment debate and I will continue to do so. I will not have as much time to make the points that I wish to make but I will make one point.

Mr ROBERTSON: Mr Deputy Speaker, a point of order! I understand that the member is new, but what he has just done is a deliberate defiance to the Chair's ruling. Surely that cannot be allowed to go unchallenged?

Mrs LAWRIE: Mr Chairman, I rise to speak on the point of order. He did not defy the Chair because I was listening most carefully. You gave a most ambiguous ruling. You really did not rule at all, Sir. I was taking the greatest interest because I raised a point of order at the last sittings or the one before regarding someone referring to a debate of the day in the adjournment. Mr Speaker MacFarlane ruled quite adamantly that, in the adjournment debate, all things were fair and allowed the debate to proceed.

Mr BELL: I will make this brief comment about an unfortunate social ill that occurs in the electorate of everybody in the Assembly here today. It could be registered as a matter of public importance. In relation to drunkenness, the Chief Minister was crying bleeding hearts, crying unfair criticism and I want to assure him that I am speaking quite honestly. If there are many people, Europeans and Aborigines, who are drunk in public in the Northern Territory, this is not a fly in the ointment in the Northern Territory but a matter of the clash of cultures. Speaking for my constituents, let me say this: there is a direct connection between drunkenness and the hard line that the government pushes on land rights.

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

Mrs LAWRIE (Nightcliff): Mr Deputy Speaker, before addressing myself to the continuing saga of Carpentaria College, may I make a couple of comments in defence of Her Majesty's customs in Darwin following on the speech made by the member for Tiwi.

The importation of crocodile skin products and other products such as ivory and certain animal byproducts is prohibited under the Customs Act. The reason which the member for Tiwi was given - that they are on the endangered species list to which we are a signatory - was perfectly valid. It was most unfair of the member for Tiwi to suggest that, when a customs officer did his duty in confiscating the article, a prohibited import, he could possibly be accused of bloodymindedness. Neither can I condone an inference that certain people may be able to get away with it and others not. If it is the law of the land that these products cannot be imported into the country, so be it. Until that law is changed, the articles should continue to be confiscated. The member is perfectly correct in making what representations she may wish to the minister responsible for customs but I find it indefensible to criticise Commonwealth officers for doing what is demonstrably their duty.

The member for Tiwi is obviously not aware that, under certain circumstances,

when an article such as a crocodile skin product is brought into the country, permission may be given for the article to be held in bond - if the person to whom it is sent is only a visitor and is leaving the country within a certain time - and released from the bond store to that person on departure. That is a most legitimate procedure. In certain circumstances, the recipient may be allowed to arrange the return of the article immediately with customs approval to the country of origin. That is another mechanism which, under certain circumstances, can be used. Ordinarily, if it is brought in by an Australian citizen or sent, the article will be confiscated.

Now having defended customs and given an outline of the Customs Act, may I speak specifically on the continuing saga of Carpentaria College. It is now nearly 7 years since Carpentaria College was badly damaged by Cyclone Tracy. The college has stood in a derelict condition since that time, although certain cosmetic improvements have been made by the people living there. Members must be well aware that those tenants are there by permission. A group of tenants entered into an agreement with the Northern Territory government following its assumption of control of the college and some tenants are still there. Others have come and gone and their places have been taken by others who were not originally included personally in the agreement. They have abided by the terms and conditions of the agreement. There were a few noisy tenants who departed and, by and large, the present tenants are looking after the place as best they can.

The Minister for Lands and Housing indicated this morning that the reason the tenants had been given notice of termination of their lease was for safety reasons. I am well aware that, if one of them was injured as a result of structural failure of part of that building, the Housing Commission - whose tenants they are - may be liable for damages. The people who have approached me have indicated that they would be willing to enter into an agreement which waived that responsibility on the part of the Housing Commission. They recognise that they have a very short-term lease. They recognise that they have to get out on short notice. Aside from their particular problem - which is one of rehousing - and the fact they they are looking after the place and causing no further damage, my concern is that, if they are turfed out, others will move in. Given the housing crisis in Darwin, it is human nature for people without accommodation to move into any building which is left vacant. My constituents would be ill served - I am talking about the surrounding neighbourhood - by the people presently in the college being moved out and allowing a group of pure squatters to move in and take over, with less regard for their environs and with less regard for the comfort of the neighbours.

I have acknowledged the concern of the Housing Commission that it should not be held liable for any injury caused to a person by structural failure of the premises. It is not beyond the competence of officers of the Department of Law and the Australian Legal Aid Office, who represent these people, to arrange to come to an agreement where no such damages would be liable to be paid. I ask the Minister for Lands and Housing to consider that option, not only for the sake of the tenants but for the sake of the rest of us who really do not want to see a group of squatters move in and pay little regard to those who live in proximity to them.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, I too have received some representations from constituents concerning the importation of articles made out of crocodile skins. I have taken the trouble to find out what the situation is and it is very much as described by the member for Nightcliff. It is true, as the member for Tiwi points out, that if you go to large department stores and even some speciality shops in Sydney and Melbourne you will be able to purchase certain articles made out of crocodile hide. That is not because these people are selling these skins illegally. In fact, they are doing it within the

restrictions of the Customs Act which requires that, if you wish to bring crocodile skins into the country, you must apply for an import licence before you land them in Australia. Naturally, there are some merchants in southern cities who apply for these import licences and get the approval of customs before they are landed in Australia.

The member for Tiwi raised an interesting point in relation to the policing of the Customs Act. I must say that I find it slightly offensive to accuse customs officers of being bloodyminded when, in fact, those people are only implementing the law which has been made in another place. We like to say that, as legislators, we make the law and public servants implement it. The same of course applies to the federal parliament within whose purview the Customs Act falls. It is not quite right to blame customs officers for implementing the law in which they had no hand at all. If the law is not adequate, then it ought to be changed, but not by public servants.

The other point that came out of the remarks made by the member for Tiwi is the matter of persons getting away with it. There is no doubt that, when a person lands in an Australian port, he is required to make a customs declaration. By and large, we are dependent upon a person's honesty to declare items. I have no doubt that there are some people who would fail to declare they have certain prohibited imports in their possession and their baggage might be searched later. They might even be prosecuted for not making the declaration. It is really a bit ridiculous to say that, because some people have slipped through undetected and somebody was observed walking in a pair of crocodile skin shoes, somehow or other the customs officers are at fault. The only alternative, of course, is to search everybody's baggage and that would certainly not be popular with the bulk of travellers who are honest. Certainly, it would not be a practical proposition, particularly at Darwin Airport. By and large, we are extremely reliant upon people being honest in these things.

Mr Deputy Speaker, I mentioned that I had had some representations about this. In fact, this is the same point that was raised by my constituent. Whilst she had declared that she had this handbag, another passenger was known to have a pair of crocodile skin shoes yet her baggage was not searched and she was allowed to get away with it. There exists the international convention to which the member for Nightcliff referred. I for one am pleased that Australia is a party to those agreements, not only in respect of crocodiles but also in respect to the imporation of ivory. If anybody has seen a recent film from Kenya on the production of ivory, and more particularly the slaughter of protected beasts within national parks for their tusks, he would be completely horrified that this practice still occurs, quite illegally, in those African countries. Certainly, Australia should take a hard line on the imporation of ivory.

There is one other course of action which is available to customs officers when they seize a prohibited crocodile skin article: to ask the museum if it would like the article. However, in view of the type of articles which are normally imported - shoes, handbags, key wallets and so on - one finds that the museum does have a limited interest in how many handbags it can display as a matter of public interest. After all, it is a museum and not a shop window for the ingenuity of crocodile hide manufacturers. That option is available but, naturally enough, it is not very often taken up. I commend the diligence with which customs officers do their duty. The item from South-east Asia which most interests our customs officers is drugs and I am sure the member for Tiwi would not be suggesting that they in any way relax their vigilance on items and parcels coming from these particular areas.

Mr Deputy Speaker, there was an interesting article, as part of a series of articles in the Financial Review on 26 May this year which gave an economic

profile of the Northern Territory. The member for Arnhem has already quoted from that article. There was also a very interesting article on our local crocodile farm. It is quite true that, when the crocodile farm starts producing in a more commercial way, some accommodation will have to be sought for that particular industry. At the moment, I find that the Customs Act in respect of crocodile products certainly has my approval. Nevertheless, the member for Tiwi raised the matter of our local crocodile farm and I can tell her that it is a unique industry because, when the proprietor sought funds from other banks, he was told that there was no bank in Australia that loaned money for such an enterprise. That was certainly true at the time and still is true. No doubt there are some people in whose interests it would be to lobby for the downgrading of the crocodile either for commercial interests or because they feel that crocodiles can no longer justly claim to be an endangered species. Certainly, if that is to occur, it will occur in the Assembly and not as a result of actions by customs officers at Darwin Airport.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I want to address myself to one point or possibly two, depending on your ruling. This morning, when we were talking about the Consumer Affairs Commission Report, the Treasurer fobbed off my comments by saying that one cannot legislate for competition. That is quite true. However, one can legislate against competition. At the last sittings, the Chief Minister put it to myself and the member for Arnhem that we consider our position about which airline we want flying in the Northern Territory. Quite frankly, I had not spoken to my constituents so I did not know what their choice was and I was unable to answer for them. I imagine that that position was much the same with the member for Arnhem.

The Chief Minister made a great play of his suggestion that perhaps we were not doing the right thing by making a positive stand. In his infinite wisdom, he packed off the Minister for Transport and Works to Nhulunbuy. I found out about this when the member for Arnhem rang me up from Nhulunbuy Airport and said: 'The crew is here. You had better come down to the Arnhem Club'. I do not really know how the minister feels about making members aware that he will visit their electorate, especially when it is on a matter of such importance as to whether or not people should have a choice of airlines. Personally, I feel he should; he certainly made no attempt to. To my mind, it was a fairly low act. I do not know whether it was done intentionally or not. If it was done intentionally, I could not excuse it.

The Minister for Transport and Works came to town and we had a lovely cross-section of people at this meeting. They were all businessmen; I did not see a single union representative at that meeting. Maybe I was not looking very closely, but I did not see a broad cross-section of the community at that meeting. It became embarrassing the way the minister apparently pushed this Ansett line. It became an embarrassment that he was there to inquire what the community felt were its needs. None other than the site manager from Nabalco stood up. It certainly was not as a result of any prompting or cajoling from me. He said that any initiative by the government to detract from the 2-airline policy would have to be deplored by certainly his company and, he would suggest, the Nhulunbuy community.

With this information in hand, and having high regard for community reaction, the minister toddled off and announced that we would have 1 airline and it would be Ansett. Thus, it was a completely wasted exercise. I do not know why he bothered to take a charter over there. It was a complete waste of money and time. I do not know whether he had made up his own mind or he was told but, quite obviously, the decision had been made before he arrived. My opinions obviously do not count and the opinions of the electorate of Nhulunbuy obviously do not count so perhaps it is not really worth pursuing. However, I would ask the

minister and other ministers to notify a member if they intend to visit his electorate. I have attempted to notify members of the electorates that I have visited, especially if it is to do with my shadow ministry work. I informed the member for Elsey when I went to Katherine recently. I made every attempt to inform the member for Barkly.

Turning back to consumer affairs in Nhulunbuy, for the information of members, there is no competition for the consumer in Nhulunbuy. The august leaseholders, the Nabalco Company, do not seem particularly interested in encouraging competition in Nhulunbuy. The Treasurer made some comment that no amount of consumer legislation would change this. That is probably quite correct. However, I would ask this government to put a priority on local government in Nhulunbuy in order to achieve some standard of normality within that community. It is a crucial problem; I cannot emphasis that enough. I believe there are 2 food items that cannot be sold above a certain price in Darwin - bread and milk - but I am afraid that that does not apply in Nhulunbuy. Nhulunbuy operates under the worst possible conditions because there simply is no competition in that town. I would seriously ask that this government address itself to local government in order that there may be competitive retailing in that town because, quite obviously, the leaseholders are not interested.

Mr DONDAS (Casuarina): Mr Deputy Speaker, I have been in this Assembly for nearly 7 years and this is the first time that I have been referred as being a low person. I am bloody disgusted that a member of the opposition would use that terminology. It was the collapse of Northern Airlines that took me to Gove. Upon my arrival in Gove, I asked an officer of the Department of Community Development whether the member had been informed and whether he would be at the meeting. This particular meeting was set up by the Chamber of Industries at Gove with officers of Nabalco. We did not want to dictate who should be at the meeting; we left it to the Chamber of Industries to arrange it.

The member states that there is no consultation. Mr Deputy Speaker, we spoke to the Katherine town council and a few representatives of the regional tourist promotion association. We did the same in Tennant Creek and Alice Springs. Prior to my going to the rural areas and other centres, I had discussions with the operation spokesman for transport in my office and showed her a precis of the proposals submitted by TAA and ATI. That was before ATI had increased its services to 7 days a week to the Centre. The opposition spokesman agreed that the Ansett proposal was better than the TAA proposal and, at that time, it had services to Centre on only 5 days a week. Only 24 hours after I had spoken to the member for Sanderson regarding the proposal, ATI increased its service to 7 days a week. It was a bonus.

I invited the member for Arnhem because I could find him. I could not find the member for Nhulunbuy. The member for Arnhem accompanied me on that tour and he was present at the meeting. Of course, it was arranged by Gemco and we met its delegates. We told them where we stood and they said that they did not want to lose the F28 service. Although it is not as frequent as the other proposal, they prefer to keep the larger aircraft.

I have been to Nhulunbuy several times. I went to the opening of the golf club about a month ago. The member was not present at that golf club. On the same night, I went to the opening of the squash centre and the member was not at that function. They are 2 major new facilities in Gove for large community gatherings. They are very important to the people of Gove - but I did not see the member for Nhulunbuy at those openings. He has the audacity to sit there and say that he was not asked to attend a meeting at which he arrived 5 minutes before it finished. I cannot accept responsibility for the member for Nhulunbuy's movements. I think that the member should be aware of what goes on in his

electorate. The way he is shaping up, I do not think he will be there after the next election.

I will just make one other point, Mr Deputy Speaker, regarding the saga of Carpentaria College. I was not going to speak about it this afternoon because I think enough has been said about Carpentaria College. If we are going to retain the present tenants in there, how are we even going to develop it? The member for Nightcliff says: 'Look, they are good tenants and the community is happy with them'. I consider that particular structure to be an eyesore; it is disgusting. We cannot develop it because the member for Nightcliff wants people to stay there. The Minister for Lands and Housing referred to 3 tenants there - the head tenants I presume; there must be more than 3 people there - every time I go past, there must be 20 or 30 cars there. There must be more than 3 tenants so who is making money out there? I do not know whether there are squatters moving in and paying per head. The head tenant is collecting his $30 a week from each person and he is paying it back to the Housing Commission.

I would serve notice to the member for Nightcliff that, at the moment, the tenants of Carpentaria College owe the Water Division some $2,700. Who is going to pay that? When the tenancy period expires, I will be instructing the department to disconnect the water because there is no way that the Territory taxpayer will receive that $2,700 into revenue. I ask the member for Nightcliff to reconsider her plea to the Minister for Lands and Housing regarding the tenants.

The Greek Orthodox community of Northern Australia has been allocated the area for development as a creche, a Greek school and other projects. The plans have been submitted recently. Admittedly, it has been a bit tardy in its approach to the situation, but it cannot make any definite move until the property is vacated. The Minister for Lands and Housing, I believe, has taken the proper course. He has issued the tenants with notices to quit. Now we will wait and see what happens in the next couple of weeks. I am the minister responsible for water and sewerage. We have problems with the water accounts. The Ombudsman is constantly reminding us of it. There are some people out there who refuse to pay their water bills. There is a group out there that the community is sponsoring and I do not believe that that is right. Once the tenancy period expires, I will be issuing my department with that instruction.

Mr ROBERTSON (Gillen): Mr Deputy Speaker, it has been a very interesting adjournment debate. Firstly, I would like to touch on the comments of the member for Nightcliff, particularly her request in relation to a waiver of the contract between the Housing Commission and the legal tenants of Carpentaria College at the moment. I indicated this morning in question time that I am more than happy to consider on its merits an application made by those people. Unconsciously, I gave the wrong impression this morning when I said an approach had not been made to me. I was very promptly and forcefully told by my staff when I arrived back at my office at lunchtime that, indeed, a young man had twice visited my office with a request to speak to me on the matter. I regret that duties are such that I have been unable to do so, but I am more than willing to do so.

I would like to point out that it is one thing to do a waiver by contract. I do not wish to give unqualified gratuitous legal advice, but to my mind it would be one thing to come to an arrangement between the Housing Commission and the tenants in the event that part of the building fell on them. There would be no liability attached to the Housing Commission. It would be quite another matter when there is an unsafe electrical system. I do not believe that any contractual arrangement between those parties could overcome the responsibilities inherent in the act. There are very clear regulations and provisions in Northern

Territory law relating to safe electrical reticulation. That area is the principal concern to us all.

Whether or not it is justifiable to upgrade even in a limited area is something we could look at. I must say that, in all frankness, there is no guarantee that the Greek community will be in a position to go ahead with the proposal it put to the Planning Authority. It is a very complex and expensive proposition. Now that it is starting to run a ruler over it and punch the lot through a calculator, it is starting to realise what it has bitten off. So we will see exactly what sort of proposal is forthcoming.

Needless to say, I am more than happy to talk personally to the people who are tenants out there. However, because of the problems of electrical reticulation, I see grave difficulties with consciously extending their lease.

I understand that the Chief Minister mentioned yesterday that all ministers would be here tomorrow. I take the point that the member for Arnhem mentioned earlier. I think he put it a bit tongue in cheek; he really knew what I was at. Anyway, we all end our sentences with words perhaps we do not intend and I accept that one. One win for the member for Arnhem. Nonetheless, the Chief Minister did indicate that all ministers would be here tomorrow. I would like the Assembly to know that the Treasurer and Minister for Community Development will be chairing a local government ministers' conference tomorrow so he cannot attend. But, of course, that is a normally accepted duty of the Assembly.

Mr Deputy Speaker, I must be quick. There was a lot of play made by the member for MacDonnell earlier in relation to the activities of the honourable Ian Viner in the election campaign and he certainly attempted to besmirch my colleague, the member for Alice Springs. In my judgment the worst offence that anyone can commit in an election campaign is to consciously and deliberately mislead people for the purpose of attracting their vote. I know that the usual thing is that something is lost in the translation. In respect of the member for MacDonnell, that could hardly be said. We have heard him clearly speak Pitjantjatjara in this place. Therefore, the people he spoke to must have understood what he said. He is very good at asking questions.

I had not proposed doing this but I intend to now. I will ask him 2 questions and I will ensure that the answers to those 2 questions are provided to the people of his electorate. Did the member for MacDonnell promise to provide 2 houses to the people of Mt Ebenezer if they voted for him - houses which he knew were scheduled to be delivered by another party in any event. If he did not, why did the people of that area say to me personally on polling day that he did? Secondly, did he promise to give to the people of Uluru the national park, Ayers Rock? If so, did he consider that to be a fair promise? If not, why would the people of Ayers Rock tell me that he did?

I have had that put directly to me by people in both those centres. Let the member answer the questions.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

AUDITOR-GENERAL'S REPORT 1979-80

Continued from 19 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, the Auditor-General's report for the financial year 1979-80 is once again a most comprehensive, detailed and extremely relevant document on the finances of the Northern Territory. In his usual detailed and meticulous way, the Auditor-General has given members of this Assembly a comprehensive and detailed study of the activities of each of the government departments and the statutory authorities responsible to this Assembly. I have some specific questions in relation to various departments - Primary Industry, Treasury, Mines and Energy, Community Development, Transport and Works and Education - but it would be perhaps more sensible if I put those questions on notice rather than ask ministers on the spot. I will certainly do that but I wish to address myself to 2 matters which arise from the report. I think we should have some answers on these today.

Before I do that, let me say, if we are to take at face value the statement by the Prime Minister that the Commonwealth Auditor-General will no longer be available for audits of the Northern Territory accounts, this report is the Commonwealth Auditor-General's last. I believe we ought to commend the Commonwealth Auditor-General for the service which he has provided to the Northern Territory since self-government in 1978.

The Auditor-General has been at pains to ensure that future audits of Territory accounts are placed on a good footing and that departmental staff are properly informed as to appropriate internal audit procedures. It is appropriate that I read from page 3 of the report:

> *In the conduct of these audits particular emphasis has been given to the importance of departments preparing and issuing procedural manuals to guide staff in financial administration. It is felt that too much emphasis cannot be given to this aspect, particularly in the formative stages of departments undertaking new functions and activities. It will be noted throughout this report that departments have indicated that work is under way on production of these manuals and other guidelines and future audit activities will review the progress made. It is believed that the production and circulation of these documents are essential to provide a sound basis for financial administration in future years.*

It is important that government departments take a very careful note of what the Auditor-General has said there. If we are to take his advice, what we do with regard to these procedural manuals will be very important for the effective use of our finances. On pages 41 and 42 of the report, the Auditor-General surveys the activities of the departments in regard to the establishment of these procedural manuals and examines the answers that have been given to his office in regard to their production. On the evidence on pages 41 and 42, it seems that each of the departments had not taken the request of the Auditor-General as seriously as it might. Each of them has a pretty standard response about how it is looking at it. They will get it done. It might be ready within a couple of months or by the end of the year. It is hoped that it might be ready by the end of 1980 and so on.

This is a report by the Auditor-General for the year ending June 1979. It was tabled on 31 October 1980. I would ask the Chief Minister to advise this Assembly what action has been taken by each of the departments with regard to

those manuals outstanding mentioned on pages 41 and 42; that is, have the various departments and authorities completed what I and the Auditor-General regard as being crucial to the effective functioning of the administration of the accounts of the various departments and authorities. That is the first matter which arises from the Auditor-General's report which does demand some clarification.

The other matter that I would like to address myself to is the question of replacing the Auditor-General. I must say that the statement of the Prime Minister did take me somewhat by surprise. We are all aware that we cannot carry on forever having the Commonwealth Auditor-General auditing our accounts. We will eventually need to have our own audits done. That is accounted for in the Financial Administration and Audit Act. I am concerned that the Treasurer, in reply to an answer he gave me last week, seemed to be taking the matter somewhat casually. I am not sure whether the Prime Minister's indication is that the Auditor-General will complete his audit for the year 1980-81 or whether he will be available for next year or whatever. That is not clear. What is certainly clear is that the Northern Territory Treasurer is not taking the matter as seriously as he might.

It will be a very difficult task indeed to replace the functions of the Commonwealth Auditor-General. I refer members to page 57 of the report where the Auditor-General comments about staffing. That clearly will be a problem. The Minister for Health has already alluded to it. The Treasury now has a most competent and highly regarded person as its new Under-Treasurer. We have had to pay for him and I do not disagree with that at all. The gentleman that we have is very highly regarded indeed. But we are talking about specialist people here. It may well be that we will have trouble in attracting and retaining competent people to do the job of the Auditor-General's report where he sets out some of the staff difficulties and how fortunate it was that he had a national organisation at his disposal. He was able to call up officers from New South Wales and the ACT to fill in where vacancies occurred. I would like to point out to members the difficulties that we will face in replacing the Commonwealth Auditor-General in his functions here.

The Auditor-General himself is aware that in time his functions will be taken over. References are made in the report. In his view, he is working to a point where he can hand over the accounts of the Territory smoothly. I put it to the Assembly that there will be difficulties in replacing the Commonwealth Auditor-General. I urge the Territory government to consider the matter urgently and to be in a position to have a prompt and effective audit system for the very significant accounts in money terms for the year 1980-81.

With those comments, I would like to place on record the commendation that the opposition has for the meticulous efficiency of the Commonwealth Auditor-General. He has ensured that not just answers are given to our questions but that action is taken to ensure the effective use of the Northern Territory finances. I think it is important that the Assembly has debated the report. I think it is unfortunate that it has taken so long to come to the point of debating it. We are virtually at the end of the 1980-81 year and we are just debating the Auditor-General's report for the previous financial year.

Mr DONDAS (Transport and Works): Mr Speaker, I would like to comment on those sections of the Auditor-General's report dealing with the Department of Transport and Works. It is extremely unlikely that a department as large and diverse as Transport and Works would ever completely miss out on comment from the Auditor-General. We try very hard to make sure that all the i's are dotted and all the t's are crossed and that every penny is accounted for. I

do not believe that any minister wants to receive any criticism of his department's inactivity in certain areas. I believe that we take great pains to ensure that things are above board and run in a proper manner.

In the report, I note that the Auditor-General is also prepared to give some credit where credit is due. I was particularly pleased with his remarks concerning the Public Works Division. Mr Steele Craik found the government policy and directions had been carried out and the maintenance and works programs had been administered effectively. They were subject to the appropriate controls. He made those comments on the maintenance and works expenditure of approximately $60m. He also noted that, in the matters that the Auditor-General had been critical of the department, it had taken appropriate remedial action. In some areas, further corrective action had been taken during the year. The collection of water and sewerage charges had been criticised in the last couple of reports. Controls had been introduced to ensure identification of revenue due and its collection. As minister, I proposed to Cabinet that several amendments be made to the Water Regulation Act. Hopefully, some new regulations will be introduced later this year which I believe will take much of the aggro out of a number of water accounts complaints that members received.

The Auditor-General also commented on the level of the accounts before self-government. Instructions have been given to the department, where Commonwealth water accounts are outstanding, water was not to be cut off and that the Commonwealth should take every possible step to recover moneys through the Department of Law without disadvantaging people by having their water cut off because they have not paid the Commonwealth accounts. We have also suggested that the Commonwealth write off those debts. We are still waiting for that particular decision.

Comments were also made regarding the Property Branch. The department is taking action to speed up the formalisation and registration of leases and only a very small number of leases have not been formalised. There are other matters but I believe that the department has taken appropriate action to satisfy the Auditor-General and he will be constantly reviewing over the course of the next 6 months the matters that are outstanding.

Mrs O'NEIL (Fannie Bay): The Auditor-General in his report once again addresses himself to the question of grants-in-aid by the Department of Community Development in an earlier year. At that time, I asked a number of questions and they were discussed in the debate last year on the Auditor-General's report. There were 3 grants-in-aid of $150,000, $250,000 and $260,000 paid in 1978-79 by the Department of Community Development. These are substantial amounts of money for grants-in-aid and a number of questions were asked about them principally because they were paid well in advance and, in at least one case, considerably well in advance of the need for those moneys. As a result of the inquiries by the Auditor-General in relation to grants-in-aid, I believe that the department has considerably tightened up its guidelines on the application of grants-in-aid moneys and the monitoring of their use to ensure that it is in accordance with the initial request.

The current Minister for Community Development frequently says, with some justice, that the government is overwhelmed by the number of requests for grants-in-aid it receives which are always far in excess of the amounts of money available and that people must appreciate that their expectations for grants-in-aid money from the government might be unrealistic. I can appreciate that problem faced by the minister. It is a fact that our capacity to raise money voluntarily for welfare activities is much smaller than in other places and there is a much greater reliance upon government funding of this nature. That is a fact of life. Nevertheless, the problem arises partly because such large sums were granted

without proper guidelines and people became fairly cynical about the who, when and why of the distribution. Two of those large sums went to corporations, one to the Municipality of Alice Springs and one to the Corporation of the City of Darwin and the people can now see that those funds have been properly used. The Municipality of Alice Springs provided a public library and the Corporation of the City of Darwin provided a day care centre.

The $150,000, however, is still a most unusual case. It went to the Darwin Motor Sports Council. According to the Auditor-General, it was to be viewed either solely or partly as a compensation payment for existing assets to effect the transfer from Bagot Park to a new venue. I am not very much in touch with what happens at Bagot Park but I am very well aware that it is still operating. This association received that considerable sum of money some years in advance of its need for it. The Auditor-General points out that the department pointed out that the decision relating to this money was taken at government level. It was certainly the view of the Auditor-General that the payment of the grant was not justified. This is a matter of history; it cannot be justified. These sorts of things that have happened in the past have caused members of the community to be a little cynical about the application of grants-in-aid money. Although the Treasurer might well say that peoples' expectations are unrealistic, nevertheless people continue to ask for large amounts of money because they can see that other organisations have received it in these peculiar sorts of ways. I think that we can have some confidence now not only in the Department of Community Development but also in the Health Department's grants-in-aid as a result of the work of the Auditor-General. The guidelines and monitoring of grants-in-aid have been tidied up and these problems hopefully will not arise in the future.

Mr STEELE (Primary Production and Tourism): Mr Speaker, I rise to take up a couple of points mentioned in the Auditor-General's report. The first probably applies to every department in every government that exists. I refer to the records of vehicle movement, travel and so on. I think that an Auditor-General's report would be lonely without some reference to vehicle maintenance, log sheets and so on. That is not to say that perhaps some of the procedures could not be simplified for the convenience of people who have to fill in log books and furnish reports that will satisfy the in-depth probing of the Auditor-General. A couple of years ago, many field people would fill in reports which would be stacked in the office and never see the light of day. Those people thought that the log books were a complete and utter waste of time. I think that the system has not moved very far from that time - the early sixties. It may be appropriate that some simplification could be looked for in the supply of information that the Auditor-General may require through the department.

In respect of the matters on page 19 dealing with the former Department of Primary Production, these are very important matters that the Auditor-General has chosen to raise. He has chosen those matters for a very good reason. Obviously, the procedures were not adequate and, in view of the government's recent decision to accelerate its program of disease eradication in the Northern Territory, it is important that those matters be dealt with more effectively. I believe that the new secretary of the department will come to grips with this as quickly as he is able.

The response of the Auditor-General was very slow. On the bottom line of the comment just above 'Blue Tongue Virus Control', he said that the department had not responded at the date of preparation of the report. In fact, the department did not respond until February. I understand it was waiting to see how it could cope with those matters before it responded. I believe that the audit report for the tuberculosis and brucellosis compensation scheme and matters

in that particular area appear to be completely covered in the explanations that have been provided to me. I hope and trust that that matter will not raise its head again in future reports of the Auditor-General.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I noted the remarks of the honourable Leader of the Opposition regarding the replacement of the Auditor-General. Indeed, he asked me a question on that subject on the first day of this sittings. I informed him that the government is taking 2 approaches at present. It is considering whether it should establish its own Auditor-General's unit. We would do this with some reluctance because we are quite happily wedded to the idea of continuing to use the Commonwealth Auditor-General for ever and a day had he been permitted to continue to do this work for us. I can assure honourable members that this government does not want grow unnecessarily in areas where its activities can be covered on an agency basis or by some other means. It is for a similar reason that we consider that the operations of the Australian National Parks and Wildlife Service in the Northern Territory are unnecessary. However, the Auditor-General is to be replaced. I would like to place on record the thanks of the government to him. I thanked Mr Steele Craik before his retirement last year and I now thank the present incumbent of the office of Auditor-General whose services to the Northern Territory have been cut short peremptorily by political decision. I believe that the Auditor-General would have been prepared to continue to look after us for the foreseeable future.

The big problem which was adverted to by the Leader of the Opposition was the recruitment of specialists to do a job such as this. I do not know that government auditors are necessarily qualified accountants. I once won a case in Alice Springs on the basis that the government auditor, who had been out to the settlement and proved the defalcation, had no accounting qualifications. That is a rather unfortunate way to win a case but you have to take whatever action you can on behalf of your client. Nevertheless, these people acquire their knowledge over the course of years. I am not quite sure how we could recruit a sufficient number in a satisfactory time.

As I said in answer the Leader of the Opposition, we are also considering the use of private firms of chartered accountants. In fact, I have sent a letter to all firms of chartered accountants in the Northern Territory asking for expressions of interest on their part either singly as a firm or jointly and severally with other firms. I asked by what method and at what cost they could see themselves being able to carry out audit functions for the Northern Territory government. This has advantages that commend themselves to me because, as the honourable Leader of the Opposition said, it took us a long time and a lot of treasure to recruit the new Under-Treasurer. When I say 'a lot of treasure', I do not mean his pay because I think he is worth every cent of it. I am talking about the manifold advertisements and journeying by myself and the Treasurer to interview people all over the place. The then Public Service Commissioner believed a person should be recruited at a certain fixed rate of pay. It took a fair amount of jockeying to have the rate raised to a level that finally attracted someone. The belief of the government in circumstances such as this was that you had to go to the market place and pay what was needed to get the right man for the Northern Territory. It was only after a time of trial and tribulation that we were able to do that. If we use private firms of chartered accountants, who are reputable people belonging to a reputable institute, the problems of staff recruitment and accommodation and other problems that relate to the administration of government would be passed over to other people. If the idea proves feasible, and that will only be known when replies are received from the chartered accountants, it does commend itself to me.

On the matter of the manuals, I am sorry that I cannot give an immediate response to the Leader of the Opposition. I have asked the Director-General to let me have the relevant information. I will write to the Leader of the Opposition within the next week or 2 to inform him of the position in relation to the manuals referred to on pages 41 and 42. I do not know about the Legislative Assembly. I am sure that the Speaker could well provide that information. It is not within my province, but I am sure that we are all satisfied that the Legislative Assembly is neatly and tidily run.

The point that was raised by the member for Fannie Bay related to community grants. She was concerned at a payment of $150,000 to the Darwin Motor Sports Council relating to the shifting of Bagot Park Speedway to the Hidden Valley circuit. The honourable member is at liberty to inspect the work that has been done at Hidden Valley. Certainly, insufficient work has been done to enable the speedway to be relocated to Hidden Valley this year. On a reasonable valuation, there are approximately $1m worth of assets at Bagot Park Speedway and many years ago the speedway people were given right and title to the land by the city corporation. They are told now to remove their assets and set up in Hidden Valley at the behest of the council and the government and also the Assembly - we have had quite a few complaints about the noise mentioned here - because of urban growth. They very naturally seek compensation for this and I think the council has agreed that they should take whatever assets are transportable. The arena itself has been built up over the years and, obviously, is not transportable. Much that can be demounted is probably not suitable for assembling in the new area. It will cost several hundred thousand dollars to complete the relocation of the Bagot Park Speedway.

Recently, the government received a submission from the Darwin Motor Sports Council and the NT Riders and Drivers Association. As a result, it has agreed, on the proviso that work continues apace this year so that this is the last season at Bagot Park, that government will loan and grant a sum amounting to several hundred thousand dollars to those 2 organisations. I do not have full details with me, but honourable members should bear in mind that about 8,000 of our fellow citizens apparently regularly find the activities of the speedway entertaining on a Saturday night. I believe it provides a great community facility. I do not get there myself often and I do not have a vested interest. I am not a member of either of those bodies but, certainly, my family from my youngest son up to myself regards the speedway as good family entertainment. Apparently, a great number of our fellow citizens are of like mind. I do not think that any innuendo should attach to the payment of the $150,000 a couple of years ago and I invite the honourable member of Fannie Bay to contact officials of the Northern Territory Riders and Drivers Association if she is in any doubt that the money has been properly and duly acquitted. I am sure that they will be only too happy to escort her on a tour of the work that has been carried out at Hidden Valley.

Motion agreed to.

STATEMENT
Fisheries Policy

Continued from 25 February 1981.

Mrs LAWRIE (Nightcliff): Mr Speaker, probably to the surprise of the minister, I am not particularly happy about the statement he made on Wednesday 25 February regarding fisheries policy. He said that the statement had 2 purposes: the first was to report to the Assembly on the development that has occurred in the fishing industry and the second was to outline his government's policy on

fishing and the fishing industry. As we expected to hear, the policy is one of encouragement, development, research and monitoring. I doubt if any member could possibly criticise such a policy. However, his statement left a lot to be desired.

In his report on the development that has occurred in the fishing industry, there was no actual detail given. For example, we were not told how many people were licensed to fish in the various categories when he took up his appointment and when the statement was issued. We were not given comparative catches in the various fisheries. The statement he presented is bland and gives no real indication to the people of the Territory of how the fishing industry is developing. It simply says that we all want it to develop well and we are all good fellows. I would ask that, in consideration of this most important industry, in future the minister gives us a lot more detail. He must realise that, in presenting a statement to the Assembly, it is in effect a statement for the people of the Territory, not simply for members, who may or may not have further information. It is a statement of ministerial importance and deserves far more detail than he gave at the time.

The minister's statement concerning continuing support and increased research, exploration and stock assessment programs was followed on 29 May by a press release detailing a prawn research grant. I think it is relevant to consider the press release in the context of this debate. The only comment I can make is that that grant is about 3 years overdue. There have been continuing and compound problems in the prawn fishery of which the minister will be well aware. It has become a matter of urgency that prawn types, varieties, habits and movements be monitored. I am pleased to see that this research grant of $42,000 has been given. I hope we will receive an undertaking from the minister in his reply that, if more money is needed to monitor this most important industry, it will be forthcoming.

The minister spoke of the joint fishing ventures and of the licensing of overseas fishermen to fish in Australian waters. He did not provide details about the monitoring procedures. Perhaps he assummed that we all knew about them. I know about them, but the people of the Territory are not quite as fortunate. I ask the minister how many fisheries staff are engaged actively in the monitoring of the catches. We know that foreign fishing masters have to radio in their positions from time to time with the number of stocks, the variety of fish and where taken, and that fisheries officers conduct searches and checks on the information given. I believe that the number of people engaged in this monitoring work is insufficient.

I wonder too if the minister is aware, as Australian fishermen are well aware, that overseas fishermen anchor a half a mile outside the official limit until there is no monitoring vessel and no possibility that the navy can catch them on radar - some of the mother ships have their own highly sensitive equipment - and then slip across into the prohibited area because of the lack of surveillance which we provide. If the minister does not know that, I would be very surprised because every fisherman in the Northern Territory knows that. People like myself who have been out on fishing vessels are well aware of the increasing frustration and anxiety of Australian fishermen about the poaching that is occurring. I do not know if the minister realises just how serious Australian fishermen are viewing the incursions into Australian waters by unlicensed overseas fishermen. In some cases, the situation has developed to one of range warfare out there. I would ask the minister if he has made approaches to any Commonwealth department for an increase in the surveillance to stop the possible occurrence of ugly situations.

We are aware that, from time to time, foreign fishing vessels have been arrested and escorted into Darwin and court cases have ensued. We are also aware that it is probably in the company's interest to allow the odd ship to be caught because, while our small resources are engaged in escorting offending boats into port and certain procedures are being followed, that leaves the rest of them free to more than compensate for the loss of one small ship. I wonder if the minister and his Australian government counterpart have addressed themselves to the idea that companies whose ships consistently offend should have their licences revoked. It is only at the top, at company level, that this practice will be stopped.

The honourable minister, in the last part of his policy statement, spoke of providing financial incentives to fishermen, but we have not heard about the restrictions that have been placed on finance by the Northern Territory Development Corporation of which I am aware. We are not given the number of applications by fishermen to that body and their status. We do not expect names and details, which would be confidential information, but it would be nice to know how many licensed fishermen in the Northern Territory have applied for additional finance, how many have been granted additional finance and how many have been refused and on what grounds. Whilst the minister and several members of this Assembly applaud and support the development of the fishing industry, not all the lending institutions are quite as willing to put their money where their mouth is. Fishing at the moment is considered a fairly high risk industry.

The minister spoke of the secondary industries and 'financial incentives for the handling, processing and marketing of products resulting from the above development'. I would ask him to indicate what level of finance will be forthcoming from the Northern Territory government or one of its agencies because the establishment of a cannery plant has been spoken about for the last 10 years to my knowledge. There were no details given other than the bland statement that the government is in favour of these projects. We are all in favour of them but the government is expected to do a little more than simply take a favourable view. In talking of incentives, I think it would be better for the minister to indicate what incentives.

I cannot be critical of the actual content of his speech. It tells us all we want to know. I agree, and I know the shadow spokesman agrees, with the incentives the present government is giving to established fishermen to shift from industries such as the barramundi fishery - and I think we will have to start examining prawn fishing too - to other fisheries. But I am critical of his statement in that it gives insufficient detail to allow a reasonable judgment to be made on the state of the fishing industry in the Northern Territory. I ask that in future more detail be given rather than a bland statement of support.

Mr HARRIS (Port Darwin): The Northern Territory does not have a great deal of industry. In regard to the industry it does have, we must make sure that we protect, foster and encourage wherever possible further development and growth. One of the first questions that is asked by visitors when they come to the Northern Territory is what industries we have, what keeps the place going. It is indeed interesting to listen to some of the replies that are given in answers to those particular questions.

I might say that with the high cost of electricity it is very difficult to encourage industry to the Territory. Unless we are able to reduce the cost of electricity to about a quarter of what it is today, I believe that we will have continuing problems in encouraging investment and industries to the Territory. It does indeed limit our options in this particular area. I make that comment because I want to emphasise the need for us to protect our industries and to

encourage their growth and development. The statement that has been made by the Minister for Primary Production and Tourism spells out very clearly the government's commitment to protect all sections of the fishing industry and also to encourage where possible further expansion of the fishing industry. The fishing industry goes hand in hand with another major industry of the Northern Territory: the tourist industry. In the statement, the minister has again mentioned the importance of being aware of any variation in the fishing industry that could affect the tourist trade.

Other members have mentioned the importance of all of the sections of the fishing industry. Here I refer to the commercial fishermen and the amateur fishermen. Both groups contribute an enormous amount to our economy and to the way of life of many people in the Northern Territory. Not all, but a large number of people in the Top End look to fishing as a sport and for recreation purposes. Their involvement in the fishing industry must also be recognised and the government is doing that and is making sure that that area is protected. Most of the discussions that I have had have been about barramundi fishing. Even though the contribution to the overall gross value of commercial fish landings from barramundi is relatively small, whenever an issue hits close to home, there is always much debate. Where we have Darwin citizens who are involved in the barramundi fishery being threatened and having certain restrictions placed on them, it is only natural that they will react in some way. This is the area that I have been lobbied on as far as the fishing industry is concerned.

There has been a degree of confrontation or jealousy - perhaps they are not the right words but there has been a definite feeling between the commercial fishermen and the amateur fishermen. I guess it is only natural, when a person is not sure who or what is responsible for the declining barramundi stock, to look for a cause outside his particular interest area. When the commercial fishermen or the amateur fishermen can cause restrictions to be placed on the other, it is only natural that argument will take place as to who or what is responsible for the declining barramundi stock. The main thing to recognise as Territorians - this has been mentioned by other members - is that we do have a serious problem as far as barramundi is concerned and we had to do something about it. I do not wish to get into the question of why the barramundi stock has reduced over the years - whether it is because of the increased activities of commercial fishermen, the increased activities of amateur fishermen or perhaps the increase in the crocodile population at the present time. These could all contribute to the declining stock of barramundi. My guess is that the crocodile would account for the loss of a fair few barramundi per year. I do not know why the barramundi stocks have declined and I do not feel that anyone else does either. We know very little about the habits of barramundi in the Northern Territory. A lot more research is required before answers to these problems can be forthcoming.

The matter of safeguarding tourists and recreational fishing, which is what I am really talking about here, is recognised by the government which has already looked at controls in this particular area. It is committed to having more research and more investigations carried out in this particular area. I would like to emphasise here that the government needs to look at the information that is already to hand to make sure that this information is used. The minister mentioned this in his statement but I would like to emphasise the fact that we need to look at all available information first to make sure that we do not duplicate any activities.

I will mention here one of the restrictions that have been placed on barramundi fishing: the bag limit. I raised the question in the Assembly last week. I asked the Minister for Primary Production and Tourism if there were problems being experienced in regard to the bag limit on barramundi. Unfortu-

nately, there are some problems being experienced. I do not know what the government is able to do to control the activities of people who look to beating the system. What is happening is that, as a result of the bag limit, many dead fish are being thrown back into the creeks and streams around the Northern Territory from whence they came.

As most members would be aware, fishing is one of those activities where you may sit for hours on end without taking a bite or catching a fish. In 6 hours, you might catch 5 fish, perhaps small ones. They are put on the bottom of the boat and generally die. In the seventh hour, the fish start to bite and you start pulling in 20 and 40 punders. The biggest fish are taken and all the dead little ones are thrown back. That is happening at the present time. Another problem being experienced is that some people fillet the fish. Fillets from a 40 pound barramundi could equal fillets from 10 or 15 smaller fish. But it is very difficult to ascertain how many fillets come from any one particular fish. Those are 2 problems that are being experienced at the present time and I think the government has to look seriously at those particular areas.

Mr Speaker, I am pleased to note the statement made by the Minister for Primary Production and Tourism. It is aimed at protecting what little industry we do have, in this case the fishing industry. It also shows how the government will encourage and foster those industries and help whenever possible in the growth and development of the fishing industry. I support the statement.

Mr B. COLLINS (Arnhem): Mr Speaker, I want to make one quick comment in relation to something the member for Port Darwin said. I hope, as he does, that the Fisheries Division will take some suitable action. Two years ago, during an Easter weekend, I conducted a survey with some Aboriginal people from Maningrida and Oenpelli of the number of people on the Arnhem Highway between the Adelaide River and the East Alligator River. On that Easter weekend, we counted 5,000 people camped mainly along rivers and streams adjacent to the highway. It was quite extraordinary; I could not believe it. I still hold to the view that the best place to be during the Easter weekend is at home because nobody is in Darwin. Our particular interest was to see what people were doing with fish. I photographed the scene at Mary River and showed officers of the wildlife commission the photographs afterwards. It was unbelievable - the mess, the litter, the tin cans that abounded.

There were 500 people camped on the Mary. This is one of the most popular fishing spots along the Arnhem Highway because it is only 100km away from Darwin. Many people do not want to go all the way to the East Alligator which is, of course, a lot further. The interesting part about it was that all of these people were gathered together within 200 yards of each side of the road. There was bush all around and people had their tents piled practically on top of the tents of the people next door. They were living in much closer proximity at the Mary than in their homes in Darwin. It is extraordinary the way people like to cluster when they can drive motor vehicles. These people had ordinary 2-wheel vehicles and they could not go any further into the bush without walking. No one wanted to do that!

Two things stuck in my memory from that weekend. One was at the Mary River and the other was at the South Alligator River. We actually witnessed these incidents. I am sure it was happening everywhere else along the highway. These people has eskies with them. It was a 3-day weekend so they caught as much fish as they could eat and as much as they could put in the esky. What happens in a situation like that is that they run out of ice. I suppose now that the Bark Hut is at the Mary River some of this will stop. In those days, there was no ice available. It was a sickening sight to watch people packing up. We saw it late

in the afternoon on the Easter Monday. People packed up and threw literally hundreds of pounds of rotten barramundi back into the river. Because the fishing happened to be good that weekend people had kept on catching them. I recognised one party from Darwin which threw back 15 huge barramundi - between 10 lbs and 15 lbs - one after another into the river. They had been caught the day before and had gone off because of the lack of ice.

This resource is most definitely finite. It has enormous economic potential for the Territory, not simply because we harvest and sell it but because it is responsible for attracting a great many tourists here. The notice board at the Border Store routinely displays photographs of people who have made catches at the East Alligator, indicating the interest that is shown by people. Have a look at the comments in the visitor's book there. I visit the place regularly and speak to people. There are people who come to the Northern Territory to camp on the East Alligator River every year for their holidays because of the barramundi fishing. If we lose that resource, we lose the money that those people bring to the Territory. As well, we lose our barramundi industry. I think it an absolutely appalling practice for people to continue to catch fish, which they know they will not be able to eat, simply for the sake of filling in the weekend by catching fish. It is a practice that we should not need to regulate. People themselves should have enough sense not to do it because they are cutting their own throats by fishing out a resource which will not be available if this sort of practice continues much longer.

Mrs PADGHAM-PURICH (Tiwi): I found the statement on the fisheries policy delivered by the Minister for Primary Production and Tourism very interesting. It was a concise statement. It did not go into a lot of detail but was enough to state the government's policy for the future and how that policy is working. Fishing is the fourth major industry in the Territory after the mining, pastoral and tourist industries. I was very interested to see a statement that the minister made that the value of the production per fisherman was higher than in any state and is twice the national average. I think that this must be the only industry which has such a good footing when compared with other industries. I do not think other industries can compare favourably with other states in production costs. In the debate on egg marketing, it was stated that the cost of producing an egg up here was much greater than in the states. I agree with that because the interstate egg industry is quite efficient. To compare the fishing industry so favourably with the rest of Australia is indeed one up for the fishing industry in the Territory.

Historically, mainly prawns and barramundi have been caught in the Territory. Recently, the government has initiated research programs into the possibilities of utilising other edible fish that are in Northern Territory waters. The ones that come to mind first are the research programs into utilising reef fish. Even with these research programs and granting that there is more acceptance of other forms of fish beside the inevitable barramundi, I would like to see more acceptance of other edible marine life. I do not know how one would go about it. Perhaps publicity campaigns, advertisements in papers or fishermen's dinners would be a good idea. There are many things in the Northern Territory waters, not necessarily fish, which can be eaten: octopuses, squid, mangrove worms and welks, just to name a few. As I said earlier, Northern Territory waters abound with these but as items of diet they are only known to fishermen and coastal Aboriginal communities. I have not tried many but those that I have tried I have found very interesting. In common with many other members, I like eating but not only ordinary foods, I take much pleasure in eating unusual foods. I found some of these edible forms of marine life very interesting to eat. More and more people are eating different things. Restuarants have more exotic items on their menus. Perhaps people are becoming a little bored with eating the old steak, chips and 3 vegetables. More people are turn-

ing to fish. Personally, I prefer meat, but I like eating fish sometimes. I would like to see more Northern Territory fish offered in restaurants. There are southern varieties of fish offered in restaurants and I understand the restaurants are very well patronised. When the research programs initiated by the Northern Territory government pay dividends by successful fishing, we shall see more varieties of Northern Territory fish eaten up here.

I want to publicise an idea. It is not my own, but I read about it some time ago. It relates specifically to the selling of fish. No doubt it could be adapted to the selling of meat also. The idea was used in Canada and for 2 reasons: as an item of interest to tourists and to help the fishing industry. It would fit in with the minister's wish to see an increasing contribution by the fishing industry to the prosperity of the Northern Territory. I am sure it will happen. The idea is to have fish on sale at Darwin airport, the place where most tourists leave Darwin. There would be fillets of fish and whole fish on sale, and crustaceans - which according to fishing legislation are considered to be fish - frozen and cryovac packed. They would be stored in a deep freezer and placed in a polystyrene container surrounded by dry ice when they are bought. These fish would reach the home of the returning tourist in a relatively short time and still in a very fresh condition. I read of the idea in relation to the selling of salmon on the east coast of Canada. If something like this could be initiated at Darwin airport, it would be another step forward in the development of the Northern Territory. It would also promote the interest shown by the government in both the fishing and tourist industries.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the member for Tiwi would be interested to know that exactly that sort of system already operates from Sydney airport. I am not sure if it is just on Qantas or on all airlines but outbound overseas tourists can purchase beef and other Australian products to take with them. The system works very well. I doubt whether we have a sufficient number of tourists or the facilities to do that in the Northern Territory but it is operating already in Australia and I think that it is most admirable.

There is a community realisation of the importance of the fishing industry in the Northern Territory. There is a growing realisation of the need to expand it as a source of income for the Territory. The member for Tiwi will also be pleased to hear that there is also a growing realisation that we need to move beyond the obsession with barramundi and prawns into other perhaps less glamorous but more economical areas of fishing stock.

I was pleased to speak recently to people involved with the formation of the fishermen's cooperative in Darwin. I believe they are all inshore fishermen. The 14 initial members are particularly looking to develop shark and mackerel stocks for both the Australian market and the overseas market. On the subject of imagination in the exploitation of fishing stock, I was fascinated to see that they are talking of a dried shark fin industry for export to South-east Asia. I think that these are the sorts of innovative ideas which could well receive support from the Fisheries Division. I am sure they will because the fishermen's cooperative has made a submission to the minister on these matters.

Fishermen have tended in the past to be individualists and it is pleasing to see that a number of commercial fishermen have been able to band together to form this fishermen's cooperative here in the Top End. I understand also that at least one Aboriginal community has expressed some interest in joining that group. I believe that this activity could well be encouraged by the government. Throughout Australia, cooperative organisations have been very successful in the marketing of fish products. The Safcol organisation in South Australia is now a very large one. Other cooperatives have been formed recently in other places.

The Shark Bay cooperative in Western Australia,with the help of the Western Australian government, has become established. I was pleased and I am sure other members will be pleased to see this advance in the fishing industry in the Northern Territory.

In conclusion, I ask the minister whether he still proposes to hold a seminar to examine directions that have been taken by government to increase and improve the processing and marketing of local fish which he foreshadowed when he made his statement in February.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I rise to speak in support of the minister's statement. It might seem unreasonable that somebody who has lived in the desert for the last 30 years would like to have a few words to say about the minister's statement. I do have an area in my electorate that is very interested in the fishing industry: the Borroloola area. I had the opportunity in earlier Assemblies to hold responsibility for fisheries. It was a very interesting period in my life and one I thoroughly enjoyed. In fact, the only difference that I could see between fishermen and gougers is that one group mines under the dirt and the other mines under the water. Apart from that, the people are as rugged and as rough in the fishing industry as they are in the mining industry.

I wanted to touch particularly today on the barramundi industry, particularly in the gulf region. I am receiving constant reports that the barramundi industry in the gulf is just about finished, that in fact the fishery is so depleted that it is hardly worth going there at any time now for fish because it has been raped by people who have no interest in the Northern Territory or in preserving the Northern Territory's resources for all concerned. That is a pretty harsh thing to say and I do not have any proof that I can put before members to support it other than the fact that I cannot find a satisfied fisherman. The member for Port Darwin was talking about catching 20 and 40 pounders. I would venture to say it is some 10 years since we have caught fish of that size in the gulf. I also receive complaints about the fact that Queensland boats come into our waters, particularly up the Roper, have themselves a merry time, sail back to Queensland and dispose of our barramundi there. I know from my time on Fisheries Council that the Queensland fisheries minister said to me at one stage: 'What you have to do is control your barramundi industry tightly because, if you do not, it will finish up like the one in Queensland which is US'. That is why the Queenslanders happen to be up our creeks: there are no fish in their own.

I appreciate that this is a very difficult problem for the Fisheries Division and for the minister. One of the important things that we know about our fishing industry is that we have limited information on it. The other thing that is most disturbing is that we will never get the real information that we want because the people in the industry, whether they are private or commercial fishermen, are not playing the game. It was pretty obvious to me when I had the portfolio that when you looked at the returns that some people were declaring for fish that they had caught, they would have to be on the breadline. It was quite inconsistent with the lifestyle that they maintained in the community. It was rather like comparing fishermen with destitute bookmakers. It was very hard to rationalise. I emphasise to the minister that we desperately need to protect our resources. Fishermen in my area have said to me: 'We would be happy to agree to a 2-year closed season to give the fishery time to recover so that we have something to fish for'. It will only work if everybody in the Territory does it and that includes the guys from Queensland who should not be here. I leave the minister that point for consideration.

The honourable member for Nightcliff raised the point of a canning industry as it would relate to the fishing industry. I agree with her that we all support that idea. I think that a canning industry is not very far away. It will not be something that is justified as a result of 1 industry having enough volume to justify a canning line. It is not just a matter also of the tin plating that is necessary. If we can have our soft drink, pet food, fishing and other industries co-oridnated to provide the volume that will justify a tin plate plant, the cannery will come. I think that the advent of ACI into the Darwin market, even in its present small way, is the first step in the establishment of a canning line in Darwin. There is a great deal of work being done in that area.

The honourable member for Arnhem commented about the amount of rubbish that is left behind. Again, this is a problem in my own electorate where most of the fishing is done from the landing. At the end of the dry season, the landing looks as though the 5th battalion was there for about 5 years. The amount of rubbish is unbelievable. I did a bit of homework on this recently and found that the average amount of rubbish left behind in a park or a recreation area in the year is equivalent to a man's weight. If one man stayed in an area for a whole year, he would leave behind his weight in rubbish on the ground.

The members also mentioned the establishment of the shark and mackerel fishery. I would venture to say that the waters in the Borroloola area are prolific with sharks. In fact, they are so prolific that very few people are prepared to put their foot over the side of the boat whatever the depth the water is underneath. The Chief Minister had a bathe in the McArthur River. Any shark that bit him would probably have died instantly.

I commend the honourable minister for his paper and he can be assured of my continuing support in what he is trying to do.

Mr STEELE (Primary Production and Tourism): Mr Speaker, it is quite clear to me that the subject of fish certainly raises a bit of interest among most of us for various reasons. I am pretty keen on what is happening around the Northern Territory in respect of this major resource, particularly barramundi. I respect the other fisheries that we have. My father-in-law did not come up to fish this year. When I rang him the other day, he said that was because there is no barramundi left. He has been fishing out on the Alligator Rivers area for a number of years since he retired. This gentleman was on the former Wildlife Council. He is very keen on all things in the bush and is a naturalist in his own right. He believes that the fish are going away. That provokes a fair amount of interest from me as to what is happening in that particular industry.

I thank members for their comments on this statement. I regret that it was full of deficiencies so far as the honourable member for Nightcliff is concerned. I have 30 pages of briefing notes dealing with fisheries out of a total of about 70. As a result of what the member says, perhaps we should provide a booklet giving some of this information. Some of it is located in statistics provided through the Commonwealth statistician. The annual report of the Department of Primary Production would provide some of the other information that she has alluded to. Certainly, I have 10 pages alone on subjects such as prawn fishery landings to Northern Territory processing plants. There is a wealth of information and I am sure we could make it available in a form that would satisfy her interests in the fine detail. The other matters that she has raised about monitoring procedures and staff not being sufficient are ones that I will have a look at. I receive some complaints from time to time and some of my long-suffering officers do not alway bring their complaints to me. Maybe they got short shrift in the past.

She raised the matter of poaching techniques. I am not very expert in those. Obviously, I will have to look into the matter. I will relate something that I saw at a roadside inn once. It was in the off-season for catching barramundi. At the top of the blackboard menu, they had 'Poached Barramundi'. You can imagine where that came from. That fellow is doing a little stretch right now.

The member for Nightcliff said that the trust money is going to prawn research. She is right about that. Since we have formed the fishing industry trust fund, it has proved very useful. I hope to be able to provide the Assembly with a report of the fund at the end of the financial year. Darryl Grey is in the gallery with us today. There is an approval for Darryl to publish a book on the prawns in Australia. This will cost $20,000. We assume that we would recover our money on the sales. I look forward to receiving that report in due course. I have a lengthy report on the fisheries development projects which were identified in the statement. What I might do, Mr Speaker, is come back to the Assembly with a report on the next sittings and provide further up-to-date information at that time.

Current fishing proposals are a very complex area of this government's involvement in the fishing industry. Two joint venture fishing proposals have been received and are under active consideration. These are the Kailis Kaohsiung Fishing Company Pty Ltd joint venture of gill-net fishing which will involve 20 Taiwanese gill-net vessels and development on Groote Island and Roper Bar. The second proposal, Chow Barro NT Pty Ltd joint venture gill-net and demersal pair trawling, proposes 30 Taiwanese gill-net vessels and 10 pairs of Taiwanese trawlers, and development in Darwin. We have a verbal advice that the Kailis Kaohsiung Fishing Company intends submitting proposals to continue the existing bi-lateral fishing arrangements involving 60 pairs of Taiwanese trawlers - that is 20 vessels and 30 Taiwanese gill-net vessels - during 1981-82.

In the matter of funding fishermen, one of our greatest problems has been stopping lending authorities from foreclosing on fishermen in the last couple of years. I actually asked the Territory Development Corporation, when I had responsibility for it, to go light on some of these fellows until future finance arrangements could be provided for them. We have gone as far as we can go in the Northern Territory. Obviously, the member for Nightcliff is correct when she says that some lending authorities will not touch fishing proposals. We have applied to the Commonwealth to be included in the rural adjustment scheme financing as other primary producers are. I have rather a long paper on this but I will not go into it today. This should alleviate some of the problems with financing fishing industry proposals. Through the Territory Development Corporation, there are funds and incentives provided. A further incentive is the small ships facility. If you has been there yesterday, you would have seen 4 trawlers being refurbished and repainted. This rural adjustment scheme has to be agreed to by ministers of the Commonwealth. Let us hope that that agreement will take place in due course to allow these other proposals to be assisted.

The member for Fannie Bay touches the Fishermens Co-operative and tourism aspects. I will turn to that a little bit later. She also touches briefly on Aboriginal communities and their cooperation with the fishing industry. I have a short note on that which I will make available now. A large percentage of the fisheries extension activities involves the organisation and running of training courses for Aboriginals. Courses are held at the request of a community. Each request for assistance in fishing operations is examined in detail by fisheries extension officers to determine the practicalities and effectiveness of holding the course. Each course is held over 16 to 18 weeks and involves extensive training of usually 4 Aboriginals in all aspects of fishing, ranging from boat safety, mechanical maintenance and fishing techniques to fish presentation and marketing.

At present, a training course is being organised to assist Galupa Seafoods, an Aboriginal enterprise at Nhulunbuy, to recommence operations. Extension officers will run a detailed training course at Nhulunbuy for Aboriginals who propose to provide seafood to Galupa. Emphasis will be placed on the catching and processing of barramundi, crabs, reef fish, crayfish and mackerel. As a result of a recent request from a Goulburn Island Aboriginal community, it is also proposed to provide a short 2 to 3 week refresher course for Aboriginals at Goulburn Island. An 18-week course was held on the island by fisheries officers in 1979. Since that time, the local Aborigines has continued to provide seafood to their local community store. However, the community council feels that a short refresher course would be beneficial and lead to renewed interest in commercial fishing operations.

A training course has recently been completed at Daly River. Aborigines from the Daly River Mission have been trained in fishing methods and processing of barramundi and threadfin salmon. So far they have displayed keen interest in the operation. They have been catching steady quantities of fish. Extension officers are constantly monitoring the success of each training course and provide follow-up assistance as required. Short visits, 2 to 3 days, are made to most Aboriginal communities each year to answer queries that arise with respect to fishing operations, the Fish and Fisheries Act and regulations, licensing requirements and marketing outlets. In this way, the Fisheries Division is capable of assessing the effectiveness of fishing training programs and is able to provide adequate and relevant assistance to the community as required; and it is a credit to the fisheries officers in that regard.

In reply to the question asked by the honourable member for Fannie Bay in respect to the seminar, the date has not been set. We must get that seminar running as fast as we can. I agree wholeheartedly with the member for Tiwi on the tourist aspect. Perhaps it is not feasible at this stage to have someone sitting at the airport with barramundi. It is a good idea and has been applied in other places with other products. I think in the course of time it will happen.

My colleague mentioned the closed season for barramundi as it affects the Borroloola area. I do not know that I could support him on a completely closed season. I think the policies of the Fisheries Division in running down the number of licences held and the other general provisions that are used in the management of fisheries have to be looked at and possibly strengthened. I doubt if we could go into a full closure for several years. I do not believe that would be feasible. Certainly I understand his concern when he goes fishing at Borroloola and cannot catch any fish.

I commend the statement to honourable members and look forward to providing further information at the next sittings of the Assembly.

Motion agreed to.

ANSWER TO QUESTION

Mr EVERINGHAM (Chief Minister) (by leave): The honourable Leader of the Opposition asked me about the tabling of a report of the Northern Territory Development Corporation. I am not quite sure which year it was now but the information is as follows. The report for the year 1978-79 has been tabled. The Treasurer did not indicate that the report for the following year would be tabled this sittings. I understand he indicated that it would be tabled as soon as possible. The report has been completed and has been with the Auditor-General since 30 May 1981. There is a statutory period of 3 months that the Auditor-

General has to examine the report. At the latest, it should be available by the end of August 1981.

CHIEF MINISTER'S TRIP TO SOUTH-EAST ASIA

Mr EVERINGHAM (Chief Minister): Mr Speaker, I do not wish to add anything to the scintillating conversation that you and I exchanged while we were in South-East Asia and on our way to and from that place. I therefore invite other members to comment on the report.

Motion agreed to.

NORTHERN TERRITORY OMBUDSMAN ANNUAL REPORT 1979-80

Continued from 19 November 1980.

Mr ISAACS (Opposition Leader): Mr Speaker, in my view,the Northern Territory Ombudsman's Second Annual Report is an excellent document. It has 1 or 2 deficiencies which I will come to but, in terms of the detailed explanations given by the Ombudsman, members are given a complete understanding of the workings of that office. This is the report of the Ombudsman in his second year in office. I believe he is performing his role very much to the satisfaction of the Assembly. He makes the point in the introduction to his report that the effectiveness of the office is determined to a large extent by the attitude which his office takes and its acceptability both to the general public and to the department with which he has to deal. He makes the point that both in terms of attitude and acceptability by the public the Ombudsman's office rates very highly indeed. I would have liked him to have amplified on one comment he made: that he has been met generally with cooperation but that there have been examples of non-cooperation by departments which seem to have changed since self-government only in name and still seem backward in accepting the existence and need for the Ombudsman of the Northern Territory. I wish the Ombudsman had not been quite so coy in this report if we are to monitor his progress and, in particular, the reaction of departments.

Yesterday, the member of Fannie Bay referred to an incident with regard to the Health Department. She was quite right. The Ombudsman was quite justified in being rather bridled by the extraordinary attitude of the Department of Health in that particular instance. I do not know whether that is a general matter with regard to the Health Department or whether it was one instance of its reluctance to accommodate the existence of the Ombudsman and to recognise that, on that occasion, it was incorrect and its procedures ought to have been different. There is no doubt that the Ombudsman has had a very important effect on the attitudes of the officers of the public service. One matter which the Ombudsman raises relates to counter staff, those people who are dealing directly with the public. There is evidence in his report that departments have ensured a change in attitude by those people.

He stresses to 2 important goals in the public service: the need to service the public and the requirement to make sure that information is to be available within certain reasonable bounds. He makes the point, without making a recommendation, that the Northern Territory Assembly ought to consider the desirability or otherwise of freedom of information legislation. He outlines the principles of the legislation and I think it is important to read those into Hansard.

The 2 principles of freedom of information legislation which he believes the Assembly ought to consider is that 'government departments and authorities

should make their structures and functions known to the public and publish the rules and guidelines they apply when making decisions affecting members of the public' and, secondly, 'members of the public are entitled to access to documents held by government departments and authorities unless there is special reason for not making those documents public'. I believe we should consider such legislation. The federal parliament has just passed such legislation. We ought to have a look at that legislation with a view to introducing our own. If the Northern Territory government does not do this, I will seek to introduce a private member's bill dealing with freedom of information. The principles outlined by the Ombudsman are very important.

The Ombudsman also deals with the administration of his office. He points to the increase in the number and complexity of complaints which his office is receiving. It indicates an increasing awareness and acceptance by the public of the role of the Ombudsman. However, the Ombudsman points out that migrants do not figure significantly among those complainants who are seeking the assistance of the Ombudsman in regard to administrative decisions of various departments and authorities. I believe that is not because migrants have nothing to complain about. It is more likely that either they are somewhat reluctant to take on a government department or they are unaware of the office of Ombudsman and the role that it can play. Some attention must be paid to ensure that people in the various ethnic groups do know of the existence of the Ombudsman and the statutory position which he holds so that they can go to the Ombudsman knowing that no recriminations will be taken against them.

I was very impressed with the detailed analysis which the report gives of the various complaints particularly those relating to the performance of the Ombudsman's office in regard to complaints against the police. There is an effective scrutiny by the Ombudsman's office of the performance of the police investigations unit. Everybody who reads the report would be impressed with the thoroughness with which the Ombudsman's office carries out its function. There is an example given in the report of one of the complaints made against the police by a person in Alice Springs. It indicated to me that the Ombudsman's office took its job very seriously and was effective in the performance of its task.

It is interesting to note that of the many complaints which were made, 659 were within his competence and about a third of them were resolved within about 24 hours of lodgement. That kind of prompt action by the office will do a great deal to enhance the esteem and regard of the office. About 10% of the claims which were sustained could not be followed up. I would like to see, in future reports, some details of these because it may well be that this Assembly can do something about that.

We all receive many complaints in our electorate offices. Often, one can feel very sorry for the person who had made the complaint and believe that he had suffered a dreadful wrong but there is absolutely nothing that can be done. It may well be that, relation to the small number of complaints which could not be followed through, we ought to be able to examine the problems with a view to legislative changes. It may be that we still will not cover the lot. I am sure that will be the case but, nonetheless, we ought to be able to look at those matters which are unable to be rectified to see if we cannot reduce them.

If members look at the departmental summary which is Appendix D, pages 30 to 33, they will note the number of complaints against each department. It is not surprising that the Housing Commission has more than its fair share of complaints. A cause for greater concern is the very large number of complaints about the Housing Commission which were borne out by the Ombudsman's investigations. It shows that people do not have a great deal of confidence in the

Housing Commission's ability to resolve these nitty gritty problems. That is a matter which the minister could look at. You cannot stop people complaining and neither should you but it indicates that people do not have much confidence in the Housing Commission's ability to regulate itself and to resolve problems directly with the complainants.

Finally, there is a section of selected case summaries. On reading these, one is impressed by the objective manner in which the Ombudsman's office examines complaints and the extent to which it will go to ensure that justice is done. I am impressed by this report. I am impressed by the reports I receive from people who take their complaints to the Ombudsman. Through our Ombudsman and his office, we have an excellent means of examining administrative actions by departments which aggrieve members of the public. The report is an impressive document and I am sure the office has the support of this Assembly. Obviously, we made a very good appointment. I hope that the office continues in this vein.

Mr DONDAS (Transport and Works): I would like to make a brief comment regarding the 1979-80 Ombudsman's report as it refers to the Department of Transport and Works. The number of complaints noted in the report would certainly indicate that the Department of Transport and Works and the Housing Commisssion are more prone to public grievances than any other departments or authorities. That is not surprising at all. Mr Watts pointed out quite correctly that the number of complaints received should not be interpreted as a measure of the administrative inefficiency of those departments because the Department of Transport and Works and the Housing Commission have many more dealings with the public than other government departments especially in relation to accounts. These are always likely to be questioned, especially water rates.

The excess water rate and sewerage charges have been mentioned in this Assembly during the last couple of days by the member for Fannie Bay and other members. This morning during the debate on the Auditor-General's report, I said that we are looking to amend the regulations to allow for a better method of collecting those accounts. Hopefully, this would take pressure off local members and myself as the minister responsible. If something is not done in that area, I may be looking for a new job in 1984. People can become quite aggravated when they receive a water account stating excess. They reflect back over the previous 12 months and think : 'We have been on holidays; we certainly could not have run up that bill'. Through the Ombudsman, Mr Watts, and officers of the department, extensive testing of the accuracy of water meters has been carried out. The Ombudsman found that most meters read a couple of percent in the consumer's favour.

We must reduce the number of complaints that we receive. The only way is to change the method of calculating accounts. The department and I are addressing ourselves to the anomalies in the water regulations and hope to provide more flexibility in the way accounts are charted. That will relieve much of the pressure on members and the Ombudsman because most complaints relating to the Department of Transport and Works focus on the Water Division and relate to sewerage and water.

The departmental summary reminds me that several years ago, the Motor Vehicle Registry was always under fire. When we were appointing the Ombudsman, members of this Assembly said that it would be good to have somebody around to investigate complaints thoroughly. From this report, we see that there has only been one complaint made with no recommendation. In all fairness to the department, I believe that some members of the public are unreasonable in some of the requests that they ask to have investigated. They ask the department to waive various accounts to build special roads etc. Naturally, people are trying to

improve their area. I have no objection to that, but sometimes policies cannot meet their requirement. They approach the department. They even approach me, and I have to be firm and say, 'I am sorry but it is not our policy'. They do not accept that and go to the Ombudsman and lay a complaint against the department.

I agree with the Leader of the Opposition; this is a good report. It is time people became aware that there is an Ombudsman and understood his function. When that happens,the Ombudsman will receive the full acceptance of the community. With self-government is 1978, there was a certain amount of resistance to the newly-formed ministry. In fact, there were a few problems relating to powers being taken away from public servants and given to a bunch of young blokes who would tell them what to do. I believe that the public service now realises that this is the new order of the day and that things can only get better. Things will only get better as far as the Ombudsman's office is concerned if he has the general support of all the departments and I believe he does have that support. My department is in the firing line most of the time because of its size. My officers are making every effort to provide the Ombudsman with the information that he requires. I am happy to support his report.

Mrs O'NEIL (Fannie Bay): Having waited for 12 months to discuss the Ombudsman's report, I have my second opportunity in the space of 2 days. I raised the matter in the debate on the Second Report of the Suboridnate Legislation and Tabled Papers Committee yesterday. I referred particularly to the question of water accounts. I am pleased that the Minister for Transport and Works has spoken on that this afternoon. I can only agree with him that there is evidently a need to look at the way in which accounts are levied. When one looks at the statistics and realises that 100 out of 876 departmental complaints related to the Water and Sewerage Division of the Department of Transport and Works, it indicates a lack of community satisfaction in the operation of that area. I agree with the minister that the Ombudsman's office has devoted a great deal of time to this and I believe that many of the problems could be solved by a public relations exercise by the department. I am pleased that the minister is looking at the regulations regarding the levying of accounts. I believe he needs to look also at the way in which the customers are approached and their complaints are handled. The Ombudsman's office is not set up to handle complaints of this nature. Many of these should be able to be dealt with more satisfactorily by the department if it puts its mind to the way it relates to the consumers. Hopefully, in the next annual report, we will see a reduction in the number of complaints in that area.

I am also interested in the Ombudsman's reference to freedom of information legislation. This is a matter of some public interest if you have been following what is going on in Canberra. I would certainly be most interested to hear the Chief Minister's opinions on that reference by the Ombudsman.

Like other honourable members, I support the work of the Ombudsman. I believe that those of my constituents who have felt the need to ask for his help, generally speaking, have been satisfied with the management of their problems. I am sure that that situation will continue.

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to take the opportunity to make a few remarks on the work of the Ombudsman and, in particular, some of the more interesting aspects of his most recent report. After 2 years of operation of the Ombudsman's office, it is true to say that there is a high degree of public acceptance of the objectivity of the Ombudsman. Hitherto, a number of people had no hope of redress against administrative actions by government departments. It is heartening to see the Ombudsman note that he does not consider

the type of representation made to him to be trivial or unworthy of investigation.

On the other hand, I think that there are disturbingly frequent occasions on which members of the public are deterred by counter staff in various government offices from attending at the Ombudsman's office. I have certainly had a number of my constituents indicate that, when they have suggested perhaps they might take the matter up with the Ombudsman, they have been deterred from doing so by remarks made by staff at the counter. By and large, people are reasonable and, if they are given the facts, the problem could be resolved there and then. Certainly, I do not think that the people who attend at the Ombudsman's office or take the trouble to make a submission in writing to him are taking this matter lightly.

The lack of information is the single most frequent reason why people attend the Ombudsman's office. Certainly, when constituents of mine claim that they have been poorly treated in one respect or another, I take the time and trouble to find out whether they have been given the full information or whether perhaps something has been withheld from them which, if it were known to them, they would not feel so aggrieved. I have to give credit to certain government departments that, where I have sought to follow up information, I have received cooperation in most cases. The point is that, even when members of the Assembly are shown the files, we cannot make the files available to the persons complaining. We can give them an indication of whether or not they have been justly treated or whether there is something further that can be done for them, but we cannot give them access to the file. In many cases, I advise people, if they still feel that there is something that they should know, to take the matter to the Ombudsman. The Ombudsman not only can interview the complainant but he can also obtain the relevant files and satisfy himself as to the true circumstances surrounding the complaint. That is quite an important function that is served not only by members' offices but also by the Ombudsman himself.

It is interesting to find that the Ombudsman notes that, in many cases, there would be an alleviation of the sense of aggrievement if only members of the public were given more ready access to information which need not necessarily be secret or confidential. I am interested to see the suggestion by the Ombudsman that this Assembly could look into the question of freedom of information legislation. As the Ombudsman rightly points out, this legislation requires only basic and simple principles behind it. It is not an open slather for members of the public to have access to information to which they rightly should not have access but simply to give them access to the type of information which should be commonly known, things like departmental guidelines, the rules governing the issue of certain types of rights and so on. The Ombudsman is not for a moment suggesting that things which have to be confidential should not continue to remain so.

The first principle that the Ombudsman has enunciated is quite interesting in itself. He says that government departments and authorities should make their structure and functions known to the public and publish the rules and guidelines that they apply in making decisions affecting members of the public. The areas within which members of the public have dealings with government departments are quite varied. One would think that this would certainly alleviate complaints that are sometimes made just out of an intuitive sense of not having been treated justly. If only these departments which dealt with the public would publish their rules and guidelines, many of these complaints might not be made.

I have seen a distressing number of letters written to constituents in answer to applications etc which simply state that the application has not been granted. No reasons are given and, in many cases, there is no indication at all that the decision is subject to appeal or any indication where that person can take the matter further. It is extremely distressing for a person who has put an effort into making an application to be told, without any explanation, that his application has failed as though that was the end of the matter and the department did not want to know anything about that person in future.

Mr Speaker, I look forward to the publishing of departmental rules and guidelines and, even if this freedom of information legislation were not to come formally in the near future, I would certainly ask the ministers to instruct their departments to publish their rules and guidelines for the information of the members of the public who deal with them.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I should firstly say that I accept this is a very comprehensive report by the Ombudsman. It is worthy of the reports that have been put in by the Ombudsman in the past. I do not think that this Assembly has been let down at all in the standard of the reports that have been submitted from time to time by the people whom we have appointed to this office.

I would like to make it clear to you, Sir, and to other members that, from time to time, I too avail myself of the services of the Ombudsman because it is not always possible for the Chief Minister to get what he considers to be an entirely objective investigation carried out at different times within the government. That is not to say that I consider that the Ombudsman always acts entirely objectively. I think all of us from time to time must be guilty of subjective thinking. That is really what brings me to pages 42 and 43 of the Ombudsman's Report.

I think it would be false and hypocritical of me to say that all officers of all departments are entirely happy with the operations of the Ombudsman's office. I think that the letter from the then Secretary of the Department of Health on pages 42 and 43 is a manifestation of a certain dissatisfaction. Despite the horror and dismay exhibited by the member for Fannie Bay, I do not know that the then Secretary of the Department of Health, whom I regard as a very objective thinker, was wrong in what he said because we have provisions in the law to prevent abuse of legal process. There is no doubt that people and indeed governments and corporations from time to time abuse legal process.

There is indeed abuse of almost everything in our society. Yesterday we talked about abuse of alcohol. I believe that there is abuse of the office of the Ombudsman. I do not say that the Ombudsman abets the abuse but certainly from time to time the office of the Ombudsman is used by people as a delaying tactic in an attempt to alleviate certain conditions. I think it would be unrealistic if I and other members did not accept that people are indeed prone to error. There are people who will use any method they can to avoid a certain thing. I do not doubt that there have been attempts to use the office of the Ombudsman and the process of the Ombudsman by people from time to time. I think that it was a measure of frustration of some government officers that that statement was made in the letter on pages 42 and 43.

As to the water accounts, the Minister for Transport and Works has said his piece on that subject. It appears from this report that some rather luxurious treatments of the problem of water accounts have from time to time been undertaken when surveys have been carried out of the water meters of the whole district. When I get my water account, my reaction is often one of shock and horror. My first thought is that I just could not have used that much water. Some people

complain because they need time to pay. Others have genuine complaints. I believe that a great many of the complaints to the Ombudsman relate to financial matters. The complaints about the Housing Commission and water accounts are often emotive.

We have been told by the Ombudsman that we should have some legislation on freedom of information: 'I am of the opinion that the Northern Territory parliament could well consider the desirability or otherwise of freedom of information legislation'. We have been told that there is a lack of information available to the public. I certainly do not want to make any judgment on the desirability or otherwise of such legislation at present. I am surprised that all the things that seem to fall from the backs of trucks in this part of the world do not take any account of the present situation. It does surprise me that it is lack of information that precludes proper assessments being made in the case of water bills or Housing Commission complaints.

I would like to read out the statement of the Ombudsman on page 10: 'I hold to the view that government departments and authorities carry a responsibility for administrative accountability to the public'. I do not think any of us would quarrel with that. He then heads up the last paragraph by saying: 'I am of the opinion that the Northern Territory parliament could well consider ...'. All I would like to say is that, if this parliament had wanted the Ombudsman to express his opinions, it would have phrased the section of the act which deals with reports, namely section 28, in a rather different way. It says that the Ombudsman - and I delete unnecessary parts - 'would furnish for presentation to the Legislative Assembly a report on the exercise and performance of his functions and duties'. I do not know that that section relates to the expression of the Ombudsman's opinions. I do believe that, if the parliament had intended the Ombudsman to make his report a vehicle and a venue and an arena for the expression of opinions of various sorts, it would no doubt have included it in the legislation.

Motion agreed to.

COMMISSIONER FOR CONSUMER AFFAIRS - SECOND REPORT

Continued from 26 November 1980.

Ms D'ROZARIO (Sanderson): I had the opportunity yesterday, in speaking to the report of the Subordinate Legislation and Tabled Papers Committee, to make some brief remarks about the report of the Commissioner of Consumer Affairs. I will take this opportunity now to make a few more comments on the various matters raised by the commissioner in his report.

I find the report extremely forthright. He has quite recognised the deficiencies in the consumer legislation in the Northern Territory, deficiencies which occur from time to time in business practice and also deficiencies in consumer education. I find that the commissioner does not mince words when he speaks of some of the more undesirable practices that we have in the Territory. As an example, we find the commissioner saying that, while unscrupulous businessmen get away with it, they will continue to exploit and defraud consumers. He intends to continue to exercise his powers on behalf of consumers for the benefit both of consumers generally and honest business people and he will continue to propose cases for action where he perceives this to be his duty. That last comment was made in respect of initiating prosecutions for breaches of the various acts which the commissioner manages.

There are a number of disturbing matters that are highlighted in the commissioner's report. One of these is the shortage of manpower in relation to the

Consumer Affairs Council. This is manifesting itself in a number of ways. On page 5, the commissioner notes that there are many areas in which consumer legislation needs to be reviewed and updated, but that this has not been possible because of a shortage of manpower.

In respect of consumer education, the commissioner notes on page 14 that, although there is an education officer attached to that particular branch, much of that officer's time has been occupied with other duties because of shortages elsewhere and that the aspirations in the area of consumer education have not been achieved. Again, we note that there has been a deficiency in work done in consumer education in remote communities. Again, that is because of the shortage of manpower and the difficulties of taking consumer education to people in diverse remote communities. Mr Speaker, this is something we need to be concerned about, particularly when we see the large number of consumer complaints that are indeed justified. We have noted in the report that the level of consumer complaints is significantly higher in the Territory than it is nationally. There are 903 consumer complaints per 100,000 whereas the national figure is 493. It is clear that, with the volume of consumer complaints, we cannot afford manpower shortages in this very important area of community welfare.

The commissioner notes also that the most frequent complaints are made in relation to motor vehicle and transport equipment, which is again similar to the national situation. The second most frequent complaints relate to consumer durables, and this is again the case throughout Australia. Motor vehicles and consumer durables are costly items for most households. These are the areas of greatest consumer complaint. Certainly, there should be some means of redressing consumer complaint in these areas. It is quite true that the motivation to complain is definitely related to the size of the expenditure by the individual consumer. That could be an explanation why the frequency is so high in the areas of motor vehicles and consumer durables. It is quite interesting to note that, of all complaints on consumer matters which were referred to the Commissioner for Consumer Affairs, 31% related to motor vehicles.

Mr Speaker, I think that this particular avenue of redress needs to be strengthened rather than being allowed to be downgraded in any way, whether advertently on inadvertently.

I come now to the other point which was made in relation to the frequency of complaints: the need for consumer education. I think the Consumer Affairs Council does quite a good job within its limitations. I note that it published 4 newsletters in the year covered by this report and has a weekly column in a newspaper relating to the work of the council. It takes a consumer clinic approach in the newspaper. 'Here's Help' is the title. Actual or theoretical cases are outlined with possible solutions. Again we see that the areas of most frequent complaint are those of high expenditure. This indicates that consumers need to be educated as to their rights and obligations when they embark upon large purchases.

I bring this very good manual to the attention of the Assembly. It has been published by the Trade Practices Commission and is entitled 'Shoppers Rights - A Guide Book on Consumer Problems'. It is quite comprehensive but it relates only to the law as it applies uniformly throughout Australia. It does not relate to individual states and territories. I would suggest that the Consumer Affairs Council could do much worse than put out a companion manual to this one to outline areas of specific relevance to the Northern Territory.

Mr Speaker, the commissioner made some comment in respect of his review of legislation relating to the small claims court. Although this particular court has not been set up specifically as a consumer claims' tribunal, it is nevertheless used quite extensively by consumers for that purpose. Generally, it deals with claims not exceeding $1000. The commissioner noted that a large number of people may in fact have an avenue of redress through the small claims court, but many people are reluctant to go to court. I think that is a correct assessment of the situation. Most people prefer some other means of redress to the courts, not only because of the cost involved - they are not necessarily heavy in the small claims court - but because there is a fear of courts and legal proceedings in general. I am pleased that the commissioner made this remark. Perhaps as far as consumer claims are concerned,the small claims court ought to be reconstituted to give greater access to consumers, rather than being general in its application.

In other states, there are small claims courts set up in much the same fashion as our own Territory court but, in New South Wales, there is a consumer claims tribunal. In other states, such matters are dealt with either by a small claims tribunal or by a local court. Mr Speaker, one of the interesting differences which emerges between these various methods of consumer redress is in the actual proceedings before these tribunals or courts. In New South Wales, Victoria, Queensland and Western Australia, ACT and the Northern Territory, it is a formal court proceeding. I suggest that consumers would more readily avail themselves of the small claims court if it were conducted, for consumer claims at least, in a round table setting instead of a formal court structure. The commissioner remarked that consumers feel reluctant to take matters even to the small claims court. Until they are educated as to their rights - which gets back to the duties of the education officer - no great improvement can be expected in that respect.

Mr Speaker, I come now to the recommendations which were made by the Consumer Affairs Council. I touched on one matter yesterday but there are others that may be of interest to members. Matters relating to death are mentioned. The council is examining the cost of funerals and recommends the provision of a crematorium in Darwin. The council noted that Territory residents who require the services of a crematorium are obliged to use those situated in Brisbane and Adelaide. This situation is not considered satisfactory. From another source, I know that there is some progress towards the establishment of a crematorium in Darwin. I believe that it is to be somewhere in the vicinity of Holmes Jungle on a small excision which took place there some years ago. I think that that particular matter will be resolved. I raise this matter because it does show the range of consumer matters with which the council concerns itself and these in turn reflect the consumer concerns which have been represented to the council by ordinary members of the public.

I made some remarks yesterday about the Rental Bond Board in the discussion on the Report of the Subordinate Legislation and Tabled Papers Committee; I will not go over those again. It is sufficient to say that I continue my support of the concept that the tenancy bond be held in trust by an independent party rather than by the landlord. I outlined my reason yesterday and during the passage of the Tenancy Act. It is extremely hard to retrieve it from the landlord when the tenancy is terminated.

Mr Speaker, the legislation subcommittee of the Consumer Affairs Council has been extremely active during the year under review. I note from page 25 that the council has involved itself in a very wide variety of consumer legislation and currently has under review legislation relating to date-marking of

food, the liability of carriers, law of layby, market courts, building registration, licensing of motor vehicle repairers, debtors and hire purchase, the Sale of Goods Act, false advertising and the Small Claims Act. The Consumer Affairs Council is made up of citizens from various centres of the Territory. They do it on a part-time basis and they are appointed under the Consumer Protection Act. We can have nothing but admiration for the extent of the work that has been done so far and the diligence and dedication which has been exhibited by each member of the council.

I thank the commissioner for his very extensive report and look forward to seeing some of his recommendations being implemented by this Assembly.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, I would like to say at the outset that this is a very comprehensive report. I appreciate the fact it is straight to the point and it leaves us in no uncertainty about the workings of the Consumer Affairs Council, what it would like to do and what it requires of the legislature. I note the period covered is to 30 June 1980. The report does not say so specifically but, from reading it and listening to people, it appears that the standard of consumer goods has risen over the time that this legislation has been operative. People can expect increasingly to buy what is advertised. I would hasten to add that the best advertising is by word of mouth. This applies to small businesses and not to large businesses which have to adopt a more aggressive form of publicity. Nevertheless, word of mouth advertising or non-advertising, as the case may be, is one of the best ways to publicise the goods that the retailer has for sale. While honest criticism is needed and there is a definite place in the community for it, we must be careful that we do not become a community of whingers. Regardless of the consideration we put into the purchase of particular items, if any little thing goes wrong, we whinge about it. I do not wish to offend anybody in the Assembly, but we have all heard about the Whingeing Pom. I would hate to think that we may become whingeing Australians.

I accept that retailers must advertise in an honest fashion. I would like to say that the buyer must also accept some responsibility. I think that the legislation as it now operates provides a happy meeting of the ways in that more consumers are aware of their rights and more retailers are aware of their responsibility to be honest. What purchasers must realise is that the government, as represented by the Commissioner for Consumer Affairs, cannot be expected to hold everybody's hand. People must accept responsibility for their own actions. On the one hand, people resent intrusion by government in their everyday lives in the form of restrictions but, on the other hand, it seems they want the government to intervene in their everyday life in other ways. It seems to me that in legislation like this a very fine line must be drawn.

I will comment on a few sections of the report. The first is a small section dealing with remote communities. It states: 'It is a matter of some concern that so little has been done in the way of consumer education in remote communities'. It is not a question of consumer education; in remote communities, the consumers know what they want. Most buying in remote communities is of a retail nature; that is so in my electorate. In these circumstances, it is important that a consumer deals with a business of some repute. The consumer knows what he wants, but it is important that the person whose goods he buys is honest so that the consumer obtains what he wants and the supplier stands behind what he has sold. If something goes wrong, the supplier should be prepared to repair or replace the faulty goods.

I would like to say a few words on the subject of interstate carriers. 'Removalists' is another word that could be used. A couple of years ago, I bought a pianola from Melbourne. I bought it in February to replace a piano. I paid insurance on its carriage to the Northern Territory. I bought it from a reputable house in Melbourne and I expected delivery some weeks or at the most a month afterwards. I let 3 or 4 weeks go by and then I inquired as to its whereabouts. I had a piano to play in the meantime, but it was rather out of tune, which the member for Arnhem may have heard at times when all the louvres were open. Anyway, I waited 3 or 4 weeks for this pianola and it did not come. I waited 5 or 6 weeks and then I rang the carriers. They could not find out where the pianola was. It has left Melbourne but they could not find out where it had gone in transit. It was not in Darwin and I was getting a little upset by that time because I had paid rather a large amount of money for this pianola. I rang up each week and a couple of weeks later I was told that the pianola stool had arrived with some rolls. The weeks went by and I kept ringing the carriers. It reached the stage where my telephone calls were not accepted, so I had to visit them. To cut a long story short, after sitting on my pianola stool looking at rolls for something like 11 weeks, I finally took delivery of the pianola after 12 weeks. I hasten to say it was in good condition. It had suffered no damage in transit. It had been misdirected to a warehouse in Adelaide where it had been all that time.

There is a recommendation on crematoriums in this report. The member for Sanderson also mentioned the subject. She understood that there was a crematorium mooted for somewhere near Holmes Jungle. I have asked questions of the minister who has responsibility for this and I have been told that a cemetery is planned for section 110 Hundred of Bagot and, no doubt, this is where the crematorium will be established. When I was first elected to the Assembly, I was asked by one of my constituents to make inquiries about crematoriums. At the time, the establishment of a crematorium in Darwin seemed a bit premature. From the agricultural point of view, a crematorium would be a good thing for Darwin. To establish a further cemetery on section 110 Hundred of Bagot, one must have well-drained soil which would be good agricultural soil. For soil to be well drained, it must be in either flat or undulating country and contain some humus. Thus, we have a conflict of interests between the establishment of a cemetery and the use of that soil for agricultural purposes.

Personally, I do not consider that there should be a conflict of interest. Perhaps my following statement will be rather unusual given that most people have a very emotional attitude to death. When I die - and I have left strict instructions on this - I would hate to be buried in a cemetery where all the good protein that I leave behind in my body would go to waste. I would like to think that after my death my body was of some use to somebody as fertiliser for a banana tree or a eucalyptus or a vegetable garden. Since then, I have received many inquiries regarding the establishment of a crematorium. From the point of view of the relatives, it is a far less harrowing experience to attend a funeral service where the body is cremated rather than buried. I have been to many funerals over the years not because I have a morbid interest in death but because I feel that my going to funerals perhaps helps in some way the people who are still alive. I think that the establishment of a crematorium would perhaps ease the worry and stress for the relatives and friends.

The next item in this report that drew my attention was the subject of diesel fuel. It says that the council drew the minister's attention to the damage resulting from the high sulphur content in some fuels supplied in the Northern Territory. A couple of years ago, a gentleman who owned a store in my electorate was supplied with a faulty batch of diesel fuel by a supplier in Darwin. He told me that he had experienced some financial loss by using this

fuel in his generator. The generator become inoperable. He was unable to obtain any redress. I was not able to give him much help. I was able to establish contact between him and people from whom he could obtain some redress. Unfortunately, by the time he contacted me, it was too late for him to obtain any redress. The sulphur content in the diesel fuel was very important to that particular man in my electorate.

The next subject that is mentioned in this report is the sales tax on freight. That has been a bone of contention for people who have gone to retail establishments for spare parts on motors, engines or generators. They not only pay for the item but also for the freight and sales tax on the freight. This is an iniquitous burden that we have to bear because we happen to live in the Territory. This is not imposed by the Northern Territory government but by our confreres down in Canberra.

The council expressed concern at the burden of high electricity charges on voluntary, non-profit organisations. Until recently, I was an active member of a voluntary non-profit organisation. I would hasten to add that the high electricity charges to these organisations are no higher than anybody else in the community is charged. The very fact that one opts of one's own free will to belong to these voluntary, non-profit organisations means that one should accept one's responsibilities. One of the responsibilities is that one pays one's legitimate charges regarding water, rents, rates and electricity. It is all very well to say that I may belong to a particular non-profit organisation which I think is doing a good job in the community. I may think it is the bees knees but other people may not feel the same way. It is a gross impertinence to impose one's personal views on the rest of the community and the rest of the community is the general taxpayer. If one elects to belong to a voluntary, non-profit organisation, one should take the responsibilities of that involvement together with the kudos coming from one's voluntary work in the community.

Mrs O'NEIL (Fannie Bay): I have a few points that I want to raise. I had not intended to mention the question of a crematorium but, like the honourable member for Tiwi and most other members, I have been approached by residents about the need for a crematorium. The honourable member for Alice Springs may not approve of this fact but, in the Northern Territory, we have a healthy diversity of cultural backgrounds. There are many people who are not Christians. There is a considerable group of people who require cremation of the body after death for religious reasons. Apart from the desirability of having the option between the 2 methods, we should consider those groups of people and their religious requirements. These people have approached me from time to time. I gather from the remarks of the member for Sanderson that, in due course, the need in this regard will be satisfied.

I was particularly interested in the section of this report relating to legal action on behalf of consumers. When we passed the act in the Second Assembly, it was the view of all honourable members that it was desirable in certain cases for the Commissioner for Consumer Affairs to be able to institute legal proceedings on behalf of consumers. I am very disappointed to see that, in fact, he has been able to institute only 1 prosecution up to the year ending 30 June. I am not saying that because I want the Commissioner for Consumer Affairs to prosecute everybody all the time. Nevertheless, I certainly find it amazing to believe that there has only been 1 case.

The commissioner's report points out there are times when such action is needed and for, one reason or another, he has not been able to undertake it. I believe that this might require some change in the act. This is why I raise it.

It was certainly the intention of this Assembly at the time we passed the act that the Commissioner ought to be able to take such actions. If he is unable to do so because of some deficiency in the act or for some other reason, we ought to look at what we should be doing about it as an Assembly. It might well be that the reason the commissioner has not been able to do much about it is because of his staff numbers. In section 3, he refers to consumer complaints and particularly to the great deal of work which has been brought to his office as a result of the passage of the Motor Vehicle Dealers Act. Consumers find that they have to wait 6 to 8 weeks before their complaints receive attention. That seems to be too long, particularly in view of the increasing amount of work that his office has as a result of legislation which this Assembly has passed. If it is necessary, the government should look at increasing the staffing of that office.

Mr Speaker, the Commissioner for Consumer Affairs has devoted some sections to education. This is particularly important. The member for Tiwi said that we must take responsibility for our actions, and that is true. If we hope that we will eventually reach the stage where the Commissioner for Consumer Affairs and his office will have less to do, then it is important that consumers receive the benefit of consumer education, particularly for young people. I note that schoolchildren receive some attention in this area. I recall the excellent calendar with drawings by schoolchildren that the commissioner's office produced. I think it was the year before last. It was an excellent calendar. The theme was consumer affairs. It was an excellent project indeed.

There can be no doubt that the citizens in the Northern Territory who are most in need of assistance are Aboriginal people. I also believe there can be no doubt that, because of various constraints, they are receiving little or no assistance in this matter at the moment. It may be perfectly true, as the member for Tiwi said - and of course she has Aboriginal communities in her electorate - that most of the dealings of Aboriginal people are small retail transactions. Nevertheless, in the purchasing of second-hand motor vehicles all members know that, because of their lack of sophistication in consumer matters, Aboriginals have been very badly dealt with by some irresponsible people. That is certainly not the only area. One reason why the responsible elements in that line of business welcomed the motor vehicle dealers legislation was so that the irresponsible elements might have their actions constrained somewhat. Undoubtedly, the Aboriginal people are the ones who suffer the most. Personally, I hope that this consumer affairs office will devote more time to assisting them as I believe they are in greatest need of assistance. In the long run that may be one way of reducing the number of complaints with which the commissioner has to deal. Through education, people are able to attend to their own affairs better without the need of assistance from outside bodies.

I would like to endorse also the words of the member for Sanderson with respect to the rental bonds board. It is something that we have spoken of in this Assembly in the past. I was interested to see yesterday in the local newspaper a reference to the incredible amounts that people are expected to part with before they can even set foot in a flat in Darwin these days. Four weeks rent in advance plus 4 weeks rent as a bond can easily amount to more than $1000 before a key is passed over. People need more assurance that they will be able to get that money back if indeed they can afford it in the first place.

Mr Speaker, it is pleasing to see that some legislation is being reviewed by the Consumer Affairs Council which obviously works quite hard. There is a need for even further review of legislation. I think back to our debate a few days ago on the egg industry management legislation and it seems to be perfectly

clear that nobody, apart perhaps from the member for Sanderson, had looked at that legislation from the point of view of the consumer. Certainly, none of the government officers did that. Quite clearly, if one of the functions that the consumer affairs office can carry out is a review of all legislation from the point of view of the consumer, that would be very valuable. It would also be of value to the various departments which are initiating this legislation.

Mr Speaker, I was very pleased to see this report. I agree with other honourable members that it is a most interesting and comprehensive one.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I do not think anyone else wants to speak. May I exercise the right of my colleague, the Treasurer, to close the debate?

I think this is a good report by the Commissioner for Consumer Affairs. I regard the commissioner, his office and the Consumer Affairs Council as hard working and zealous. I believe that there is a great need for their activities within this community and, indeed, within most communities. Unfortunately,we have not arrived at Utopia yet.

The first speaker referred to a shortage of manpower within the Consumer Affairs Council. I may be pedantic, but I think the shortage of manpower was within the office of the Commissioner for Consumer Affairs. The Minister for Community Development, despite his fairly hard front as Treasurer, usually fights pretty hard for the requirements of his department. I recall he was able to convince Cabinet a couple of months ago that more staff were needed for the office of the Commissioner for Consumer Affairs. I think 1 or 2 people were appointed. I think someone was appointed to Alice Springs as well but I am not certain. Every branch of government feels that there is more that it could do and many could do more and we would like them to do more. If there were more serviced land, we would like to build more houses - if we had more money - and that would service more people, but there is only so much cake to go around. That is one of the difficulties, one of the extreme frustrations and pains of government. One must set what are called priorities. From time to time, people do not get everything that they want and, in some cases, need.

I was intrigued by the remark of the member for Tiwi who is going to lie her protein down beneath a banyan tree. I think the member for Arnhem and I could lay our fat down beneath a banyan tree and do a lot more for the soil! Bearing in mind the remarks of the Minister for Health this morning that, if a shark bit me it would die immediately, maybe it would not do too much for the soil after all.

The member for Fannie Bay said something about legal action. I am not quite sure what it was. There seems to be some desire on the part of the Commissioner for Consumer Affairs to institute legal proceedings himself. I would consider that to be a fairly disastrous move because, with the best will in the world, I doubt if the commissioner has much idea of evidentiary needs and so on. I believe it necessary that he go through the Department of Law. Recently, I came across a case where, apparently, there had been a 9-month delay in the institution of proceedings on his behalf by the Department of Law. I accept responsibility for that because I am the Attorney-General; it is to my account. I apologise to the Commissioner for Consumer Affairs and my absent colleague for this delay. I am sorry that it was not brought to my notice much earlier. Such delays are inexcusable and I do not believe that they will occur again.

There are many other matters referred to on page 23 which other members have

covered. For instance, Nhulunbuy and its problems of retailing are covered. I acknowledge that there is a problem out there. This government would certainly like to help if there was anything it could do but we do not own any land out there and it is rather difficult to do much to resolve the situation.

In due course, it will become commercially viable to establish a crematorium in Darwin. The consumer would not be well served by the establishment of a crematorium at a cost of $1m. That would come out of his pocket, mainly through the avenue of taxes. I encourage, for instance, the Darwin city council to consider the possibility of leasing land for use as a garden cemetery and crematorium in due course. It could be that expressions of interest should be invited.

The subject of bond money was raised by the council though perhaps without a great deal of regard to the practicalities of the situation. However, I do not believe it is really necessary to establish a rental bonds board. I will have the matter examined. If bond moneys were required to be paid into a building society, that society could afford to pay interest on that money to the relevant parties. There would need to be some sort of statutory backing and protection for the building society. Of course the money could then be used for a very worthwhile purpose pending the termination of the tenancy. I think that that would circumvent the necessity to establish a statutory authority with necessary staff, which would be a charge on the taxpayer. Such a charge on the taxpayer might well outweigh the advantage to the consumer.

Mr Speaker, I commend the council, the commissioner and his staff. I thank them for their service. I am sure that they will continue to do good work for the Northern Territory.

Motion agreed to.

GREEN PAPER ON PRIMARY AND SECONDARY EDUCATION IN THE NT

Continued from 4 March 1981.

Mr BELL (MacDonnell): Mr Speaker, I would like to place on record that I believe the Green Paper is a very workmanlike and capable review of what is happening in our schools and in the Department of Education in the Northern Territory. With the possible exception of core curriculum, however, it does not really point us in any new directions. It is this particular new direction of core curriculum that I would like to address myself to initially because I feel that we need to be fairly clear in our minds as to what direction education in the Northern Territory is heading in the 1980s. It is my contention that core curriculum as a master concept for our schools is not quite as appropriate as many people might like to think. Let me try to explain why that is and what sort of alternatives we are suggesting in terms of curriculum.

Curriculum, as I understand it, is what happens in schools. It is everything that happens in schools. It is not just books and bits of paper that kids look at. It is a myriad of interactions that a child enjoys during the day. That is his education. It is important how a child feels about being at school, how happy he is, how purposeful he feels it is. To my mind, curriculum is a process of interactions: teachers, students and materials. This is in no way to disagree with the proposition that basic skills are important. Literacy and numeracy are a sine qua non of schools in our society. As I have said, I have misgivings about core curriculum as a master concept.

Let me put this in the context of our economic system and the technological changes that are taking place in the western world. The sort of rapid change that is evident in western society today suggests that our approach to curriculum

in schools, our approach to what kids ought to be doing, our approach to what teachers ought to be talking to kids about, should be a dynamic one. I am afraid that, with core curriculum, there will be an attempt to build an edifice that people hope will stand for 10 or 20 years without review. I think that that is not the sort of approach we ought to be taking. Our approach ought to be a more dynamic one. In this sense, no single committee and no single document will solve the problems that are posed by providing an education system that is equal to the technological change that is evident in the world around us.

Let me quote from the Green Paper to reinforce this point. The section on core curriculum commences with this sentence: 'To ensure that adequate educational standards are established and maintained, the government has adopted the concept of core curriculum and the development of appropriate assessment procedures to measure achievement'. I have already said that I concur to some extent with the concern about educational standards, the need for literacy and numeracy. However, there is one point in this regard that I must raise and that is the justification of core curriculum because it is seen as satisfying the demands of the employers for a product that fits neatly into some task that they might need. I hope by my references to the economic system that I have shown that, if we are to regard kids as units of production - which in certain contexts might be necessary with the sort of technological change that is evident in western society - they should not be regarded as standardised units of production. We need very effective production. In order to provide that adaptive unit of production, I believe that our approach to curriculum in schools must be a dynamic one.

Before members run away with the idea that I am being entirely critical of the process that has led to the development of core curriculum, let me hasten to reassure them that I believe that out of this process there has come much that is good. Subcommittees have been formed and the core curriculum document that has been produced has a great deal in it to recommend. I suggest that it is the interest and involvement of many people that has made it such a valuable document. I suggest that, while the sort of funding that has obviously gone into producing that document and to allowing those subcommittees to sit may not be able to be maintained forever, I hope that the idea behind curriculum will be an ongoing dynamic process to meet the changing needs of the Territory community.

Let me raise now a couple of other cautions I have in this regard. I am a little afraid that, with the introduction into our primary schools and, as I understand, later in secondary schools, of core curriculum which will be some 50% of the content in the classroom, this will somehow lower the horizons of our teachers. There will be a strong temptation for our teachers to say: 'Right, I have taught the core. That's it. That is all I am required to do'. We will not be speaking to the individual differences of each of our children. We all know that our children have different propensities. Some children are good at one particular thing; other children are good at another thing. We have to make our education system adaptive to those needs.

I have another very serious caution which touches on an area in which I have had personal experience: Aboriginal education. It refers to the adaption of core curriculum to Aboriginal schools. In that context, I would like to make some general comments on Aboriginal education and bilingual education. The name of Hermann Goering would perhaps be familiar to members. Hermann Goering was the Commander in Chief of the Luftwaffe under the Third Reich. He was quoted as saying: 'When I hear anyone talk of culture, I reach for my revolver'.

I am not too sure whether the people who have worked on the core curriculum document are afraid of some latter-day Goering or whether they in fact share his sentiments. They seem to me to be somewhat reluctant when they talk about culture. I do not mean 'culture' in an elitist sense. I am talking about Aboriginal culture and European culture existing side by side. I think that that problem is not really addressed by the people who have composed the Green Paper. Certainly, they have aims for Aboriginal education and these are very well stated. But when they talk about culture, they are somewhat reticent: 'Aboriginal education should take cognizance of Aboriginal and European cultures and languages; Aboriginal culture must be recognised and respected by all teachers and instructors and this recognition and respect must be reflected in school programs'.

Then we move on to bilingual education. It is not really quite clear in the Green Paper how this relates to Aboriginal education, and that in itself is a problem. It is said that bilingual education should develop a better understanding of both cultures, that of Aboriginal people themselves, and not only a particular community, and of the dominant non-Aboriginal society. I think it is worth pointing out that all Aboriginal education is bilingual for the students who are involved. For tribally-oriented Aboriginal children, schooling is always bilingual. They come to school at day one speaking a different language from the teacher, and that is a problem. I am a little bit concerned that, with the onset of the 1980s, the concern that was evinced by educational authorities in the 1960s and 1970s to take into consideration those linguistic and cultural differences is likely to be lost. I am sure you would agree with me, Mr Speaker, that, if that were the case, it would be a tragedy.

I said that, in terms of core curriculum, standards are important. It is important for schooling to purposeful. Literacy and numeracy are things to be valued. Nobody values them more than I do. To some extent, there is a need to be sensitive to Aboriginal culture. It is a difficult task both for Aboriginal teachers who work in schools in remote communities and for non-Aboriginal teachers doing a similar job. I suggest that the core curriculum that has been suggested here is suggesting that educational decisions are yes and no decisions. I would suggest that educational decisions are more a matter of how well we understand the different ideas that are in people's minds. It does not matter whether the kids in front of you are Aboriginal kids or whether they are white kids. Exactly the same sort of sensitivity is required. I would suggest, though, that the sort of sensitivity that is required in a remote community in which an Aboriginal culture is predominant is much greater. Teachers in that circumstance have a much more difficult job.

I just said that, under these circumstances, teachers have to be sensitive to Aboriginal culture. I would utter, at this stage, a word of caution. Lest I be seen by the Assembly to be defending every action of every teacher, I would raise this caution. I am not defending what I have seen sometimes occur: an attitude on the part of some teachers in remote communities who are not interested in giving Aboriginal children the chance of learning English. On the one hand, they must be sensitive to the local culture but, on the other hand, it has to be purposeful. Finally, I would like to reiterate my point that I hope bilingual education will be seen in the 1980s as an integral part of Aboriginal education, not as some sort of aberration of the 1970s that ought to be buried as quickly as possible.

Mr D. W. COLLINS (Alice Springs): Mr Speaker, I welcome this chance to speak to the Green Paper on education. I do so as a parent and as a former teacher. Education is indeed a vital subject - vital for the Territory's growth

and for its stability. We need trained people to effect the Territory's growth. Stability in the Territory will only be realised if parents believe that their children are receiving an excellent education here in the Territory. We have a real problem with the number of parents who see the need to send their children away. This brings pressures for the whole family to move and that is against the Territory's good.

I would like to quote from an article entitled 'The Case for Examinations'. I would have loved to have had the time to read it all to the Assembly because it is an excellent document. It talks about knowledge for its own sake and I cite the words of the great English philosopher A.N. Whitehead, words quoted by the present federal Minister for Education in a splendid address at Convocation of the University of Melbourne on 7 May 1972:

> *In the conditions of modern life, the rule is absolute: the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your will, not all your victories on land and sea can move back the finger of fate. And so I repeat: for both the individual and society, education must be chiefly concerned with knowledge. We must dismiss the claims of progressive educationalists who wish to concentrate on moulding personalities at the expense of forming the intellects, who wish to study exciting relative topics at the expense of basic discipline.*

There are many problems in the Territory for education: cultural differences, language barriers, distance and isolation. One can see this as an insoluble problem or as a challenge. In many ways, the challenge is being met and I applaud those people involved in that challenge. However, none of us need kid himself that there is not a whole lot more to do.

In this Green Paper, there are 2 sets of educational aims. Many of those aims are noble and worth while but most of them are things which are caught and not taught. It assumes that the teachers have these qualities and, of course, many do but it is an awesome responsibility to put many of these ideas across. There are things that you cannot teach, things that the students have to catch from those who are their exemplars. To those aims, I would add a couple which I feel are very important.

Latin seems to be the new language. I was a very poor student of Latin, Mr Speaker. However, I do know the motto of the Adelaide Boys High School, 'Non scholae sed vitae', which means not for school but for life. I believe one of the key things in education should be that it is a foundation for future growth, a springboard for building for the future, not something that simply is rounded off and forgotten about.

The second thing which is vitally important and one of my key aims in education is independence for the students. By this, I mean that the student, at whatever stage of schooling, has to become independent of the teacher. That requires a certain amount of self-discipline on the student's part and that the teacher become superfluous for him. The aim should always be to make the students independent of the teacher.

Inherent in this idea of independence is the ability to learn and that is a key thing. I believe that, on leaving school, a student should be able to take up a course of study at the same level at which he left school and be able to study that without the aid of the teacher. He needs to know learning methods. I believe, very strongly, that this is best served by studying a few subjects in

depth rather than little bits of this and little bits of that.

The fourth point relates to positive attitudes. If people took hold of the idea that the measure you give out in this life is related to the measure you get back in return, much benefit would be gained. Of course, physical, social and spiritual development are vitally important because they bring balance and purpose to education.

Turning to the proposition of putting grade sevens into high school, several reasons are given in the paper for this. One is that it is done in other places, the inference being that therefore it would be good for us to do it. I do not see that as a logical reason. There are however other reasons: more time to cope with the many subjects for students who may have to leave at grade 10, and puberty changes. I believe that it is far better for these changes to take place in grade 7 in the primary school where the students are at the top of their year - it is often a very good year indeed for those students - rather than being in the rat race at the high school where they are very small fish in a very disturbing system. The third suggestion was that these are transitional difficulties and they need time to adjust. There certainly are difficulties but those difficulties should be ironed out on the secondary school's part not on the student's part. Another suggestion is that the area schools have it. Area schools are in a somewhat different situation because there is a flow on and there is a very close contact between the students of the primary area and the high school area. That makes it far easier to overcome these objections. On the grounds of my experience and on cost, I oppose grade sevens going into high school.

The number of teachers required would be doubled if the students went into high school. The present ratio is 16:1 in the high school and 30:1 in the primary school. It is my experience that the grade sevens in primary schools are not all perfect. A number of students who have gone through have very low abilities in basic subjects. The high schools tend to assume that the students have these abilities and then wonder why they do not have too much success with these particular students. In the main, a great deal of effort is applied by the primary schools to their students going to high school. I believe that they see some competition; they want the reputation of their school to be high. A great deal of effort is put into the homework by students and pride is evident in their work. I believe they have a real sense of achievement. They are doing this from a very stable base with 1 main teacher and perhaps 2 or 3 teachers for minor parts of their course.

The high school situation is different indeed. The student in the high school today tends to be a nomad. There is a change of teacher for every subject and that is pretty normal with high schools. In the process, there is generally a change of classrooms also. There is also a change in the student group. You are not with the same group of kids all day; you have a constant mixing with different groups of children. In general, lockers are not provided. Many difficulties have arisen because of this system. Students have to carry their books around in bags and look after them wherever they go. This leads to problems. They tend to forget the books or stick them in a cupboard and that means homework tends to be forgotten. Efforts should be made to try to overcome this but it certainly causes many difficulties. Going to high school is a cultural shock. The blow should be softened by change and I believe the change should come from making the secondary school a little closer to the primary school rather than the other way around.

The subject of core curriculum is one which concerns me greatly. I would

like to take the opportunity to read parts of a paper which I delivered to the local paper in Alice Springs. The aim of core curriculum is to guarantee to most students the minimum standard in key subjects. Key subjects are considered to be language, English, maths, science and social science. Hopefully, the minimum standard will be enough for survival in the real world. A little background knowledge is essential to understand the situation before us. Before 1974, Northern Territory schools were run by South Australia and followed the South Australian courses. The Commonwealth took over in 1974. Until 1968, courses in all schools followed fixed syllabuses and there were term and final examinations. Marks gained from test assignments and practical work during the year carried some weight towards the final result. Students either passed or failed. In 1968, the idea of continuous assessment was introduced into high schools for grades 8 to 10. The intermediate external public examination was cut out in 1967. In essence, continuous assessment meant exams were dropped. Students passed or failed on the results gained in assessing a subject, one topic at a time. Fixed courses were the rule throughout. In the early 1970s, in response to cries for greater autonomy, the leaders of education in South Australia said: 'You shall have freedom until it hurts'.

When the Commonwealth took over in 1974, many changes were taking place. Schools were starting to develop their own courses through departmental syllabuses although fixed syllabuses were still available. The amount of time spent on English, maths and science in secondary schools was reduced and a smorgasbord of elective courses was introduced. Schools boasted a number of different courses from which students could choose. By this time, in secondary schools, hiring of books instead of ownership was introduced, giving rise to school fees. In 1974, the leaving public examination was removed and matriculation is the only public examination now left. Year 11 or leaving was generally tested on continuous assessment principles although sometimes a type of examination would be popped on students at the end of the year to act as a gauge of students' suitability for matriculation. In about 1974, the concept that 'nobody fails' was introduced so the laziest, most absent student was promoted along with the ablest and the hardest working ones. Much of the incentive to do well was killed. The term 'grade' was changed to 'year' which was honest, but its meaning passed over most people's heads. School inspectors, the Education Department's independent check on schools, were phased out in 1973.

The years 1972 to 1975 saw massive amounts of money poured into education. The national mood after that period hardened against education. Employers complained about the quality of students seeking employment. Parents were unhappy about school standards, but often cowered at the barrage of educational jargon fired at them. The cry that brought fear to some teachers was the term 'accountability'. They felt that the freedom for a teacher to do his or her own thing was under serious challenge. At the same time, the Education Department started to feel uneasy about its lack of control and lack of real knowledge about what was going on in schools. At that particular time, one member of this department described the situation as follows: 'We have democracy to the point of anarchy'. Every teacher, first year out or not, was supposed to have the right to put his input into the education policy, and so forth. The department was too frightened of industrial action to challenge the Teachers Federation for more control. The federation feared accountability. Core curriculum was a sop offered by the federation to the department and was gratefully accepted and promoted as the best thing since sliced bread.

What we are offered is a compromise. As far as primary schools go, I see some hope, providing the core material does not end up being retaught. Primary schools have recommended courses and, if the schools place the emphasis on the

total course rather than the so-called core material within the course, then students will not be sold short. In secondary schools, the core curriculum is meant to occupy half of the available time for key subjects for average students over the years 8 to 10. The rest of the time is to be divided to recommended curricula or accredited curricula. The better student is expected to spend less time on the core curriculum whilst the less able student will spend more time - up to the total time - on the core. Core material is to be examined externally. I am pleased about the external testing but I am concerned about the complex system being built around it.

One of my major concerns relates to reports I have had from senior teachers that the core material is of very low standard indeed. One commentator said the material in the secondary core should have already been covered by students in grade 7 primary, which is not very reassuring. Secondly, the concept of trying to guarantee a minimum standard aims at mediocrity. The emphasis should be on the pursuit of excellence in scholarship in every area. Students inwardly crave to be challenged to see personal progress and gain rewards for time and effort expended.

Many teachers I talked to would be happy to accept guidelines as to what they teach. They are prepared to have their efforts put to the test by examination of their students. This is the mark of a truly professional teacher. Again, they see their year's work with students as being part of a professional team. This year's work builds on last year's work and in turn becomes the foundation for the next year. This basic principle is by no means clearcut these days. I believe that secondary education in the Territory will remain at a mediocre standard until people in education grasp the nettle of accountability firmly with both hands and act. Meanwhile, teaching will remain for less satisfying than it should be.

In brief, my recommendation is for prescribed courses with examinations. There should be passing and failing. Courses should be designed on the previous year's work and there should be public examinations in grades 10, 11 and 12. Those most vocal against examinations often are those not happy to have the quality of their teaching placed under the microscope of student examinations. I am selfish enough to want a demanding, challenging and rewarding education for my children. In doing so, I want the same for your children. I believe it is in the Territory's interests so maybe I am not really so selfish.

There are problems with the implementation of this core curriculum and its testing. In any particular class, there will be a range of ability and, the way the core curriculum is structured, it will have to be tested with different groups within that class at different times. This is logistically inefficient and it will be very difficult for teachers to keep different groups of students working at different levels throughout that time. The testing process leads to other problems as well. You cannot have the same test for each group of students as they reach a level where testing is required. If papers slipped around, students would be able to cheat from them. The need for similar but different tests is required. A processknown as item banking has been suggested. This will prove to be a very expensive and time-consuming process and I believe the whole exercise is of dubious worth because it aims at mediocrity.

I do not claim to be an expert in the realm of Aboriginal education. I do applaud the general aim that Aboriginal students should be heading towards standards similar to those of the European population. From my experience with Aboriginal students in the high school, I believe that, with the right conditions, background and support from family groups etc, they will be able to rub shoulders equally with European students. The bilingual program has been mentioned. I

have been told, in response to inquiries, that this is a very expensive exercise and that the initial study of these children should be in the vernacular. The high cost no doubt comes from training European teachers to this level. However, from a number of sources,doubts have been expressed about the bilingual program. I remember one in particular from Maryvale. The people there wished their students to be taught in correct English by European teachers. They felt it was an insult to them that it was considered that oral vernacular could not be taught better by them at home. For written vernacular, I think the system used at Santa Teresa Mission in Alice Springs is a good one, from what I have heard of it. They teach the students in English straight through to grade 6. When they have a good grasp of the English language and the vernacular being taught at home, they have a crash course on the writing of the Aboriginal language. It seems to work very well. Within 6 weeks, they are becoming quite fluent and competent at it as a result of having learnt already to write English.

According to the paper, this area is under review. If it will save money, do the job as efficiently and avoid offending Aboriginal people, why not discontinue the bilingual program in those areas? I believe the President of the Northern Land Council has said the same thing. There are some schools in some areas where apparently they are quite happy with the program. Where it is not required, where it is offensive, I suggest it be deleted. The problem of stability of staff in Aboriginal schools is of considerable concern. I believe that a redoubled effort should be made to get experienced teachers to stay for a number of years at these schools. If it costs money to do this, I believe it will money well spent.

As far as parental involvement is concerned, there is plenty of scope for school councils to be formed and parents to be involved in every aspect of education, except the actual teaching side. If the council is over zealous, it can happen that the principal is truly hamstrung by it. I believe that the parents have the right to know what is taught and how well it is taught within the school.

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

DISTINGUISHED VISITOR

Mr SPEAKER: Honourable members, I direct your attention to the presence in the gallery of the Honourable D. Highet, New Zealand Minister for Local Government, who is in Darwin to attend the Local Government Ministers' Conference. On your behalf, I wish to extend to this distinguished visitor a warm welcome. I hope his stay here is comfortable.

MEMBERS: Hear, hear!

GREEN PAPER ON PRIMARY AND SECONDARY EDUCATION IN THE NT

Mr B. COLLINS (Arnhem): Mr Speaker, if I attempted to reply in depth to some of the issues raised by the member for Alice Springs, I would not be able to continue with anything I want to say myself. I will not try to do that. One of our staff told me today that a statement the honourable member for Alice Springs made in relation to education had been attributed by a member of the public to me. I certainly hope that will not happen again. In fact, for some time, I have been considering changing my name by deed poll to capitalise on the donkey vote. I think I will probably call myself Arnold Ardvark. That should do it.

I must say that the CLP is very fortunate in the Northern Territory to have the member for Alice Springs. I have no doubt that, if there was a branch of the National Socialist Party in the Northern Territory, it would not have him. Could I suggest to the honourable member for Alice Springs that he reread the Green Paper. He made a statement which is completely at odds with what the Green Paper says. He said: 'I am very pleased to see external examinations being provided for testing the core'. The Green Paper says nothing of the sort. In fact, if the honourable gentleman, who is an education expert, had given the Green Paper the attention it deserves, he would find ...

Mr EVERINGHAM (Chief Minister): Point of Order, Mr Speaker! The member for Arnhem said that, if there was a branch of the National Socialist Party in the Northern Territory,the honourable member for Alice Springs would be a member. That imputation contravenes Standing Order 55. I ask that the member withdraw that imputation.

Mr B. COLLINS: Mr Speaker, I believe that there are currently a number of branches of the National Socialist Party. I do not believe that anyone in this Assembly should be in a position to judge the worth or otherwise of belonging to such an organisation.

Mr SPEAKER: I request the honourable member for Arnhem to withdraw the imputation which is found to be offensive.

Mr. B. COLLINS: Mr Speaker, I withdraw the imputation unreservedly.

I would refer the member's attention once more to the Green Paper and I do trust that he will give the Green Paper greater consideration than he obviously has before he criticises it. The Green Paper is perfectly clear. I will read the particular section for the member's benefit: 'In general, principals will be responsible for the assessment of student progress and achievement within their schools specifically in relation to the core. Principals will be responsible for assessing pupil mastery with assistance from subject area committees'. I advise the member that they do so, probably in conjunction with advice from the Nation Curriculum Development Centre which put out a discussion paper on core curriculum to make it clear that the actual assessment is a school-based matter, not an external matter for external testing. I do not know where he got that from.

I will quote from the proposals in the same chapter:

1. *That primary principals be responsible for assessing students' mastery of the core with assistance from subject area assessment subcommittees.*

2. *That secondary principals be responsible for assessing students' mastery of the core in years 8 to 10 within guidelines provided by subject area committees.*

Not only is it clear from the unequivocal and unambiguous statements of the Green Paper that it is not to be an external examination system, it goes to some length to point that out. I do not have the time to quote all the relevant sections.

Mr Speaker, I will make a few general comments about the Green Paper. It certainly does give you a view from the top. I suppose that is inevitable with such a document. I point out - I will take this matter up in more detail in the written submission which I will give to the Minister for Education - that

education happens in the schools; it does not happen in the T & G building. I agree that the Green Paper of necessity takes a view from the top but it needs to be pointed out that the interface with education is the most important aspect. This is not a personal reflection on the Green Paper but I have been told by people that they find it very difficult to understand and that they feel it is written more for educators than as a genuine discussion document for parents. The particular point that they were concerned about was the quite numerous proposals which say present policies will continue. I think it is a valid criticism that there is not enough detail provided in the Green Paper of what those present policies are.

There has been some public criticism of the Green Paper. I must say that I was most surprised on a recent visit to the Darwin Community College to find that none other than the Chief Minister had made a public criticism of it. I was invited over there - it was my second visit - to address the students. I was asked for my comments on the Green Paper and, much to my surprise, I was told that the Chief Minister the fortnight before had been asked a question about the Green Paper. He said that he was unimpressed with the document and considered that it was, to quote the students, 'an exercise in paper shuffling'. I am not sure whether that is correct. I was told that it was correct. Perhaps the Chief Minister could confirm that or otherwise. In fact, if it is so, perhaps he could expand on what he means by 'an exercise in paper shuffling'. I agree that much of the Green Paper is in fact simply a restatement of current policies of the Education Department. No doubt that is what the Chief Minister was referring to. But there are, in Territory terms, some quite radical proposals contained in the Green Paper that deserve consideration.

I am sure that the Minister for Education would agree that the question of shifting year 7 to high schools has been one that has invited a lot of public comment. At the seminar the other day, that was the single most popular issue. On my recent visit to Alice Springs - the 7th time I have been to Alice Springs in the 4 years that I have been in here - teachers whom I spoke to told me that, on both the public and private meetings that had been held in Alice Springs on the Green Paper, the same reservations as to the transfer of year 7 up to high school had been expressed by parents. I have no particular views on the subject at all. I am not too concerned about it. It already happens in the Northern Territory in a number of area schools. It certainly happens in Victoria, New South Wales and the ACT.

I reject the arguments put forward in the Green Paper about sexual maturity. That it is better for sexual maturity to take place in the high school than it is in the primary school is an amorphous statement. I do not think it can be considered too seriously. The major objections I would have would be those outlined by the member for Alice Springs in his excellent speech. They include the question of cost. The teacher ratios in primary schools are 1:30 and teacher ratios in high schools are 1:60. The Teachers Federation has made a fairly unequivocal statement that, if year 7 is transferred to high school, it will demand, quite properly, that the teacher ratio of 1:16 be maintained and also that the teacher load be maintained so that the actual teaching load of the year 7 teachers at high school be scaled down to the equivalent of high school teacher loads with 10% of time off and so on. As the member for Alice Springs has said, that will result in the need to increase the number of teachers. I am not suggesting that it is an impossible goal to achieve but there will be extra costs involved.

The one thing that does concern me about the proposal, if it is to go ahead,

is that serious consideration obviously needs to be given to the feelings of parents. At the meeting I attended, there were trepidations on the part of parents about this proposed change. Certainly, more consultation needs to be carried out with parent bodies if the department is to proceed with this.

So far as the proposal to establish senior colleges is concerned, the opposition supports that unreservedly. It is an excellent idea. It has worked very well in the ACT. I have good reports about it from teachers who are actually teaching in that system. I am told that there is a slight problem in the ACT in that there has been a tendency for a little bit of elitism to creep in and I suppose that is inevitable. I was quite interested to hear that it was not so much an elitism within the student body but an elitism within the staff body. Some of the senior college teachers apparently are tending to look down their noses at everybody else in the school system because, obviously, they become very much specialist teachers. There has been apparently a slight drift of funds towards that area. I would mention those points as being something that the department will have to keep an eye on.

Mr Speaker, I would like to touch on the subject of the area school concept because I think it is a very valuable one. On one of my frequent visits to Alice Springs, I visited a number of schools. I noticed in Alice Springs the same situation that applies in Darwin: combining schools on the one campus. Traditionally, pre-schools were separate institutions, primary schools were separate institutions and high schools were separate institutions. A great place to start this, if it is not already planned, would be Palmerston. I suggest that the department seriously look at the proposal of locating all of these schools, from pre-school up to year 10, on the one campus. I think it is a proposal that really is valuable. Every teacher that I have spoken to applauds it. The pre-school teachers that I have spoken to said that they were really happy about it because it took away so much of the trauma from those small children having to be taken out of pre-school and thrown into a new environment. They do not mix with the primary school kids very much; they have their own separate area on the one campus. However, they are physically close to the school; they can see the staff going to it. It is a natural vertical integration. The same thing would apply with going from primary school to high school. It means that they will remain within the same environment. There will not be that terrible trauma. The member for Alice Springs spoke about the terrible trauma of being thrown on the bottom of the pile at the high school. I think the area school concept is an excellent one. I am glad to hear from the honourable minister that it is something that the department will pursue wherever possible.

I would like to comment on a subject touched on in the Green Paper: boarding facilities. It is a problem I have raised in the Assembly on many occasions. It is a serious problem for people in my electorate. On many occasions, I have had to go cap-in-hand to places like St Johns College to ask them to accept non-Catholic students and they have been very good about it. They take them because there is a real need for them to move out of these places where the schooling is not so good and correspondence is not, in many cases, an appropriate answer. The honourable member for Alice Springs talks about reintroducing this wonderful concept of pass or fail. Correspondence education is certainly an area where there are many failures because kids do not receive enough support. Carpentaria College, that wonderful wreck, had about 100 resident students at the time of the cyclone. It was providing for that need. It gives me a twinge every time I go past it because I know the problems faced by parents in my electorate. That hulk of a building has sat there empty for 6 years when people are desperate to send their kids somewhere where they can receive a good education. We talk about decentralisation and encouraging people to move away from our large urban centres, but we give them no incentive for doing so. In fact, they are at a positive disadvantage by doing so. The major concern of most

parents is the education of their children. It is a prime priority with most parents.

I want to spend some time talking about Aboriginal education, particularly in relation to core curriculum. There is a great danger in core curriculum. I want to go on record as saying that I do not want this to be construed that I am opposed to core curriculum. I think there are inherent dangers in it of which people will have to be careful. One of the problems is an attempt to re-write Australian history. The Australia Day Committee is putting out documents saying that we must take the conquest out of the landing of whites into Australia and that we must develop this concept of a gentle meeting of 2 cultures that are now working together for the benefit of the country. That sort of thing comes into the curriculum and it is something which is pointed out all the time. I would like to talk about the so-called hidden curriculum that has to be so rigidly and carefully kept out of this core curriculum if it is to be applied to all schools, and the introduction to the documents says it will be.

It says that the bush books, as they call them, are unique to the Northern Territory. Of course, they are not. Western Australia has similar books. In fact, they call them the bush books in Western Australia. I saw some of those recently. They were produced specifically for Aboriginal people living on pastoral properties, outstations or homeland centres. I saw this amazing book which featured 2 little Aboriginal children called Dick and Dora. Dick was saddling a horse and Dora was mopping the floor. They call it 'hidden curricula' but I do not think it is so hidden. It says on the left hand pages 'Dora is mopping the floor', 'Dora is washing the dishes', Dora is cooking the food' and on the other pages 'Dick is saddling the horse, 'Dick is cleaning the yard', etc. Right at the bottom it said: 'Dick is not doing the housework'. At the end, it said, 'Dick and Dora are both happy in their work'. That is a bit of obvious hidden curriculum.

We have a great tendency towards cultural imperialism and this is often subconscious. We consider that we are the dominant culture. Certainly, we are in Australia - economically anyway - and we tend to impose that on others. Then there is this conceptual imperialism that is sometimes really blatant. It needs to be rigorously kept out of the core curriculum.

Many parents say they are in favour of the core curriculum but I have not struck very many parents who know what it is. The honourable member for Alice Springs said in his article to the newspaper that core curriculum is great because it provides minimum standards.

Mr D. W. COLLINS: I didn't say that.

Mr B. COLLINS: Perhaps I am misquoting you but I don't think so. I will have a look at the Hansard tomorrow.

The Curriculum Development Centre produced a discussion paper called 'Curriculum for Australian Schools'. It went to some pains to point out that curriculum is not about standards but about skills. It is about the education that is provided. It is not to be confused with a preoccupation with testing. I am not saying that testing is a bad thing but it should not become the primary consideration. It is to give skills to the kids; it is not to be designed to bring back the fail or pass syndrome that I abhor. It would be a retrograde step indeed in our education system if we went back to it as the honourable member suggests.

I would just like to quote from the document: 'Because individual schools have a responsibility and need to adjust curricula to local circumstances, community interests and different learning requirements and characteristics of students, it would be a mistake to attempt to present the core curriculum as a set of required learnings which could be tested through a national or state or territory testing program'. This document was put together by a body of educators. In fact, the team was headed by a man who is acknowledged as one of the greatest experts, Malcolm Skilbeck. We have just lost him to Great Britian; he has taken up probably one of the most prestigous positions available in education in that country. This document, as does the Green Paper, takes pains to point out that one should not confuse core curriculum with testing or a pass fail syndrome. I commend it to the honourable member for Alice Springs. It goes on to talk at length about the fact that schools should be brought in as much as possible. It talks about the need to train teachers in assessment of the core curriculum so that the teachers who are assessing the success of the core can do so tempered with their personal knowledge of the ability of the children. It is not some external, insensitive test of pass or fail. It says that that is one of the great dangers of the core curriculum and it is to be avoided at all costs.

It goes on to say: 'The whole school community, including parents, students and teachers, needs to involve itself in the formulation of aims and curriculum objectives specific to that school and relating these to curriculum practice. The preparation of a core curriculum plan requires detailed analysis of aims, statements and interpretations of social and personal needs, community resources, the school population, available teaching materials and teacher expertise within the whole curriculum'. The core is to be considered as nothing more or less than that. It is a set of skills, not standards to be achieved on a pass fail basis.

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

Mr ISAACS (Opposition Leader): Mr Speaker, I move that an extension of time be granted to the honourable member for Arnhem.

Motion agreed to.

Mr B. COLLINS (Arnhem): The core curriculum is a large and very complicated document. It comes complete with a recommended curriculum which is even more massive. This is the primary core curriculum, Mr Speaker. As members would know, in most primary schools, there is 1 teacher to a class. Thus, the teacher is required to grasp and handle this massive document and the attached recommended curriculum. It is not an easy thing.

I visited Sadadeen High School just after it opened and I was admiring the magnificent open space concept. Some of the teachers there complained to me: 'Yes, it is a wonderful school and the open space is terrific but we have never been taught how to teach in it. We do not know how to handle this open space concept'. The school had not been equipped with all of its furniture at that time. The teacher built walls for themselves out of cardboard boxes. There was this open space school with tiers of walls built out of whatever materials were available because the teachers could not handle teaching open space.

The same problem applies in core curriculum. There needs to be some intensive in-service training for teachers if they are to be able to apply this core effectively. It really is a massive piece of work and it is quite complicated. In the primary schools, each teacher will have to wear most of it. It

is one of the Teachers Federation's lobbying points with the government that it should try to appoint as many specialist teachers as possible in primary school. It will be a complicated business.

Mr Speaker, I also want to make a few points about the proposed year 10 certificate. Some of this was raised at a public seminar also. There is a danger here that the test will be designed for the benefit of the employers rather than the pupils. There is a suggestion in the Curriculum Advisory Committee's recommendations - one of the documents on which the Green Paper was based - that there are a number of options available for this year 10 certificate. I reject completely a year 10 certificate which is based on the ability of the student to cope with the core. That is one of the options given. I hope that does not happen. I remember only too clearly the kind of situation the honourable member of Alice Springs was referring to and praising so much.

When I went to school, primary schools had external examinations and there were no regional high schools. The high schools were graded in order of excellence and you were sent to a particular high school depending on your pass in primary school. That was a dreadful system of education. All you had to do was goof at the age of 11 and you were locked into a second-rate spiral that you could never get out of. The top stream of passes from primary school went to the number 1 high school. In one community that I am familiar with that was known as the high school. Seven schools down the list, there was what was called the central high school and that was where all the bums went. That high school was considered to be nothing more than a child-minding centre for the statutory 3 years before these kids could be thrown out of the school. It received few resources and it was physical wreck. The kids who went there were considered to be hopeless.

That is the kind of thing that happens when you are locked into this pass fail syndrome. If there is to be a year 10 certificate, I would ask the minister to make it a certificate that not only indicates the student's capability of achieving the core but also indicates the other subjects that he may have done and a realistic and reasonable assessment of his personality, attributes, strengths and weaknesses.

People constantly talk about the unreal expectations of students. Very few people talk about something which the Commonwealth Employment Service knows a lot about: the unreal expectations of employers. In fact, a number of these cases have been investigated. When employers want people to stack shelves in a shop or do some menial job, they demand that those people have matriculation certificates. They know that there are so many kids in the market with matriculation certificates. They consider that having that matriculation certificate means, of necessity, that those young people would be better for that job than ones without. When those cases were followed up by the CES, it was found that the employers questioned had no knowledge whatever of what a matriculation certificate is or what value it might be to them.

The problem with this year 10 certificate is that it seems to be structured towards employers. The same problem will arise. The employer will not consider the personal attributes of the kid or his strengths or weaknesses. If he has the piece of paper, he will be spoken to; if he does not have it, he will not get in the front door. That would be a most unfortunate thing to happen. The current system of assessments is reasonable. It is a humane and sensitive system; it injects a little bit of flexibility into the testing procedures. I know that, if the core is to be implemented, it will be necessary to have that core play some part in the certificate. However, I would ask the minister to reject the option to have that certificate relate only to the core.

When talking about passing or failing, it really intrigued me to hear that he related that to himself and his fellow teachers rather than the pupils. 'I don't mind being tested', he said. 'We should build in this pass or fail and teachers should be quite willing to do that to show whether they are up to the job or not'. The honourable member is very fond of criticising the Teachers Federation for its apparent insentitivity towards pupils. I ask him to have a look at his words in the Hansard where he talked about bringing in the good old pass fail as a method of testing the teachers.

I would ask the minister to consider the Teachers Federation's recommendations on bilingual education. I could not word it any better myself: 'To change the aims of the bilingual program - (a) instead of a knowlege of English, develop a healthier self-concept in each child through the systematic use of the Aboriginal language initially and incorporation of studies of other aspects of Aboriginal culture ...'. It goes on to re-list all the other aims. I believe that an aim of the bilingual, bi-cultural program is to strengthen the identity of Aboriginal people as Aboriginal people. One of the problems I have with the bilingual program at the moment is that there seems to be a trend to try to separate bilingual education away from Aboriginal education when, in fact, it is an integral part of the whole thing. It is a fact that, in a community that has tribal Aboriginal people, it is a bilingual school whether there is a formal program in a school or not. The kids come to the school speaking a language which is different to that being spoken by the school teachers.

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

Mr HARRIS (Port Darwin): The Green Paper has attracted a great deal of attention. I am still a little disappointed in the response that has come back in some areas from the public. People tend to say no to a particular proposal that has been put forward without coming up with any ideas why they oppose that particular proposal or give any sound suggestions about what we should do instead. The minister has spared no effort in presenting to the community an opportunity to comment on every aspect of education. He has spent a great deal of time attending various meetings with parents and teachers. I can understand, Mr Speaker, how he has been frustrated at times at the response that he has received. I start to query, as I am sure that he does on occasions, just what priority people place on education in the Northern Territory. On a matter of such importance as education, I would have expected a great deal more comment to have come back. That has not been the case.

A number of proposals have been put forward in this Green Paper which, if they are adopted, could have grave consequences for the direction of education in the Territory in the 1980s. I agree that the education system must be responsive to local needs but, being the conservative person I am, I alway sound a word of warning when there is to be any major change to a system. I believe that major changes to the system are being suggested. Once changes have been introduced into a society or a system, they are very difficult to withdraw. Many such mistakes, and I call them mistakes, have been made in the past. One such mistake on the federal scene was the introduction of Medibank and, on the local scene, the housing loan scheme. Both of these schemes have caused embarrassment to governments and have put pressure on governments. I believe that it is very difficult to move back from a system which has been accepted. I personally prefer to hold back whenever there is doubt. I like to be satisfied that anything that is being introduced into the system will benefit the community as a whole at a price that it can afford. I make that comment because I do have a feeling of being pressured somewhat into accepting certain proposals that have been put forward in this Green Paper.

We seem to get ourselves into a position where the general principles are decided upon without proper debate. I do not believe this has been intentional but it has happened. It was the case when we were considering the introduction of a teaching service. A working party report was prepared and many of the philosophies that were reflected in the first Teaching Service Bill that came before the Assembly came from that working party report. I would like to have seen that report debated, as I have mentioned on other occasions.

In the case of the Green Paper on Education, it would appear that certain principles were decided on before adequate comment was received from outside the department. A paper on secondary education in the Northern Territory was circulated to a number of people and comment was sought on that particular paper. That paper contained some initiatives that we see now in the Green Paper. I believe that paper on secondary education should have received a great deal more attention than it did, I am told that is the area where the problems are in the Territory education system. Many points raised in that particular paper have flowed on to this Green Paper. In many instances, these points appear as opinion only without any supporting reasons. A lack of consultation with other groups, such as the Marrara Christian School and the Catholic schools, is apparent. No consideration was given to their future development or, if there was, it has not come out in this particular paper. The Marrara Christian School is developing in the secondary area and the Catholic schools are expanding all the time and looking to building more primary schools. These schools are vital to our overall education system and must be given consideration when we plan where we are going in the 1980s.

I shall not debate the problems that could arise if certain proposals in the paper are implemented. At all meetings I have attended, problems such as where to put children if year 7 is moved up into the high schools and the increased cost to bus children to the senior high schools if they are established have been discussed. However, these matters must be taken into consideration in the final analysis. My attention is focused on the changes to our education system proposed in the Green Paper. The proposed change that has received most comment has been mentioned here already today. That is the move of year 7 from primary school into high school. I have spoken with people and listened to discussion at meetings and at the present time this proposal is not acceptable. It is clear to me that most people are against this proposal. They feel the present system is working quite well and fear the results of a change.

The argument presented by the department to support this proposal does not convince me that such a move is necessary or would improve on the present system. This area of our education system, which has continually received praise, could be threatened by such a change. The only reasonable argument put forward is that specialist subjects and languages would be given an additional year to reach university entrance standard which must compare with the standard of other states, and the course would be better for pupils over that time. I accept that particular argument. Another reason given is that year 7 at first year secondary would standardise the Northern Territory with most other states and, as a result, the transfer of pupils between states would be easier and standardised subject levels of the 6-year secondary phase would be desirable. That may be so, but whether or not such a move would improve the overall education system is debatable.

Another point put forward in favour of year 7 moving to the high school relates to the idea of the 3-year, settling-in period. It is believed that children moving from the one-teacher, one-classroom situation to the multi-class, multi-teacher secondary system requires more than 2 years to adapt. From comments I have received, a 2-year, settling-in period appears ample and if senior high schools are introduced, this problem will recur at a higher level.

I do not accept the final reason given. It is that, by including year 7 in secondary schools, students will experience the physical and psychological changes which occur in early adolescence whilst in high schools only, rather than in both schools as at the present time. I would say that more physical and psychological changes take place in year 8 than in year 7. The inclusion of year 7 children in high schools will mean that there will be more less-mature children at high schools than more mature students at primary schools. So that I am able to have as much input into this debate as possible, I shall confine my remarks to sections of the Green Paper on which I have received comment. On page 7, it is stated that the Northern Territory government provides financial assistance to various independent schools, the degree of assistance being in part determined by the private resources available to individual schools.

Assistance is in the form of per capita grants. These grants are at the same level for all schools and are based on the average per capita cost of education in Northern Territory schools. I ask the minister how the degree of assistance can be determined in part by the private resources available to individual schools if the grants are at the same level for all schools? On the same page, we see the Commonwealth government, through the Schools Commission, provides capital grants to independent schools to assist with building projects, ground development and the like. I understand that, at present, money for ground development is not available.

We see on page 8 that assistance is also provided in respect of loans which independent schools may negotiate to fund approved building projects. The Northern Territory government makes provision for subsidising interest payments and the Commonwealth government, through the Schools Commission, offers a loan guarantee. Loan guarantees are long, difficult processes. They can cause a great deal of embarrassment and hardship on occasions before moneys become available. Perhaps a system of loan guarantees given by the Northern Territory government which would not cost anything would be more efficient than Commonwealth guarantees.

It states on page 16 of the report that students commencing year 8 in 1982 will receive an NT certificate of competence when they complete year 10 in 1984. I feel that certificates of competence should be granted only after some form of examination to prove the competence of students. On page 18, it is stated that very small classes mean correspondingly larger classes in other areas. That is not necessarily correct, Mr Speaker. This depends on the range of subjects offering. More subjects require more classes and perhaps some schools are offering more than are really necessary.

The question of whether or not the government should become involved in providing residential facilities at high schools is a difficult one. Policy should be consistent. There is a definite need as far as children from isolated areas are concerned but, if they are provided for, other sections of the community could avail themselves of this provision also. I believe that the cost to provide such a facility would be too great. Perhaps the government could look at a system of subsidised private accommodation. A government subsidy should not become excessive. A contribution of the normal living costs should be expected from the parents of the children from isolated areas who wish to take up a government offer of accommodation. I feel that community-based houses with house parents should be the only government involvement in the provision of boarding facilities.

I have not really addressed my attention to Aboriginal education. It is a worry to me. I do not know if we are moving in the right direction in this

particular area. A person once commented to me that he likened the system of Aboriginal education to a grandmother with her bulbs in the back garden; she kept digging up the bulbs and uncovering them to see if anything had happened. I believe that sums up pretty well what I feel has happened with Aboriginal education. I do not mean that in a derogatory sense. Sections of the Green Paper deal with Aboriginal education; I have made notes on various points and I pass those to the Minister for Education. Proposal 4 on page 27 suggests a continuation of the recently introduced bridging course for students who have not reached a sufficiently high standard to proceed to a subsequent year. I believe that bridging courses for student teachers should not be used in order to graduate teachers of lower capacity. Care should be taken not be abuse this particular facility.

On page 28, it says that students who are not expected to achieve well, seldom do; students seldom do well through teacher expectation. Studies have shown this to be correct and care should be taken not to allow expectations to be confused with facts. Further on, there is a paragraph which starts: 'Residential colleges were set up to provide Aboriginal students with an opportunity to study alongside their European counterparts'. I believe it is not correct to state that residential colleges were set up for this purpose. Kormilda College and Yirara College do not cater for multi-racial classes. Proposal 7 says that the department shall arrange for the monitoring of the social impact of education programs in Aboriginal schools with particular attention to the role and effectiveness of residential colleges. Residential colleges may be necessary in the immediate future for Aboriginal secondary education, but integration must be aimed for in the long term. This is consistent with our policies.

There is so much that can be said about this Green Paper and the proposals that are put forward in it. There are areas that I have not touched on. For example, one of the proposals put forward is the establishment of senior high schools. I have always been a person who believes in competition and school spirit. I feel that is part of our education system. If senior high schools are introduced, the door will be locked to this inter-school reaction. At present, I know that there are some areas which do not have large populations and where this inter-school reaction cannot exist. However, I believe that it is important and, as we develop, the opportunity will arise for inter-school reaction. If we have senior high schools, the door to allow this to happen will be closed.

At present, many states of Australia are looking at education problems. Reports such as this are being tabled in the various parliaments. I would hate to see us pressed into making a decision on the future of our education system without giving it a lot more thought.

Mr LEO (Nhulunbuy): Mr Speaker, my contribution to this debate will be fairly brief. I would like to make a comment on the length of time that has been given for discussion of this major paper. It will cater for the next 15 years of education in the Northern Territory. I do not believe it has been available long enough for public discussion. I appreciate that the minister is taking account of all this information and undoubtedly will put it into his White Paper. I have attended meetings of 2 school councils of which I am a member in Nhulunbuy. Many of the unitiated, such as myself, do not know what much of the Green Paper means. Some of the expressions such as 'present practices to continue' do not mean very much to me. I am not one of the teaching fraternity and, unfortunately, I have not had time to go into the education system in enough detail to understand what the paper means. I do not know if members of the public really understand what the words 'core curriculum' mean.

The copy of the core curriculum that the honourable member for Arnhem has is the first one that I have seen. I think that a lengthy public debate is necessary because it is quite a major document which will determine the direction that our educational system will take for the next 15 years.

Mrs LAWRIE (Nightcliff): Mr Speaker, I think this is a very well-reasoned document. I disagree with most of the remarks made today. I heartily commend the recommendation for changes to the school system: that year 7 be part of high school and that the high school consist of a junior high school and a senior secondary school. I do not believe that these can be considered in isolation as some of the previous speakers have considered them.

Having listened to the honourable member for Alice Springs and a couple of other members, I am surprised that I have survived so well, that my psyche is not irretrievably bent and battered. I came from a system where primary school finished at grade 6 and year 7 was automatically part of the high school system. It is a matter of interest that the most populous states in Australia, NSW and Victoria, operate under that system today. If we are to believe the ultra-conservative member for Alice Springs, all the people who have been through that system must be still suffering and must be in some way impeded.

Mr D. W. Collins: You did not listen to what I said.

Mrs LAWRIE: Somewhat to my horror, Mr Deputy Speaker, I did have to sit and listen to everything the member for Alice Springs said, strange though it was at times.

There has been a fair amount of controversy in schools and within the community over the proposed changes but, in the numerous meetings that I have attended, there has been an attempt to have these proposals considered in isolation rather than considering them as a package deal. When members of the community were invited to consider the transfer of year 7 to high school and the separation then into the 2 forms of high school, they were far more receptive to the idea. I might add that the Victorians and New South Welshmen present hardly needed persuading. It is mainly people from South Australia and Western Australia who are still showing some resistance.

If we look at some of the reasons for the establishment of the senior high school, perhaps some of the honourable members' fears will be allayed. Teaching resources within the Territory are finite and mention has been made of the cost of the proposed set-up for high schools. At the moment, there is a waste of resources because of the very small numbers in individual matriculation classes in Alice Springs and Darwin. Because of our small population and our limited budget, it is not possible for the high schools in both centres to offer all the matriculation courses which could be offered if they were consolidated. I refer to language courses in particular. Nightcliff High School, with which I have had a long association, had to drop French as a matriculation subject because it could not continue to offer French, German, Spanish and Indonesian when, in the final year, perhaps only 3 or 4 students would be studying the subjects. However, if we have a senior high school college, we will have a pooling of the students and a variety of languages can be offered. The specialist facilities in the initial stages will cost money to set up. I commend the honourable minister and his department for putting forward the proposal which will alter our school system, which is somewhat anachronistic in Australia today. The longer we defer the proposed changes, the more expensive they will be to implement.

Having said that, let us go back one step to the middle school. Because most older students will have been removed to the senior college, there can be a greater concentration of resources, not only in a pure teaching sense but in terms of catering for the needs and expectations of the middle-range student. These people will be the least affected by the proposed change and years 7 to 10 will not be affected at all. Because we have removed from the middle school the older students with their particular needs, including social needs, more attention can be paid to the grade 7 students who are to be promoted from primary school. It will not be as horrific for the year 7 students as has been envisaged here this afternoon.

If I may return to senior schools for a moment, most psychologists, school counsellors and parents of older children are well aware of the stress placed upon those children by having to conform to junior school discipline. Nightcliff High School, as far as is possible, has split itself into senior and junior faculties but it is still not working to the great advantage of the senior students. What is to stop the senior high school liaising closely with the community college by having an open entry so that adult students who may wish to return to do their year 11 studies can do so? It is an incentive to those people to return. Some of them have been accepted back into the normal school system. It is very difficult for them and it is fairly disruptive for the normal high schools to have adults studying in the typical high school system. A senior high school would do away with that difficulty. It will also encourage the psychological advancement of the senior students. They are treated in a different manner in ACT and Tasmania. To have adult students studying with them has been proven to have a settling effect rather than the reverse.

As far as primary students and their transfer at year 7 to high school is concerned, if the senior high school is implemented, they will receive counselling if necessary which will make them fit into high school without much difficulty. I am glad that some members accept the point that it will give 6 years of secondary school training before students sit for their matriculation certificates. Given the complexity of the matriculation subjects today, 6 years is almost too short. The honourable member for Alice Springs surprises me. He was a secondary school physics teacher and he is well aware of the way that subject has expanded over the last 4 years. Nevertheless he feels that what in other states takes 6 years can be compressed into 5 years in the Territory. I beg to disagree with him. I would hope that all the prophets of doom will not be sufficient to stop the minister from bringing the Northern Territory system into line with those in the more populous states of Australia.

Before I conclude, may I add my voice to the plea for residential facilities for secondary school students and for apprentices. Mr Deputy Speaker, you stated that the only assistance should be in the form of some subsidy for private housing accommodation. A subsidy is not all that is needed. Firstly, most of the homes in the Darwin area are 3-bedroom homes. Recently, Nightcliff High School sought accommodation for a student from an outlying area who wished to continue his studies at high school level. It had to circularise the parents of other high school students asking them if they could provide any accommodation. I do not think that is the way we should be housing our students who have to live away from home. I might add that it was unsuccessful. It is not simply a matter of paying a subsidy to take them into the home, you also have to ensure that the home is of acceptable standard. If we were going to start paying subsidies for all these students who may wish to attend the community college, we might well find, given that they could be removed at short notice if another child is born into the family or whatever, that the subsidies we were paying would approximate what could be put into better facilities and better resources.

Remember the large sums which are paid out in Aboriginal Secondary School Grants. These grants are paid to Aboriginal children to continue their secondary schooling where no suitable schooling is available in their home environment. At the moment, they are being sent to Queensland, South Australia and, I believe, in a couple of instances , to Western Australia. They are being sent to those centres because residential accommodation is available there. With the exception of St Johns College, which can only take so many and not all people wish their children to attend a religious school, facilities in Darwin simply do not exist. The member for Arnhem spoke in fairly scathing terms about Carpenteria College. I live about 200 yards from the poor old wreck. Carpenteria college is history. It will not be rebuilt for the educational purposes for which the land was zoned. I ask the Minister for Lands and Housing who is also the Minister for Education, to accept the recommendation on page 20 of this Green Paper and to listen carefully to the Education Advisory Council which is reviewing the need for residential facilities in both Darwin and Alice Springs. I cannot speak for Alice Springs, but I know how dreadful the present position is in Darwin.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I should like to commend the minister and his department for putting out this paper which has certainly led to some debate within the community on the subject of education and the direction it should take. Whilst I have my own views about all the particular matters raised in it, I think it was a very genuine attempt to focus the attention of educationalists, parents and students on where we are going. Rather than my views, I will put the views of the meetings of parents and teachers that I attended recently in my electorate. It was principally a meeting of parents although there were a considerable number of teachers there. One could sum up the mood of the meeting as being that the Green Paper was rather like the curate's egg - good in parts. I do not think that I referred to the Green Paper at any time in the past as an exercise in paper shuffling, but I certainly indicated to a meeting - I think it was the Aboriginal task force at the Darwin Community College annexe - that I considered parts of the paper were not necessarily the best thing that could happen in education. The meeting that I attended certainly appeared to be against the placing of year 7 students in high school. It appeared to want year 7 students to remain in primary school. Whether the parents came from New South Wales, Victoria, Western Australia, Queensland or elsewhere, I do not know but that appeared to be the strongly expressed mood of the meeting. It may be that they are simply afraid of change and that came out rather strongly later in the meeting.

They also seemed to feel that life is a competition in effect except for a very few fortunate people. The meeting therefore felt that it was unrealistic that competition be excluded from the school environment. There was also complaints that there were only one and a half pages devoted to primary education and that the Green Paper seemed to be weighted against technical education which, in their view, received scant attention. They thought technical education deserved a great deal more attention than the 8% of the core curriculum being devoted to it. They thought it should have at least 16% of the time.

They believed that there should be a set syllabus. I guess most of them worked to a set syllabus. I suppose that most of the people, although not all, who turn up to a meeting like that would have preconceived ideas on education formed on the basis of their own experience. I suppose that applies to all of us except the few extremely fortunate and extremely objective people. They were all in favour of a core curriculum. I am not sure if there is much difference between a set syllabus and a core curriculum but they are in favour of both.

The parents feel at a loss because the school subjects seem to be changing all the time. They believe that there should be some stability. A system should be determined at the commencement of the school year and there should be no variation, in any important sense, during the course of the school year except in circumstances of urgency or exteme importance. The mood of the meeting was that people are looking for stability in education. It was all summed up in a rather desperate plea from a school principal who addressed me, eyeball to eyeball, at the end of the meeting and said: 'The only constant thing in Northern Territory education is change'. With that, Mr Speaker, I conclude my remarks.

Mr ROBERTSON (Education): Mr Speaker, I think the Chief Minister put it beautifully in his concluding remark. This is one of those subjects on which everyone is an expert. I claim to be the exception. This is typical of all ministers for education: we are the first to admit that we do not know as much about education as we ought to. I think that the diversity of opinion that we have heard this afternoon sums up the dilemma that the government and I have. It is rather like seeking a legal opinion from 2 lawyers. We have 2 qualified teachers in this Assembly and they are diametrically opposed. I do not think that opposition stems necessarily from opposing political philosophies at all. It is typical of the humanities professions that there is inevitably wide diversity of views and opinions. Those diversities seem to extend to parental views and employer views. Indeed, it also extends to the students' view of their lives. I wonder how much time we spend asking them. Certainly, that was the reason for the amendment to the Education Act to include a student on that body.

I do not propose analysing what has been said today because, if I were to do so, that would inevitably lead me to give the impression that I have arrived at conclusions. I have not. As I indicated in question time this morning, the whole purpose of the Green Paper is to obtain as many views as possible and then we will analyse those views and hopefully come up with a policy which will indeed give rise to a direction for education in the 1980s.

Motion agreed to.

LEAVE OF ABSENCE

Mr ROBERTSON (Education): Mr Speaker, I seek leave of absence for the Treasurer and member for Stuart Park. The reasons are known to the Assembly.

Leave granted.

Mr LEO (Nhulunbuy): Mr Speaker, I seek leave of absence for the member for Victoria River.

Leave granted.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Education): Mr Speaker, I move that the Assembly at its rising, do adjourn until 10 am Tuesday 18 August 1981 or until such other time and date as may be notified by Mr Speaker pursuant to sessional order.

Motion agreed to.

ADJOURNMENT

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

This morning, the honourable member for Nightcliff asked a question that implied that the Northern Territory had 2 weeks less schooling than any other state. I disputed that then and I do so now. Nonetheless, it is quite evident that the Northern Territory traditionally has had fewer school days than the majority of states. Traditionally, we have attached our system very largely to the South Australian education system. When South Australian teachers taught up here, they had 5 extra days off than teachers in South Australia. In 1981, there are 200 school days in the Northern Territory system and the semester system will not alter that. Queensland has 195, Tasmania 198, Western Australia 203, South Australia 205, Victoria 207, New South Wales 208 and ACT 209. Mr Speaker, we might have a look at going back into line with South Australia.

Mr HARRIS (Port Darwin): Mr Speaker, road safety is something which is always very close to the hearts and minds of all members here. Unfortunately, there are a number of things happening in the city at the moment that are of concern to many people. I feel the matters that I am going to raise today should be brought to the attention of the Road Safety Council and I shall be doing that.

The first matter that I would like to raise has been commented on during the sittings by the members for Sanderson and Stuart Park. It concerns the proliferation of road signs in the main city area. I shall not comment on whether or not a sign should be placed in a particular position. That is for the Road Safety Council and the city council to look at and make recommendations on. However, many of these signs are causing a great deal of confusion. I thought initially that the rules that were being introduced - such as the T-junction rule which was introduced right throughout Australia - would reduce the need for many of the signs at various intersections in our city. I further believe such a move was also designed to enable people who move from one state to another to have an understanding of the laws in other states. I see no benefit whatsoever in placing stop signs and give-way signs on terminating roads at T-junctions. We have a law that says vehicles on a continuing road have the right of way at all times but a situation exists on the Esplanade near Government House that conflicts directly with that law. The Esplanade is a continuing road, but there is a Stop Sign at Mitchell Street, which I would class as a terminating road.

The decision to place signs in positions like this worries me. I feel that these signs add further to our confusion as far as traffic flow is concerned. There may be good reasons for these signs being where they are but I do not know them. The previous city council considered parking meters unsightly and decided not to introduce them, but now the coucnil is erecting numerous signs. I agree with the final comment of the member for Stuart Park that perhaps we should go back to the system of giving way to the right and avoid the need for all these new road signs.

I believe also the traffic lights at the Berrimah Road crossing should be brought to the attention of the Road Safety Council. I have had reports from people who use McMillans Road and turn right into Stuart Highway every morning that traffic lights are not mirrored in the opposite direction. I understand that direction indication lights are to be placed there but, at present, there are only the normal stop, warning and go lights. A driver coming from McMillans Road wishing to turn into Stuart Highway to go to town, may have a green light and drivers approaching from Berrimah Road a red light. I think this goes

against the principle of traffic lights. Lights are generally mirrored in the opposite direction and I believe a very serious and dangerous situation has arisen.

There are also a number of intersections which need redesigning. One is Gardens Hill Crescent which is a divided road. I believe that the design of the island should be reconsidered where Gardens Hill Crescent meets Gardens Hill Road. It is quite dangerous and there have been a number of accidents there already.

In my electorate, some streets have now been turned into courts. They were no-through roads for a number of years but have now been changed. The courts are very narrow and, if vehicles are parked on both sides, it is very difficult for residents to get in and out. In some cases, the courts lead onto Mitchell Street and cars have to back out on to that main street. I believe that situation must be looked at if accidents are to be avoided. Residents are entitled to proper access.

In some locations where landscaping and beautification is being carried out, the view of motorists is becoming obstructed. I think we are all in favour of beautification and street landscaping but, in some cases, this creates a dangerous situation. The Road Safety Council should look at areas where landscaping has taken place. There are some corners which need attention. I am not advocating that we just lop all the trees down, but there are areas which need consideration.

I inform the Assembly that the Sessional Committee on the Environment will take a trip to Kakadu National Park tomorrow, particularly to Koongarra.

Ms D'ROZARIO (Sanderson): Mr Speaker, there is an upsurge at the moment which is quite encouraging in matters relating to safety and this particular outbreak of interest seems to be national. Following the remarks made by the member for Port Darwin, it is encouraging to find people becoming more aware of environmental safety and to see the work of organisations in encouraging environmental safety. Earlier in this sittings, we contributed to safety within the mining industry.

There is a report in the Bulletin of 16 June; this is the second time I have quoted that journal and I am not even a subscriber to it. However, it is an interesting report on accident prevention as it relates to children. It outlines the fact that Australia is amongst the world leaders as far as the accident rate for children is concerned. This is not something to be proud of, I would suggest, but it appears from this particular report that Australia is third to Japan and France in this matter. It is quite distressing for modern, industrialised nations to have these indications of lack of concern for their younger citizens. It also says that accidents cause 3 times more child deaths than any disease, which again is quite a startling piece of information. It is clear that accident prevention should be looked at from the point of view of public health since it seems to be such a large problem.

In 1977, road accidents, including pedestrian accidents and bicycle accidents, accounted for a large number of the deaths of children under 15 years of age. Another significant cause of death was drowning; many incidents occur in backyard swimming pools. Perhaps the city councils in the Territory can resurrect the matter of the fencing of pools. The death rate relating to these particular sources is quite high indeed. Pedestrian accidents were 23% of the total; burns and bicycle accidents amounted to something like 24%; and drownings were 22%. In my electorate, a large proportion of the population is under

15 years of age. A large number of representations have been made to me about safety - many from the children themselves. Between the last sittings and this sittings, I did some work in other Australian cities on what is being done in this area. I shall give a brief report for the benefit of Assembly members in consideration of the fact that the trip was undertaken under the Renumeration Tribunal determination provision and also in case members wish to use the information that I have accumulated.

The 3 matters which concerned me were road safety as it relates to young people, public transport issues and, more particularly, the aspect which is becoming quite a popular means of alleviating the decline in patronage in public transport - the system of transport known as paratransit. I would like to briefly comment on these particular aspects because I think they would be of benefit and interest to all members of the Assembly. I was helped considerably in my visits to the states by the Director of Traffic Accident Research Unit in New South Wales. This gentleman generously gave large amounts of his time to me and showed me how far behind we are in the field of traffic accident research, particularly as it relates to hazard prevention. I found that organisation to be extremely large. It escaped me until now how large the task is and how much effort can be put into it by these particular organisations.

Briefly, TARU is an organisation of 140 people. It has on its staff 14 psychologists who regularly look into the behavioural aspects of accident prevention. There are 40 people who do nothing but catalogue the characteristics of each accident that happens in New South Wales. These people produce extremely valuable information on why accidents happen, which of course is then passed on to those people who concern themselves with accident mitigation. There are also a large number of engineers on the staff of this unit. They not only look at traffic and road engineering but also at vehicle engineering. Such matters as why vehicles fail, whether or not road design is at fault and whether or not regulatory measures could be taken are all examined by this unit.

As I said, it was generous in its information to me. However, I quickly discovered that, if I wanted to obtain any useful information, I had to know exactly what the problem was that I wanted information about. It is so specialised that, when one walks in, one cannot just express a general interest in road safety. When I informed the director of the unit that I was particularly interested in road safety as it related to pedestrians and children, he immediately asked: 'Children under 8 or children above 8?' That shows the degree of specialisation that this unit has in its approach to traffic accident mitigation. After years of research, it appears that these thresholds are extremely important. Again, when I wanted to look into the matter of bicycle safety, I was asked whether I wanted to look at engineering aspects or behavioural aspects. I was able to talk to a number of psychologists to find out why this high degree of specialisation occurs in this particular unit. It is not really possible to give a detailed rundown of what I found out, but certainly I was given a large number of research papers. I have access now to much information which I did not have before. In the matter of road safety, measures and devices are designed from the point of view of adults. That is why we have had such great difficulty in preventing accidents amongst children. Mr Deputy Speaker, I must thank the Traffic Accident Research Unit in New South Wales for the very excellent work that it has done and also the extent of the information it made available to me.

I turn now to the question of public transport. Again, this is an electorate problem. It is most frequently raised in my electorate office. I decided to seek information from the Public Transport Commission in NSW and also the State Transport Authority in South Australia because these are the 2 places which

have done most in the way of providing public transport services to lower-density areas. The information from NSW was really quite advanced and I wondered why we do not take up some of the lessons which have been learnt in NSW. The information is freely available. The officers concerned are cooperative and willing to supply not only the techniques of achieving high patronage but also any amount of background research papers in case one is at all cynical about the reasons for their doing it or the methods they are using.

I think that the approach to public transport in the Northern Territory, particularly in the outlying northern suburbs, whilst it has improved in recent years, is perhaps going in the wrong direction. In NSW, there is a heavily publicised and fairly aggressive marketing body which aggressively tries to win people away from cars and into public transport. It makes it extremely attractive when compared with costs and it has a number of schemes which we could investigate and perhaps introduce here. One of the schemes is the unlimited daily ticket which a patron is permitted to use on any route on any public transport mode at all anywhere in Sydney. It is possible to alter one's mode of transport from bus to suburban rail, ferry or hydrofoil. All of these things can be done very cheaply on a daily ticket. Taking that a bit further, there is also a weekly ticket, a monthly ticket and even a quarterly ticket for regular commuters.

Only 2 years ago when I was looking at the general issue of public transport in Australian cities, it was put to me by a person who was undertaking fairly serious research on the subject that one of the problems with Sydney was that there was a concentration of cultural activities which were very difficult to get to. We now find that the PTD and the Urban Transport Authority of NSW have done quite a lot to rectify that situation. Indeed, one rarely arrives at the Opera House by motor vehicle any more because the Sydney City Council and the PTC have devised a method whereby one leaves one's car at the Domain carpark and takes a bus to the door of the Sydney Opera House. It is very cheap so not only is patronage increased but the acceptable cost thresholds have been investigated as well. Simply on economic grounds, many people who did not use public transport now do. I might say also that access to facilities in the central business district of Sydney is now extremely good.

Just diverting from that theme, I was also very interested to see the positive approach to pedestrianising the city which has taken place in recent years. It is now very easy for pedestrians to move through the city with minimal conflict with the vehicular traffic. This is a positive policy which has been pushed and it has been taken up by a number of private developers. I believe there are all types of bonuses, such as on plot ratios and carpark requirements, that are given to the developers who comply with that particular policy of encouragement.

I want to speak about paratransit which is of course related to public transport. I was happy to learn from the member for Fannie Bay that we have an embryonic paratransit system already operating in Darwin: the Fun Bus. It is one aspect of a general approach to increasing patronage and lowering the cost to the public and to the providers of public transport services in very low-density areas.

The places with the most experience in paratransit systems are Adelaide and Melbourne. In Melbourne, I am pleased to report that 56 local government councils currently institute the paratransit system. A paratransit system is a public transport system which is intermediate between the normal fixed route, fixed cost and fixed timetable public transport service and any private mode of transport, which includes the taxi. The local government councils in Melbourne have introduced a variety of systems which are still fairly experimental even

though they have been in use for a long time. One of the most popular devices used is the community bus system. Handicapped or otherwise immobile people use it. Of course it is aimed at sectors of the community that do not have access to private vehicles. They are used most by young people and by the very elderly. It provides a very cheap and efficient system of getting from home to key community and recreation facilities.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, the question by the member for Nhulunbuy this morning about the closing of the Katherine Meatworks indicates the concern that most people have for this facility. It is a fact that the meatworks is experiencing difficulties. I will give a few figures to show why. Katherine has 190 people on its books and has a killing capacity of 350 head a day. The killing capacity is really limited by the chiller capacity. It could kill many more than 350 but, because of the lack of cold storage, it is limited to 350. Tennant Creek abattoir can kill 450 a day and chill them. It has a staff of 128 people. Point Stuart abattoir can kill and chill 250 a day; it has a staff of 56. Katherine abattoir has become inefficient.

The Katherine meatworks opened in 1963. I was present at the opening and it was a very modern meatworks then. It was designed specifically for the US export market which had only just opened up and, over the years, it has become very modern. It has an air-conditioned kill floor, which it didn't have for many years, chains to make the boning and the slaughtering easier and more efficient, and a hide puller. The meatworks is still geared to the old tally system. I understand the tally is 201 and on top of that there is an overtime rate. The tally system was designed for the old meatworks without the aids to efficiency and this is what is causing the trouble. What worries me more than anything is that, if this meatworks is to become efficient, it must become either a contract shed, which will mean that many people will be superfluous, or the tally system must be revised. You have only to open the paper to read about meatworks closing down everywhere. That is a third option.

If either the contract shed or the revised tally system took place, the meatworks would save probably $0.5m a year on wages alone. I sympathise with the meatworkers and I sympathise with the meatworks but, above all, I sympathise with the cattlemen because while the meatworkers and the meatworks are fighting, they do not give a damn about the cattlemen. I had hoped that the Beef Industry Consultative Committee set up by the Minister for Primary Production and Tourism would have proved to be a catalyst but it has not. I would suggest that, one way or the other, these 3 groups get together. The meatworks should remain open for each of the 3 groups' benefit, the town's benefit and the Territory's benefit.

One other thing that could happen is that the meat processor could look about for other markets. We are tied now to the fragile US market. I have said this so many times before that I hope I am not becoming tedious. During a recent tour of South-east Asia with the Chief Minister, we found that, in every country we visited, they required cattle or beef or both and grain, stockfeed, poultry food, pig food, pigs and chooks. We cannot supply many of these products but we can supply beef. It is up to the meat processors in the Northern Territory, assisted by the Northern Territory government, to change their markets for beef to South-east Asia. It is also time that someone took up the suggestion made to me not long ago that, if we could interest one of the Islamic leaders in South-east Asia, perhaps the Sultan of Brunei or someone like that, into purchasing a meatworks here, he could produce all the canned curries that South-east Asia needs because the Islamics would trust him implicitly and they would know that the beef was beyond reproach, that it was killed in the halal manner. This would fit in fairly well with the horticultural development which is taking place. What we would really have is a joint venture whereby the

person who will sell the meat, buys the cattle, processes the meat and puts it into tins. This would be done with the proper religious observances. It is not a stupid idea; I think it is a very smart idea and one which the government should pursue.

One of the troubles with getting anything from the Northern Territory to South-east Asia is transport. I think it is a viable proposition to transport frozen beef by air. I have been trying to obtain the figures for 6 weeks with the help of the government. I cannot get any figures. I can get them from Qantas but Qantas is down to 1 flight a week now so there is not much chance with them. There are other means of transport. Barges are pretty slow and have only refrigeration space for 40 tonnes.

Something that I have always thought would be feasible would be for Singapore-based refrigerated vessels with modest capacities, space for up to 500 tonnes, to come here and pick up the beef for these places. In Singapore, there is a market for frozen beef and they are canning curries there. Why can't we can them here? The Minister for Mines and Energy tells us that we don't have the tin plate but if we could interest somebody in starting a cannery not only would it help this South-east Asian trade by providing the kind of beef they want, but there is also the pet food industry and the horticultural industry. You could even make the tins for beer and soft drinks. What I am really saying is that it is about time the meat processors got off their tails and found another market. It is as simple as that.

Mr B. COLLINS (Arnhem): Mr Deputy Speaker, I listened to what the honourable Minister for Mines and Energy had to say about combining the requirements for tin plate in the Northern Territory with a view to starting a canning industry; it would certainly be a very forward step indeed. I look forward to the day when ships would be coming into our port and taking away tonnes and tonnes of Mac's Islamic Curry in tins. I think it is an excellent idea. If a number of proposals like that could be combined, perhaps a manufacturer would be interested in setting up a canning line here in the Territory.

I want to touch on a number of matters concerning education in the adjournment this afternoon. We have a number of intellectuals on both sides of our Assembly who are fond of throwing quotes around the place. Despite the fact that I am an uneducated mug, I will have to presume to join them. In discussing the matter of alcohol abuse and most of the other social ills that afflict us on an individual, national and international level, it is generally conceded by most people that education is in fact the key to at least going part of the way to solving those problems. H.G. Wells was a fairly maudlin bloke but a brilliant man. Perhaps because of his brilliance, he became preoccupied, particularly towards the end of his life, with the basic insanity inherent in mankind. In fact, just before his death, he decided there was no hope for any of us the way we were going. He wrote in one of his political papers that 'human history becomes more and more a race between education and catastrophe'. That is only too true. In fact, it was his considered opinion that catastrophe would win the race.

It is important that education plays as key a role as possible in our lives. One of the things that I was pleased to see in the core curriculum statements was reference to teaching aspects of courtesy, tolerance and forbearance towards other people's points of view, a general acceptance of the fact that other people have points of view and that, even if one differs with them violently, they are entitled to hold those views. Between now and the next sittings of the Legislative Assembly, I am sure that there will be an escalation of the amount of comment that has been received on the education Green Paper. I have no doubt

that, as a result, there will probably be a sufficient amount of material from people who make approaches to members of the Assembly to occupy a number of adjournments at the next sittings in August.

I want to touch on a number of issues in the Green Paper in this afternoon's adjournment. Page 3 of the Green Paper quotes the Education Act when it says: 'To make provision for the availability of education to all people of the Northern Territory and in particular to provide programs appropriate to their individual needs and abilities'. Part of that statement needs to be taken carefully into consideration when one is assessing core curriculum.

Unfortunately, many people have little perception of what the actual core curriculum is. A great many people think that it is the 3 Rs or merely a core that provides for basic literacy and numeracy. In fact, the core curriculum covers the broad spectrum of all the topics of education taught in schools. There is one for language, one for mathematics, one for health and physical education, one for the sciences, one for social and cultural education and one for art. The core curriculum in fact provides a core for the broad spectrum of education in schools. It is necessary to ensure that, in the application of the core curriculum, the aim of the Education Act - to provide for the individual needs and the abilities of students - is adhered to. That is written in the preamble to the act. It is essential for the core curriculum to be applied at a school level and for any assessment of that core curriculum to be carried out at the school level otherwise that preamble of the Education Act will not be fulfilled.

Mr DEPUTY SPEAKER: Order! We have already debated that particular point.

Mr B. COLLINS: Mr Deputy Speaker, I have made no reference to a previous debate nor do I intend to. I have no doubt that the invitation of the Minister for Education to debate the Green Paper in the adjournment debates will take up quite a number of adjournments.

Of the section dealing with independent schools on page 7, I would ask 1 question of the Minister for Education. Is it intended in the regulations to the Education Act which will be out later this year to put any sort of criteria at all on the requirements for obtaining accreditation or registration of an independent school? It has been brought to my attention that schools that wish to establish themselves as independent schools or, as the Marrara Christian School has done, as an independent school system, are in some difficulty with trying to find out on what basis they have to approach the department to obtain the necessary accreditation. I would ask that question of the minister as to whether that will be provided at all in regulations or in a separate document.

Page 22 of the Green Paper says: 'There should be recognition that the education of Aborigines in the Northern Territory is a special field of education and that as many as possible of those who work in this field need special training if education planning and action are to be fully effective'. The Department of Education has been promising for a long time to make basic courses available for inducting teachers into the skills of surviving in an Aboriginal community. I have yet to see any comprehensive program such as that being implemented. I have seen some unfortunate examples, unfortunate for the community and the teacher concerned, of serious social problems occurring that could have been avoided if the teachers had not gone in there cold and had had previous training in surviving in a culture which is not their own. I would hope that it will finally be implemented.

The Green Paper says on page 26: 'In order to achieve the goal of an equal proportion of qualified Aboriginal and non-Aboriginal teachers' - which I understand is to be 50/50 by 1990 - 'a number of ways will be required to encourage many more Aboriginal teachers to complete training'. Let me put it to the minister that certainly the crux of this is to replace Aboriginal assistant teachers in schools when they go to Batchelor. It is clear that Batchelor cannot survive if it is too involved in transitional education. It is not designed to do that; it is designed to be a tertiary college and it cannot cope if it has to have a transitional stage in its program. Therefore, the most useful field for it to draw its students from is teachers that have already trained as assistant teachers in schools. If these teachers are not replaced, the whole of the Batchelor College concept will fail because it will be teaching one set of teachers and it will not be getting any input from the communities to keep feeding the system to expand it.

Mr Deputy Speaker, I am certainly very pleased to see the recommendations on page 29 which talk about residential colleges for Aboriginal students and an option for students up to the age of 15 or 16 to get what is now known as post-primary education. Although I understand the Education Department wants to change that to 'or elect to get themselves to residential colleges'. It would be useful indeed if they are given that choice and I support that recommendation.

One of the problems of the core curriculum - and I have spoken to the director of curriculum development here in the Territory about this - which has been raised with me by school principals is that, after they have studied carefully the core curriculum document, the statements and the recommended curriculum that go with it, they are very much afraid that the amount of effort that will be required to teach this will mean that they will only be able to teach to the core. There will not be enough time for electives as is provided for in the system. I suppose the only way to see whether that will happen or not is to have a look at what happens in the school year 1982. If that turns out to be the place to make appropriate changes, the electives can still be included in the school curriculum.

On page 47, it says: 'It is considered worth while that the rate of curriculum change now and in the future should be based on careful evaluation and analysis and not exceed the capacity of teachers to effectively absorb the changes'. I would like once again to highlight that. On many previous occasions, I have talked in the press about the need to make sure that teachers understand what they are teaching. For the Territory, this is a very new concept. It is essential that the teachers are not expected to deliver more of it than they can otherwise the same thing will happen with core curriculum as happened in some cases with bilingual education. I am not talking about the department or the minister when I say this but there are 3 essential elements of the bilingual program: a research linguist, a graduate such as Mr Neil Bell; a teacher linguist; and a publication section to put into action what the researchers and teacher linguist want taught. Quite a number of the bilingual programs have existed for quite a number of years without all 3 of those components. Critics of the system then say: 'Look at that bilingual education program. It has been a failure'. I am afraid the same thing might happen in the core if teachers are expected to implement it more quickly than they can absorb it.

The Green Paper goes on to talk about the Industries Training Commission setting its own pre-apprentice examinations and, in fact, industry generally setting its own examinations. I understand that the minister has strong views on the subject and I suppose I will just have to differ from him. I quite honestly do not see that the proposed year 10 certificate should replace industry

exams if industries consider them desirable. I personally do not object to particular employers wanting to assess employers. Banks do it. A number of industries have their own intake exams. I do not see why they should not be allowed to continue that.

On page 49, the Green Paper refers to the key area of assessment in the core curriculum and item banks being set up to compile a whole range of testing facilities that can then be picked out by the schools as they consider them appropriate. One of the problems with this is that it is a very large and expensive resource and would take probably as much time and effort to put together as the core curriculum itself. I would suggest that the core curriculum cannot function without it but it will be an expensive thing to implement. I hope that the old cry of not enough funds will not prevent that because I consider it to be essential to the successful implementation of the core because it will retain that necessary school-based assessment. It is no good trying to implement the core curriculum and then say afterwards that we could not set up the item bank because we did not have enough money to do it.

Mr Deputy Speaker, I conclude by saying that the opposition will be giving a written submission to the minister on this subject. I have no doubt it will be a comprehensive one because we are responsive to what feedback we get from the community. Between now and the closing day for submissions for the Green Paper, which is 25 June, we will be submitting a written submission for the minister. I have no doubt that many members will want to take up the matter again in adjournment debates at the next sittings.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, I would like to speak on an answer to a question the Minister for Community Development gave me yesterday morning. I brought to his attention the undesirable fact that a number of parents were leaving small children at Casuarina Shopping Centre. They were dropping them off in the morning and leaving them there to their own devices for most of the day. This item received some publicity in the newspaper and yesterday afternoon 3 people got in touch with my office - I was not there - to tell me of further instances of this practice that had come to their attention. Two of these people are constitutents of mine and one is not. There were 4 cases actually.

I feel that the bringing of children into the world is quite a serious matter. One is bringing another life into the world in the form of a baby. He becomes a child; he becomes an adult; it is another human being. It takes a lot of time and effort and 9 months gestation to bring this child into the world and the regard that some parents show for their children is out of all proportion to the time it took them to bring that child into the world. Parents do not seem to have the sense of responsibility for their children as future Territorians that they should.

I like dogs very much, Mr Speaker, but it seems a person who pays $100 or $200 for a pedigree dog pays more attention to his dog than his child. If the dog is lost, there is a great hue and cry and rewards are offered to get the dog back. I quite understand that. If the child is missing from the garden for some time, the parents do not seem to worry because their attitude often seems to be 'somebody will look after my child'. That is not a very responsible attitude to adopt and that lack of responsibility in the parents will be carried on by the children when they become parents. An instance was brought to my attention. A lady went to Casuarina Shopping Centre very early in the morning to do a bit of shopping. She became rather unwell and sat by the bus stop for 25 minutes or so. While she was there, she was amazed at the number of parents who dropped off children. These were young school-age children and it was in

the school holidays. I think there was some entertainment for the children at the shopping centre. I do not know the object in providing entertainment for children there - whether is was to provide a free child-minding centre for children or whether it was to provide entertainment for children who were accompanying parents shopping. When shopping with young children, it is boring for them and a reasonably considerate parent will look to the child's welfare so the provision of a bit of fun at the shopping centre was a pretty good idea. It probably brought more customers. In the school holidays, responsible parents spend a bit more time with their children. Parents should spend more time with the children and have fun with them talking things over and just being together. I would hasten to add that I am not an over-protective parent. I do not consider myself a very motherly sort of person or very emotionally involved, but I consider that I am a responsible parent.

I do not really know the answer to the third case. I think perhaps the parents are on the horns of a dilemma, although they could exert a little more control over their children. This has been related to me; I have not seen it myself. There are a number of small shopkeepers at Casuarina centre who have their children there. I do not know whether it is during school hours of after school hours. Perhaps it is both. Perhaps the dilemma is that, if the children go home, they would be unattended at home as their parents would not be with them. In the shopping centre, they are under some control from the parents. In a situation like that where the children are nearby only now and then, I feel the parents do not look after them quite as much as they could. I think that leaving the children unattended for long periods in a place like Casuarina Shopping Centre is unwise. There are so many interesting shops with interesting things to buy, see, feel, touch and perhaps to take. It could be putting temptation in the way of children. They are not encouraged to steal, but no bar is put in the way of it. In many cases, the parents would not know that the children are doing so.

In conclusion, I think it is admirable to consider the safety of children in all aspects of their life and education. It is good that parents and other people who are in charge of children look to the welfare of children. But I think it is time that parents were made aware of their responsibilities to their children. Raising a child need not necessarily be onerous and without fun, but it is a responsible job.

Mr BELL (MacDonnell): Mr Speaker, I rise to mention a number of matters which I feel are of some importance to the Assembly and in need of some consideration.

Cemeteries have been something of a talking point today. When I came to Darwin on a couple of occasions, I stayed at the Telford Hotel. It was my occasional habit early in the morning to take a walk down the hill in the direction of the cricket ground and the Botanical Gardens. I spent a fairly informative quarter of an hour or so in what my colleagues from Darwin tell me is the Gardens Cemetery. I understand from the member for Fannie Bay that her father-in-law is buried in the Gardens Cemetery. However, I was upset a little that that cemetery is in fact in such a state of disrepair. It is a city council responsibility. It is a little disappointing to see a cemetery in such a state of neglect.

Mr Deputy Speaker, you raised the matter of road signs. I want to mention something in this regard with reference to Alice Springs. Through personal experience, I have discovered a need for 1 or perhaps 2 more road signs that should be placed at each end of Telegraph Terrace in Alice Springs. Telegraph Terrace, as members may be aware, is a 4-lane carriageway in Alice Springs.

Since I have been living there on a permanent basis, I have had the misfortune to incur not 1 but 2 on-the-spot fines from what I thought at the time might have been a somewhat over-zealous constabulary. I did not incur these fines because I am in the habit of driving at high speeds or endangering life and limb, either my own or anyone else's. The carriageway itself, to cut a long story short, should not be a 60 kilometre an hour zone; it should be a 70 kilometre an hour zone. I drove nearly the full length of it at some 75 kilometres an hour watching a motor cycle policemen following me behind. I wondered why he was doing it. I found out.

One final thing I wanted to bring to the attention of the Assembly is a matter of concern to some of my constituents. It was raised in a question from the member for Alice Springs. He asked the Minister for Transport and Works about the crossing over the railway line on the airport road. As a result of repairs to the railway line, the crossing has changed. This has caused quite a lot of trouble to the equestrian club that is in the vicinity because cars have had to detour. It has caused trouble with some of the young kids who ride in that area. I think the minister said that he had written to ANR to have this matter examined. Apparently, there is a problem of deciding whether it is the Department of Transport and Works' or ANR's responsibility to keep the crossing open while the lines are being repaired. It is a simple matter: a couple of yards of filling is all that is required. I hope that that difference between ANR and the Department of Transport and Works will be able to be resolved relatively quickly.

Mr D. W. COLLINS (Alice Springs): Mr Speaker, I was sorry the other night that the member for MacDonnell was so upset that I was asked to present a peitition on behalf of the anti-poker machine group in Alice Springs. However, as members no doubt know, it is my duty to present a petition no matter what my personal views may be on the particular matter. The honourable member eventually woke up to that fact. He had some fun trying to extract himself from that position when a member from his own side started to giggle about the situation. I gather the honourable member was nettled by the fact that he was not asked to present the petition. It could be that the group was not satisfied by the totally ambiguous position on poker machines expressed by the member for MacDonnell in this Assembly. The member for MacDonnell also claimed that the recent by-election in MacDonnell was all fair and above board. I believe him because he told us yesterday that he tells the truth. I understand then, Mr Deputy Dpeaker, that I should have no trouble soliciting his support for any moves to have future elections not only fair but also seen to be fair.

When radical changes are made in a system, often objective data about previous systems are not kept so that a comparison may be made once the new system has settled down. The baby may be thrown out with the bath water and history may eventually repeat itself and change back to something like the original with everyone tending to claim innovation. This was my concern on Tuesday when I gave some limited but disturbing data about the number of students taking the external matriculation examination in Alice Springs in 1973 and 1980. Please note that is only 7 years, not an eternity as existed between the member for Arnhem's father's day and the present. The ability of the member for Arnhem to take a subject out of context and rave about it is simply amazing and of considerable concern.

There remains only one small area of commonality between the South Australian-run system which ended at the end of 1973 and the system the Territory inherited from the Commonwealth. That area is the matriculation examination which is presided over by South Australia. I believe this comparison should be studied. In support of this call for a study, I mention my concern that, if the

tendency denoted between 2 years in 1 place was an indication of the trend in the Territory as a whole, then the viability of the future Territory university could eventually be jeopardised. The situation in Alice Springs may be an aberration and not a reflection of the Territory as a whole. However, I would like the comparison between systems to be made and current trends studied. I do not doubt the capabilities of the University Planning Authority. It has the figures and I don't. Please keep in mind, Mr Speaker, that my main aim was to have a comparison made.

I was pleased with the response from honourable members who replied to me. It is good to see that the standards of the university are defended with great assurance, but not in the uncategorical manner suggested by the member for Sanderson. Such a bald statement would be difficult to prove. 'Every course in every university would have to be considered'. A tall order. Certainly the member for Sanderson cannot prove her point by dramatic, emphatic statement.

At the November sittings, I read out from the Australian a concern expressed about a non-mathematical economics degree. The article mentioned that these courses were being given to students in universities. Students had gained their degree and then found that, when they sought employment, it was no use whatsoever. There is no point trying to say that universities do not on occasions get up to some forms of nonsense. The very fact that warned the universities that they were not to try any funny business must have suggested that there was a little bit of smoke around at some stage of the game.

I mention my concern that universities might be tempted, for funding reasons, to lower entrance standards. My concern is that, if that happened to us, then the reputation of our university would be brought into disrepute. I am delighted to hear that honourable members would not let this happen. This augers well for our university's future. My concern about the lowering standards of university entrance is not against the interests of mature-age students. In fact, the very opposite is the case. Mature-age students, with all the very real sacrifices they have to make, do not wish to study for a second-rate degree which lacks value and marketability. I admire mature-age students. They do make excellent students for the reason that they have purpose, have counted the cost and stick to their task with determination. I would point out that many mature-age students, in effect, have gained matriculation standards for university entrance. They have studied matriculation subjects over a period of 2 or 3 years, perhaps in between working and family commitments. This has been an acceptable criterion both by the universities and the public. I certainly support it. Any mathematics-based degree which allows a lower than the matriculation standard for entry would eventually lower the standard of the whole degree because that matriculation year in mathematics is almost as hard as any of the university years in mathematics, and I have had experience. I do not think there is any reason to doubt me on that particular point. I do believe, however, that there is some point for mature-aged students who are involved in a course where the subject is the English language. We have material before us every day which we can read and gain experience and practice. Not many of us have experience in the high level of mathematics that the matriculation year requires. If there are moves in that direction for people without matriculation, providing that the universities do not drop their standards as to what their end product is to be, if they can get these people through and the degree is a high degree then that would be certainly of value.

Mr Speaker, 4 years ago next November, I went to Adelaide to mark matriculation physics papers. The examiner suggested to me that the level of difficulty of the exam was similar to the leaving physics exam - grade 11 now - 10 years before. At that time, he was involved in marking exams so I assume that he

knew what he was talking about. The content was different but the degree of difficulty of the exams was very similar to that time. The honourable member for Nightcliff suggested there has been an increase in the difficulty of physics, but actually there has been a decrease. I am well aware of it. I know it is only one subject, but it is one subject which I do know about. There is nobody here who can take that away from me. The universities can only take over where the secondary schools leave off. It would be difficult for a university to keep up its standards and levels of achievement starting one year behind the 8-ball. It would be difficult, though perhaps not impossible, to guarantee university standards in this subject area.

I turn now to a couple of comments that were made; I do not know whether they are really worth remarking on, Mr Speaker, because they were quite ludicrous. Let us compare one point from the member of Arnhem. His father, unfortunately, did not have enough education to be able to read and write. He mentioned yesterday that he himself had a limited amount of time at school. He did learn to do a few other things,apparently, which are quite interesting. However, pre-schools, primary schools and high schools are now in the particular area. Today is better than yesterday is the assumption. He said: 'Let's throw out any of this talk about returning to exams and the 3 Rs'. I am very glad to see that the member for MacDonnell is not against the 3 Rs or against scholarship. Getting back to the honourable member for Arnhem, the logic that appears in his previous discussion is as follows. Dad couldn't read and write. Today we have many schools. Today is better than yesterday. We used to have exams and now we don't so obviously exams are the culprit. Don't bring exams back because they prevent reading and writing. That is the measure of the logic in what he said.

I would make it quite clear that I support higher standards in universities and I wholeheartedly support the mature-age student as he or she battles for a first-class degree.

I see my time has not run out. There was some debate on the Green Paper; I will continue for a little while. A suggestion that I make to the Education Committee is that, if parents were able to obtain the syllabuses and timetables for the courses that were taught in schools, then they would be able to keep an eye on what the students were doing. They would be able to help, and I believe many teachers would welcome their ability to help ...

Mr SPEAKER: Order! Is the honourable member referring to the debate on the Green Paper? That is expressly forbidden under standing order 53.

Mr D. W. COLLINS: I am indeed, Mr Speaker, but if I may point out that the honourable member for Arnhem did exactly the same thing and he was ruled ...

Mr SPEAKER: That has no relevance to my ruling.

Mrs LAWRIE (Nightcliff): Mr Speaker, may I ask at the next sittings whether the honourable member for Alice Springs will indicate whether he has a vested interest in the continuation of exams as he is paid to mark the papers?

Mr EVERINGHAM (Jingili): Mr Speaker, I do not think I should let the sittings conclude without saying something about the 2 rather bitter, indeed vicious, attacks made by the member for MacDonnell on my colleague, the Minister for Lands and Housing. The member for MacDonnell twice made the statemant that this government has done everything possible to undermine - and I think he used at one time the word 'subvert' - the operation of the Aboriginal Land Rights (Northern Territory) Act.

Any rational person knows that the land rights act could not have operated or extended its jurisdiction in this Territory after 1 July 1978 had it not been for the forebearance of the Northern Territory government in perpetuating the freeze on unalienated crown land. Indeed, Mr Roland QC, in his recent report, criticised this government and the previous federal governments for using this administrative method to preclude the normal dealings that should have taken place with unalienated crown land.

I found it quite extraordinary also that this member should have treated in a supercilious and patronising fashion the lack of knowledge by my colleague the Treasurer of an obscure dead language such as Latin. Not all of us have had the scholastic and educational advantages of this honourable member. It is an extraordinary attitude to be taken by a member purporting to represent a party that purports to represent the working class. I must say I think it is symtomatic of how out of touch that party is with ordinary people. The treatment by the member of my colleague, the Treasurer, as a simpleton because he does not understand Latin was an exercise unbefitting any member of this Assembly. To pedantically translate the phrase for the benefit of the member for Stuart Park was an exercise and a tactic beneath contempt.

Mr ROBERTSON (Gillen): Mr Speaker, as the Chief Minister has raised the subjects which were raised by the member for MacDonnell previously, I will take the opportunity of replying.

Mr Speaker, there were 3 points made in the last miserable effort by the member for MacDonnell in the - shall we call it - land south of Tempe Downs saga. The first point was the undermining or subversion of the land rights act by this government, which has been suitably disposed of by the Chief Minister. The second point he made great play of was that Mr Conway, of Conway and Lander, was a member of the CLP and the reason for making an offer of the land by way of lease pursuant to an act of this Assembly was because of that membership. His third point was that I had in some way or other deceived the proprietors of Tempe Downs by way of letter.

Let us look at the remaining 2 which have not been disposed of. The fact is the honourable member throughout the entire sittings has not got one single thing right. It is probably the most appalling example of innuendo and inaccuracy that this place has seen since it was built. Let us look at it. The fact is that Mr Ian Conway is not a member of the CLP. I have never seen him at a meeting of the CLP other than the Young CLP when, in its founding year, he was a member. I have not seen him at a CLP meeting since. He is not an active member of the party and, indeed, at the time when it was first raised by the honourable member, I was immediately of the conclusion that he had never been a member. In fact, I had to ring the secretariat of the CLP to find out whether or not he was. That is the interest that he has taken in the party. Indeed, when asked 12 months ago by the secretariat to rejoin, he said that he was too busy. He is not really interested in party politics anyway. Thus, it is just one of those snide stupid things that people come up with which have no basis in truth whatsoever.

That is only part of the nonsense we have heard from the honourable member for MacDonnell. What an appalling start it has been to his career in politics. In Hansard of 9 June, he is reported as saying: 'Let us turn to the question of the deception of the proprietors of Tempe Downs'. Mr Speaker, I ask this Assembly to judge who is creating the deceptions and, worse still, who is he trying to deceive. That fact is that he is trying to deceive you, Sir, and honourable members here. He must be doing it deliberately. He could not be that stupid. Mr Speaker, I have indicated to the Assembly that I have grave

doubts that the man can read but I do not think his literacy is as bad as his efforts here would indicate. He says: 'The minister himself was obviously unaware of the letter'. Yes, I was entirely unaware of the letter because it does not exist. It has never been written, it has never been sent, it has never been dictated, it has never been typed. The letter does not exist.

He said: 'This letter to the proprietors of Tempe Downs said that they could not expect the Northern Territory portion 1097 to be considered in terms of being added to their lease because it was subject to a claim under the land rights act'. That is what the alleged letter of 20 May 1981, reference PL629(3), said. Of course the letter said no such thing. The honourable member has insulted this Assembly and the public, through Hansard, by believing that we are so stupid as not to check that out because, when he said that, I knew that letter was impossible for the simple reason that, by the time that letter was sent, I had already made an offer of the lease. The letter could not have been sent. If the man had half a brain in his head, he would have known, by checking his own dates, that it could not have been sent.

Worse than that, Mr Speaker, within one half page of an A4 sheet of Hansard, he contradicts himself. He cannot even get his own attack right. I have just read out that this letter ostensibly said, 'you cannot have the land by way of lease because it is subject to a land claim'. In less than half a page, the letter changes its wording. He said: 'It is stated, as I have said' - which he did not - 'that they could not expect any consideration of their request for a grazing licence over Northern Territory portion 1097'. The same letter mysteriously has changed its wording from an offer of extension of lease to a grazing licence. Mr Speaker, we are occasionally surrounded by buffoons but this is getting a bit ridiculous.

A letter was sent by the Acting Assistant Director Land Allocation Branch and was dated 20 May 1981. He actually got something right; he can read a date. We were told that the letter did one of 2 things: it either told the proprietors of Tempe Downs that the department could not consider the terms of adding to their lease because it was subject to a land claim or, alternatively, it said that it could not extend their grazing licence. What did it say? I will read it into Hansard. At least I can read. It is a letter from the Acting Assistant Director, Land Allocation Branch PL629(3) dated 20/5/81. It says:

Dear Mr Duncan and Mr Gilman,

There has been considerable discussion and correspondence in the past concerning the position of the possible addition of NT Portion 1097 presently held by you under grazing licence number 2072 to the head lease of Tempe Downs Station. Other alternatives for the use have now been considered and the Minister has determined that a lease of the land is to issue to Messrs I. Conway and T. Lander for tourist development incorporating the use of camels. As a result, I regret to inform you that your interest in the land will not be extended to a leasehold title and the present grazing licence will not be renewed after the expiry of 30 June 1981. Thank you for your interest.

Yours sincerely.

It is unbelievable.

Motion agreed to; the Assembly adjourned.

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