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NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fourth Assembly
First Session

Parliamentary Record

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Fourth Assembly
First Session

Speaker	Roger Michael Steele
Chief Minister and Minister for Industrial Development and Tourism	Paul Anthony Edward Everingham
Opposition Leader	Bob Collins
Deputy Chief Minister and Minister for Health, Youth, Sport, Recreation and Ethnic Affairs	Nicholas Manuel Dondas
Treasurer and Minister for Lands	Marshall Bruce Perron
Minister for Mines and Energy and Minister for Primary Production	Ian Lindsay Tuxworth
Attorney-General and Minister for Transport and Works	James Murray Robertson
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Minister for Housing and Conservation	Cecilia Noel Padgham-Purich
Minister for Community Development	Daryl William Manzie

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Sessional Committee — New Parliament House

Mr Speaker
Mr Finch
Mr Leo
Mr Perron
Mr Smith

DEBATES

Tuesday 21 August 1984

Mr Speaker Steele took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have message No. 2 from his Honour the Administrator:

I, Eric Eugene Johnston, the Administrator of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to appropriate certain sums out of the consolidated fund for the service of the year ending 30 June 1985 dated this 9th day of August 1984.

E.E. Johnston
Administrator

SPEAKER'S STATEMENT
Opening of Papua New Guinea Parliament House

Mr SPEAKER: Honourable members I advise that, in response to invitations from the Speaker of the Papua New Guinea Parliament, accompanied by the Clerk, I attended the opening of the new Parliament House in Papua New Guinea by His Royal Highness Prince Charles on 7 August 1984. On behalf of the Legislative Assembly of the Northern Territory, I presented the parliament of Papua New Guinea with a traditional Aboriginal ground painting by Charlie Tjapangali of the Pintubi tribe of the western central desert. The painting tells the story of how a group of Tingari women travelled through a water place on a creek bed in the distant past. The gift was welcomed by Mr Speaker Bonga who, I am sure, will find an appropriate place for it in a most attractive new parliament house. The gift was chosen by Dr Colin Jack-Hinton, the Director of the Northern Territory Museums and Art Gallery who had his staff frame it most effectively. Presiding officers from other Australian parliaments also presented gifts.

PETITION
Dinah Beach Cruising Yacht Association

Mr HARRIS (Port Darwin)(by leave): Mr Speaker, I table a petition from 379 citizens of the Northern Territory seeking a grant of land for the Dinah Beach Cruising Yacht Association Incorporated. The petition is not strictly in line with Standing Orders because of a misinterpretation of the Standing Orders by members of that particular association. Mr Speaker, I seek leave for the petition to be read.

Leave granted; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of 379 citizens of the Northern Territory respectfully showeth problems:
1. there are no facilities in Darwin for permanent and safe year-round

mooring of yachts and large powerboats used for recreational, land or residential purposes; and 2. there is an urgent requirement for these facilities. Your petitioners humbly pray that: 1. the Northern Territory government forthwith grant the Dinah Beach Cruising Yacht Association Incorporated suitable tenure to enable it to have and to exercise the care, control and management of that area of land known as Dinah Beach being land presently under the control of the Darwin Port Authority situated between lots 5269 and 5268 Town of Darwin and generally from the south-east corner of lot 5266 to the north-eastern corner of lot 5269; 2. that the rental for such tenure be fixed at a nominal value only to enable the association to use available funds to effect improvements on the land; and 3. that the association is one which represents the majority of yacht and boat owners seeking the establishment of long-term facilities for the permanent mooring of yachts in Sadgroves Creek and the establishment of shore-based facilities for storage, careening, dinghy launching, provisioning and maintenance and repairs.

NOTICE OF MOTION

Mr B. COLLINS (Opposition Leader): Mr Speaker, I give notice that on the next day of sitting I will move that:

this Assembly censures the Chief Minister for the ineptitude with which the negotiations with Federal Hotels have been conducted in respect of the acquisition of their hotel casino operations in the Northern Territory, with particular reference to:

(1) the assertion by the government that clause 16(3) of the casino agreement allows for compulsory acquisition by the government of all the casino hotels when it clearly fails to do so;

(2) the carriage by the government of high-level and detailed negotiations through the NTDC of developments requiring the use of assets owned by Federal Hotels without invoking clause 16(3) of the agreement, thereby placing those negotiations outside the ambit of the legislated agreement with Federal Hotels;

(3) the deliberate campaign of public denigration of the performance of the Federal Hotels casinos by the government in the face of an excellent record of operation and community support; and

(4) the failure of the government to conduct all negotiations with Federal Hotels on the basis of the exsiting agreement signed in good faith by Federal Hotels and the government and attached as a schedule to the Casino Licence and Control Act.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that so much of Standing Orders be suspended as would otherwise prevent this motion be taken forthwith.

Motion agreed to.

MOTION
Censure of Chief Minister

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that:

this Assembly censures the Chief Minister for the ineptitude with which the negotiations with Federal Hotels have been conducted in respect of the acquisition of their hotel casino operations in the Northern Territory, with particular reference to:

(1) the assertion by the government that clause 16(3) of the casino agreement allows for the compulsory acquisition by the government of all the casino hotels when it clearly fails to do so;

(2) the carriage by the government of high-level and detailed negotiations through the NTDC of developments requiring the use of assets owned by Federal Hotels without invoking clause 16(3) of the agreement, thereby placing those negotiations outside the ambit of the legislated agreement with Federal Hotels;

(3) the deliberate campaign of public denigration of the performance of the Federal Hotels casinos by the government in the face of an excellent record of operation and community support; and

(4) the failure of the government to conduct all negotiations with Federal Hotels on the basis of the existing agreement signed in good faith by Federal Hotels and the government and attached as a schedule to the Casino Licence and Control Act.

Mr Speaker, last week the Chief Minister was endorsed as a candidate for the next federal election. Consequent upon that, he gave a major speech to a Liberal Party conference in New South Wales, the theme of which was reported with a great deal of publicity around Australia. The theme was that the Liberal Party nationally had failed to exercise the basic principles of a liberal party: small government, hands off, non-regulation and a free rein to private enterprise once it achieved government. I believe that that theme provides an adequate and proper setting for this debate.

Mr Speaker, just 15 months ago, in April last year, the Chief Minister formally opened the Mindil Beach Casino owned by Federal Hotels. For a brief description of this company, I refer honourable members to an article published in the Hobart Mercury. I have deliberately chosen this paper because it is a Tasmanian paper and they should certainly know this group best. I quote from the Hobart Mercury of 23 April 1983:

Federal Hotels operate a number of hotels throughout Australia and holds the only legal casino licences in Australia. The company is known for its good reputation as hotel casino operators and for its long-standing leadership in the Australian tourist industry. The Federal Hotels Limited is an Australian-owned company.

Federal Hotels constructed the casino complexes in Alice Springs and Darwin. In my view, both of those complexes, particularly Mindil Beach, are magnificent buildings. It did this without any financial assistance at all from the NTDC, the Northern Territory government or any of its agencies in a move which everyone at the time, including many people in the government, considered

to be a courageous venture, breaking new ground in the Territory and demonstrating the faith and commitment of a major Australian company in the future of the Northern Territory.

Mr Speaker, the company arranged its own finance and it had considerable difficulties in the early days of the new development, principally from horrendous interest rates which, to quote the figure given in the Financial Review of 5 October, reached an annual level of $5m in 1983. Fortunately, the interest rates have fallen since then. The problems the casino faced early in its operation were not crippling nor unusual for a brand new undertaking. The problems were not nearly as bad, I might add, as those which some other Northern Territory developers have incurred and which were treated by the Northern Territory government in a manner dramatically different to what has occurred in this instance.

All of these events led eventually to a situation where the Northern Territory government, to the total shock and dismay of Federal Hotels, asked Federal Hotels to put a price upon its assets. This resulted in a letter being written in August 1983 by Greg Farrell, the Chairman of Federal Hotels. I will read the letter because it has been quoted selectively:

Dear Chief Minister,

Following our meeting in Sydney last week, I hereby outline my estimate of the value of our hotel/casino properties and operations in Alice Springs and Darwin. The cost of the Alice Springs development, including land, buildings, plant and equipment, was $10.7m. The cost of the Mindil Beach development, including land, buildings, plant and equipment, was $28.5m. Tax losses available as required by your purchaser are $7.8m and we would want 20¢ in the dollar for them.

Always in considering the Northern Territory, my company has acted on the belief that long-term profits were the key to the investment and we have enormous faith in the Northern Territory which is why, even under heavy financial pressure, I at no time considered a total sale of the operations themselves and your request to consider such a total sale came as an enormous shock which must have been obvious to both yourself and Marshall.

I am enclosing valuations on both properties and perhaps the fairest way to consider a price for the sale of both properties would be to average the cost of the properties and their estimated replacement cost which comes to $47m. I had our chief accountant do a discount profit analysis for the next 10 years ... In summary, therefore, $47.1m is the sum we would require to sell our complete interest in the 2 hotel/casino operations plus an additional sum for tax losses, if required.

We have been having discussions with several groups regarding an equity in the properties themselves. These discussions will continue. Nevertheless, I assure you no finalisation of any agreement will occur until you have had the opportunity to discuss this letter with interested parties and come back to me.

Mr Speaker, the letter was followed by a further letter of 8 March from the same gentleman, the Chairman of Federal Hotels:

Dear Paul,

We are now in serious discussion with a Malaysian group for the purchase of 38% of the Federal group. This would be done by increasing the capital so that all new funds remain in the company. The price under discussion is NTA with values to be confirmed by their advisers. All moneys received from the sale will be used to reduce Federal's indebtedness - that is, we would be replacing debt with equity - and this will ensure the immediate viability and profitability of the group.

The party is interested in setting up a structure through Malaysia and Indonesia-Singapore to promote tourism and, in particular, of parties interested in our gaming facilities. Darwin is the obvious number one choice rather than Alice Springs. The marketing company will be owned by Federal but will be run from Asia. The Malaysian group is headed by Datuk K.C. Koh, an eminent lawyer and investor from Johor. We have requested Allen Allen and Hemsley, Singapore partner, to interview all shareholders and give us a CV on them, copies of which are enclosed. Datuk Koh is a delightful man. I have met with him several times, the last time in Darwin in mid-January, and feel confident we can work well together and in harmony. All discussions to date are subject to Reserve Bank approval, FIRB approval and, most important of all, acceptance by both the Northern Territory and Tasmanian governments as being suitable partners.

Financial details could be resolved in the next 4 weeks and I hope to be able to take Datuk Koh, as the majority shareholder of this Malaysian group, to meet you and your officers some time late in April or perhaps early May. The TAL offer for IPEC Holdings Ltd has been successful and the new company should be listed on the stock exchange within one week, and IPEC Holdings Ltd will cease to be listed tomorrow. I shall have, through my family companies, a controlling interest and it is not my intention to sell even one share as I have great confidence in the future of the tourist industry although, to date, it has been enormously difficult for me.

Regarding recent press statements concerning your future, I would like to wish you and Denise all the very best and hope that the move is as successful as you would wish it to be.

Mr Speaker, the contents of that letter are self-explanatory. Following this letter, a crucial meeting took place on 14 March at the American Club in Sydney over dinner between the Chief Minister, the Treasurer and Greg Farrell, Chairman of Federal Hotels. Mr Farrell kept detailed notes of that meeting, which he transmitted to other members of his board. I have a copy of that telex which I will read out in full:

Notes on dinner meeting at the American Club Sydney 14/3/84 with Paul Everingham, Marshall Perron and G.P. Farrell.

Paul Everingham said they would like us to sell out of the NT and negotiations were almost complete. Within 6 weeks, a company would be making a takeover bid for TAL. He could not name the company. The NCSC regulations prevented this but it was Australian and they had an agreement with an American operator.

Farrell asked was it Parry from Western Australia. Everingham said definitely not. He knew Parry had had some discussions with him re development in the Territory but not about casinos. G.P.F. said TAL cannot be bought as he controlled the majority interest and had no intention of selling any of his shares. Paul Everingham said alternatively the company would be interested in buying the NT casinos. Farrell said: 'They are not for sale. I was forced by you last August to reluctantly put a price on our operations when you, Paul, said you could produce a buyer in 30 days. At that time, we were in financial difficulties. We are over our problems and, with Koh buying new issued capital to be used to reduce the debt, it assures the viability and profitability of the Federal group and we would not be interested in selling our investment'. Farrell pointed out that, so far as he was concerned, price is not the criterion for selling an interest. Work is his therapy for pain and he would not be tempted by an extra $1m or so.

An explanation for that is that Mr Farrell is not a well man. Mr Speaker, Farrell personally said:

'This is my opinion but sometimes I take things too personally'. He said that he would consult the board of Federal Hotels but believed that they would be of a similar view. Paul Everingham said that, in that case, the NT government would invoke clause 16(3) in the Casino Licence Control Act. Farrell asked what it said and Paul Everingham replied: 'You'd better read it yourself but it empowers the government to buy you out'. Farrell said: 'You must be kidding. I cannot remember anything like that in the act and it is certainly not in the spirit of the original agreement'. Paul Everingham said: 'Read the clause for yourself'. Marshall Perron said: 'We can do it all right'. Farrell asked what percentage of the capital it was applicable to and they replied: '100%'. Farrell said: 'There will be a court case if you invoke that clause. I will seek legal advice immediately'.

Marshall Perron said that Federal Hotels could retain a minority holding in the company. Farrell said that that was not on. Their attitude was that Federal was receiving the support of the Darwin people but not increasing tourism. Farrell said: 'That is the whole thrust of the Koh deal'. Everingham said: 'We are not objecting to that, but we do not want Federal as operators: room rate $40 per night'. Farrell said: 'Our average rate on weekly statistics is nearly $60 per night and you should update your facts'. He again spoke of Koh and Everingham said it would only work for his Malaysian mates. Farrell said: 'That is not so. Koh is Chinese and has interests throughout the East. I will be fronting up with Koh in about 4 weeks time or less. Do you want to tell him that you do not want him?' Paul Everingham: 'It is not Koh that we do not want. It is Federal as operators and you will force us to invoke clause 16(3) if you do that'.

I was on the point of losing my Irish so I said nothing. I did say to Paul Everingham and Marshall Perron that there was a good chance of us being granted an overseas hotel casino operation in which we would finish up with an equity at no cost but I could not name the area because it may fall through. Nevertheless, I

believe that we would be granted the licence within a very short time. There was very little conversation over coffee.

I asked Paul Everingham re his move to federal parliament. He said that he would cause Hawke lots of problems from the frontbench of the opposition. He believed that Labor will win the 1985 federal election and then would break up over the next 3 years when the Liberals could win and he could do great things for the Territory and great things for Paul Everingham. I made no comment and we left with Paul Everingham repeating the 4 proposals and saying that he would like my views after I had spoken to the Federal board.

Mr Speaker, at this point, March this year, the Chief Minister had been advised categorically on at least 2 occasions in writing - and once, equally categorically, at the meeting I just mentioned - by the Chairman of Federal that, so far as the owners were concerned, the casinos were not for sale and, indeed, the shares in the company were not for sale. The Chief Minister stated during that meeting that, if Federal Hotels was so utterly radical that it wanted to keep what it owned against his wishes, he would invoke clause 16(3) of the agreement attached to the schedule for the casino act. It might be timely at this point to have a look at that clause.

Mr Speaker, I was never of the opinion that clause 16(3) provided what the Chief Minister said that it did but I have consulted extensively with lawyers both in the Northern Territory and in Melbourne who have large practices in corporate law. I have received a number of opinions on clause 16(3). I do not have time to go through them all. I would be happy to do so later if members would give me an extension of time or suspend Standing Orders. I will simply say this: there was disagreement obviously between these solicitors as to what clause 16(3) does but there was total agreement as to what it does not do. I summarise this as follows:

The interest of this clause is obviously not government acquisition; it is clearly intended for local participation only. All it talks about is local persons and companies. Looking at it in the context of the whole agreement reinforces this view. It was a 15-year arrangement during which all the companies were to remain in Federal's control.

I might add that there were 2 lawyers who asserted that they would be able to argue successfully in court that, in fact, this clause allows for the acquisition of no more than 25% of the company's shares by Northern Territory companies. We have always known that overseas interests would be involved in this. The Chief Minister referred further to the Foreign Investment Review Board in his initial statement which indicates that there is foreign capital involved. It would certainly be arguable even if clause 16(3) does stand up - which it clearly does not - as to whether the companies coming in from overseas would comply with the terms of the clause anyway.

Mr Speaker, leaving aside the argument that the construction of this clause does not even come close to what the Chief Minister said it does, it certainly is not necessary to go in detail through all the arguments which I have here. It is unnecessary for the simple reason that the Chief Minister himself has conceded dramatically that he has been talking nonsense by his announcement that this Legislative Assembly will see the introduction of a special law providing for the specific acquisition of the casinos completely outside the bounds of the agreement that was signed between Federal Hotels

and the Northern Territory government. As we all know, the acquisition powers of a government are always very sensitive. I need not remind honourable members of examples in the Territory such as the 32-square-mile acquisition and the problems that caused. Indeed, there were a few more recent examples. Mr Speaker, acquisition actions are normally taken with great reluctance by any government and with some sensitivity for the political problems they create for the governments concerned.

Mr Speaker, I am talking about the acquisition powers of government which are normally exercised only for the acquisition of property for 'a public purpose'. What we are seeing here is something else again: a government abusing the Assembly by announcing that it will introduce legislation which will allow for the government to acquire $50m of privately-owned assets not for a public purpose but so that it can then hand those assets over to another company, 49% of which will be owned by Henry and Walker. I must say that, even on the friendliest interpretation that can be placed on this action, this Assembly will be used to give Henry and Walker Limited, who are obviously close colleagues of the Northern Territory government, a commercial opportunity to move into the casino business - now that Federal Hotels has established that operation - which that company would never have obtained in the marketplace.

Mr Speaker, at this stage, it may be useful to encapsulate briefly what we know publicly about the development of what I will call the Darwin peninsula project. It began with a press statement on 16 April by the Chief Minister announcing for the first time that it would happen. It contains this interesting statement:

> *A joint statement issued by the government and Federal Hotels advises a Northern Territory company is going to acquire the hotels. The Chief Minister added that he was delighted that an agreement was able to be reached with Federal Hotels so that the existing successful hotel casino developments could be made a part of the overall plans for the development of the 2 areas.*

Perhaps the Treasurer should have been listening to that - 'the successful casino operations' - just a few months ago. We then had a series of extraordinary interviews with the Chief Minister which were confusing and internally contradictory. We had a statement that the Foreign Investment Review Board was ready to approve this agreement immediately - it would be a piece of cake. After that statement, the Chief Minister said, in an interview on the ABC, that he expected great difficulty with the Foreign Investment Review Board over the same arrangement. He said in the same interview that the Northern Territory government would have 'minimal involvement in the whole operation'. He said that it would be an Yulara-type operation supported by the Northern Territory government. For those members who do not know, that means a complete underwriting of the entire project. When the partnership is extinguished at Yulara in 12 years' time, the entire ownership of the assets will revert to the Northern Territory government. There is a big difference between 'minimal involvement' and a 'Yulara-type operation' but both expressions were used in the same interview. Every time the Chief Minister opened his mouth, he simply confused the issue about these negotiations. No one knows anything about them and, frankly, I think it is about time the government reported progress on this particular matter. In one statement, he said the government would be involved only to a minimal degree. Of course, that should be the philosophy of a man who is currently the nation's foremost advocate of 'small government, hands off, non-regulation and a free rein to free enterprise'.

Mr Speaker, I have canvassed these events for one reason. It is clear that the negotiations, that nobody except the government knows anything about, have involved a great deal of high-level activity. The involvement of teams of negotiators from the NTDC, corporate lawyers and other experts flying around the world for some months now and references by the government to the fact that they are getting closer and closer to an agreement indicate that something will happen shortly. We have been assured by the Chief Minister that these negotiations have all been carried out on the basis of a signed agreement between Federal Hotels and the Northern Territory government, in particular, clause 16(3). Those assurances, Mr Speaker, we now know to be false. We knew then and, hopefully, we all know now that clause 16(3) does not even come close to allowing the government to do what the Chief Minister has been assuring us that it does. If it does do that, I invite him to test it out by relying on it.

Mr Speaker, clause 16(3) does say, however, that, even to invoke that clause, the Northern Territory government must advise Federal Hotels in writing that it will be invoked. The government has not done this. Because of the pronouncements of the government, it must be obvious that these negotiations are coming to some sort of conclusion. It seems that the government's representatives have been giving some assurances or commitments to the people with whom they have been discussing this. But any commitments and promises this government has made along the way have been made on the basis of the disposal of millions of dollars worth of assets. Those assets are not owned or currently controlled by the Northern Territory government or its agent, the NTDC, but owned entirely by a private Australian company which has a legislated agreement with the Northern Territory government and which has indicated only too clearly on many occasions 6 months ago that it does not wish to sell. Mr Speaker, to this point, there has not been a single exchange under clause 16(3) or any other clause of the agreement between the Northern Territory government and Federal Hotels which provides the slightest legal basis for suggesting that the Northern Territory government had or has the power to make decisions regarding the disposal of the assets of Federal Hotels. I would refer honourable members to the latest edition of the Northern Territory government's propaganda magazine - a very good magazine - Territory Digest. I received my copy yesterday and, to my amazement, it states: 'Federal Pacific has sold its casinos in the Northern Territory'. It then goes on to repeat the nonsense on the next page. Obviously, the Northern Territory's Chief Minister has not been relying on law for his negotiations: he believes his own false publicity.

Mr Speaker, I think that, when these facts are understood and acknowledged by members of this Assembly, even the majority of the government members in this Assembly would have to concede that my reference in the motion to the ineptness of the Chief Minister's handling of these negotiations is a masterly piece of understatement. At this point, we have established that 2 of the reasons advanced by the government to justify its behaviour - that is, that Federal Hotels has agreed to the arrangement and that clause 16(3) has always provided the government with the necessary power - are nonsense. We have established also that there has been no exchange between the Northern Territory government and Federal Hotels under any section of the agreement that would have provided the Northern Territory government with any grounds for believing that it had a legal right to make decisions and conduct negotiations involving the disposition of $50m worth of assets which belonged, and indeed belong, to someone else.

We now turn to the last and, as advanced by the government, major reason for its taking this action; that is, that Federal Hotels has performed badly in the Northern Territory. This has become obvious only in the last 24 hours, Mr Speaker. It has not lived up to the expectations of the Northern Territory

government. It has not fulfilled the promises it made when it came to the Northern Territory. Yesterday, this attack on the company reached new depths when the Treasurer, in a very strange little campaign, supported by artistically posed black and white photographs, justified compulsory acquisition of the casinos on the basis of bad service and the failure to plant enough grass.

Honourable members may consider it a fair question to ask why the casino operations which were described only a few months ago in the announcement of the takeover by the Chief Minister as being successful, suddenly and dramatically in the last week, and particularly in the last 24 hours, have been described by the Treasurer as being a failure, providing appalling service etc. I can explain that to the Assembly. Last week, I was advised by a senior executive of Federal Hotels that he had been told in the bluntest possible terms by a senior government employee that the government was well aware that Federal Hotels had applied and indeed had been short-listed for casino operations in 2 other states in Australia and that, if Federal Hotels did not stop embarrassing the government by telling the truth and did not remain silent and simply cop the arrangements that were being made by the government - which it now knows have been on no basis whatever - the government would commence an adverse publicity campaign directly attacking the operations of this group in the Northern Territory in order to inflict as much damage as possible on the chances of this company being successful in its application for casino licences elsewhere. When I was told that last week, I found it difficult to accept. I did not realise that proof would be so quick in coming. In fact, that statement now stands up very well indeed.

Mr Speaker, I might also add - and the member for Millner will speak on this in more detail - it is rather extraordinary that these comments about appalling service and lack of landscaping justifying the compulsory acquisition by the government of $50m worth of privately-owned assets have been made in respect of a company which, last year, was awarded by the very organisation which is spearheading its takeover, the Northern Territory Development Corporation, the premier prize for tourist operations in the Northern Territory: the Enterprise Award for 1983 from the Northern Territory Chamber of Industry and Commerce and the Northern Territory Development Corporation. Last week, it received the Australian Catering Institute's Gold Plate Award for the best restaurant with entertainment in the Northern Territory. In light of the facts and the explanation that I have provided, the statement that was made to me by Federal Hotels as to the motives of the government stand up very well.

Mr Speaker, Federal Hotels, a wholly-owned Australian company, came by invitation to the Northern Territory after tenders were called. It undertook significant commercial risks, raised its own money, contributed $50m worth of invaluable tourist assets to the Northern Territory and, in 15 short months of operation, has paid several million dollars into the Northern Territory's Treasury - in the last financial year, 24% more than the government's own anticipated revenue from casinos - has employed at Mindil Beach alone 370 Territorians, has paid out in excess of $9m in salaries alone in the last 9 months, has purchased over $6m worth of local goods from Darwin businesses and has run a faultless operation, complying with all the laws of the Northern Territory. Despite all this, the company not only is to have its assets removed from it by force but, to boot, is deliberately attacked by a senior minister of the government. I submit that this company has had a very poor return on its investment in the Northern Territory.

The handling of the negotiations with Federal Hotels by the government, particularly in respect of the claims of non-performance, is even more insupportable when one considers the history of this government's relationship with the other Northern Territory developers who have dramatically failed to

live up to expectations. I refer to the Asia North-Burgundy Royale, Gardens Hill group of companies. The member for Millner will detail in greater length this interesting comparison with these companies in the light of the government's assertion that, if a company performs badly in the Northern Territory or not up to promises given,that justifies a private-enterprise government to acquire compulsorily $50m worth of assets from that company.

Since the announcement by the Chief Minister of negotiations, he has issued a series of statements regarding those negotiations which have been confusing and totally contradictory. Since the beginning of those negotiations - which we understand from the government's announcements are drawing to a conclusion - the government has taken no action whatsoever under any section of the casino act or clause of the agreement to give itself the slightest reason for believing that, legally, it had the right to conduct any negotiations, make decisions or give undertakings involving the disposal of $50m of privately-owned property which it did not and does not own. The Northern Territory government has now acknowledged, by its announcement of legislation to be introduced into this Assembly, that clause 16(3) of the agreement, even if it had been invoked, which it was not, did not provide and cannot provide any rights for the government to dispose entirely of the hotel casino assets belonging to Federal Hotels in the Northern Territory. I have covered adequately the recent, total about-turn of the government in attacking the actual performance of the company which, I must say, in the face of the overwhelming evidence available, has been exemplary.

Let me just digress on a point because I am in the mood for it, having been out at the airport at 4 o'clock this morning. I refer to the nonsense that Federal Hotels has failed to attract high rollers because of some deficiency in its operations. I had the great pleasure once again of meeting the Qantas flight this morning at 4 o'clock. It arrived 15 minutes ahead of schedule at 3.45 am. At 5.15 am, one and a quarter hours later, 7 passengers had emerged from the customs area and, 2 hours later, my wife and son finally emerged at 6 o'clock. Mr Speaker, no one with $100 000 to place on a roulette table,who has his fares paid by casinos all over the world - and Federal Hotels here offer the same service - would go through that interesting performance when he has Macao, Manila, Las Vegas and other places to pick from. I would not blame a passenger travelling steerage with enough money for a night at the Esplanade Hostel for never coming back to the Territory again after going through that stinking rotten facility that we call an airport terminal in Darwin. It is obvious that that is a nonsensical statement by the government.

Mr Speaker, I can understand the Chief Minister's reluctance to actually proceed with this legislation because, if he does, he will be enacting unique legislation which will stand forever as his final monument as Chief Minister of the Northern Territory. Having done that, it would be a bit difficult for him to continue to carry the torch of being the Australian champion of 'small government, hands off, no regulation and a free rein to private enterprise'. I call on the Chief Minister not to abuse the government's powers in this Assembly by taking a course of action available to no other corporation or individual in this country - that of unilaterally altering the terms of a contract it signed with a company 5 years ago. As a bottom line, I call on this government to conduct all of its future negotiations from now on with Federal Hotels, as it has a right in fair dealing to expect, on the basis of the existing agreement that it signed in good faith with the Northern Territory government.

Mr EVERINGHAM (Chief Minister): Mr Speaker, we have listened to a farrago of nonsense from the Leader of the Opposition this morning. Firstly,

let me say that the Leader of the Opposition, in developing what argument he has tried to develop, has conveniently and totally ignored the agreement between Federal Hotels and the government of 16 April this year.

But let me go back in history. The Northern Territory government certainly entered with high hopes into its agreement with Federal Hotels for the establishment of casinos in the Northern Territory. We knew, and it is perhaps worth explaining that Federal Hotels is a subsidiary company of a group called IPEC. IPEC has many interests, including transport, and it is involved also in insurance, amongst other things. At approximately the same time as Federal Hotels involved itself in the Northern Territory in what is, and let us face it, an exclusive monopoly granted by government, it involved itself in transport operations in Europe. Unfortunately for Federal Hotels, those transport operations turned out to be a financial haemorrhage, a dismal failure, and over a period of years, resulted in the loss of many millions of dollars by IPEC in Europe. I will come to the problems that IPEC had with its insurance subsidiary in a short time.

Mr Speaker, the government's concern has always been that the casinos maintain a high reputation. I think the highest reputation that a casino must maintain amongst the gambling fraternity and amongst the commercial public is its ability to pay its way. Unfortunately, amongst the commercial community - and it is this sort of thing that the government has been concerned about now for at least 2 years - Federal Hotels' reputation as part of the IPEC group has certainly been uncertain to say the least. Back in February 1983, because of its concern, the government commissioned a report by an Australian trading bank of the financial situation of the IPEC group with particular reference to Federal Hotels. It is this sort of thing that we have been trying to keep in the background because it has not been our intention or wish to try to do any damage to Federal Hotels. When we signed the agreement of 16 April with Federal Hotels, Mr Farrell and myself, as the Leader of the Opposition rightly states, issued a joint press release which amounted to Federal Hotels saying that it believed the new project was in the best interests of the people of the Northern Territory. At the same time, the Northern Territory government indicated that it was parting with Federal Hotels on good terms and would be retaining Federal Hotels as consultants to the new casino group.

I will read this paragraph which certainly gave us considerable grounds for concern back in February of 1983:

> *The IPEC group operates with a current ratio of current assets as against current liabilities of 0.42 indicating a serious lack of liquidity. In addition, while fixed assets, investments and capitalised establishment costs accounted for 40% of the IPEC group's total assets in 1979, they now account for 80% of the IPEC group's total assets. Federal Hotels is also highly illiquid with a current ratio of 0.32. Fixed assets total approximately 90% of total assets on Federal Hotels' balance sheet. It would appear that the ability of the IPEC group and Federal Hotels to meet a sudden calling of short-term loans by lenders is questionable given this lack of liquidity and the time necessary to realise the fixed assets. It should be noted, however, that over the 4 years time-frame analysed the IPEC group has consistently operated with a current ratio of less than 1.*

In the summary and conclusions, it states:

The IPEC group is in poor overall financial condition being highly geared and illiquid. In such a situation, the combination of high interest rates experienced by the IPEC group for the first 6 months of the current financial year and reduced economic activity can be severely debilitating to the company's financial viability. While certain parts of the IPEC group appear healthier than others, the interrelationship among various IPEC group members makes it unlikely that any one part of the IPEC group can remain unaffected if another part experiences severe financial distress.

Mr Speaker, those were the concerns that were expressed to us by a reputable Australian trading bank in a report commissioned by the government at that time. Of course, the financial problems of IPEC and the financial problems of Federal Hotels continued through 1983 and, as I understand it, have continued right up until the present.

On 13 February this year, I commissioned a merchant bank to prepare a further report. On 13 February, I wrote a letter in these terms to a Sydney merchant bank, Martin Corporation Limited:

As you are aware, the Northern Territory government is vitally concerned that the Darwin and Alice Springs casino hotels should operate successfully and in the general interests of the Northern Territory. The government views with concern the recent poor financial performance of Federal Hotels Limited, the current takeover of IPEC Holdings Limited by TAL Holdings Limited and the substantial contingent liability which is borne by IPEC Holdings in relation to previous reinsurance arrangements. I therefore commission you to prepare a full report on the financial standing and prospects of Federal Hotels Limited and the companies associated with it.

Your report is to touch upon any aspects which could bear upon the concerns expressed above. You are authorised to discuss this commission, as necessary, with Mr G.P. Farrell and Mr P.C. Wolfe, both Directors of Federal Hotels, in the course of preparing your report. The report is to be available to me by 15 March 1984.

Of course, 15 March 1984, as the Leader of the Opposition said, was a significant date because the Treasurer and myself were meeting with Mr Farrell on that date to have further discussions regarding the purchase of the casinos. As the Leader of the Opposition pointed out, in August 1983, Mr Farrell indicated in a letter to me that he was prepared to sell the casinos for $47.1m. I am surprised that the Leader of the Opposition has not been more fully briefed by Federal Hotels because, earlier in 1983, it indicated that it wanted to sell the casinos - 'float them off', I think the expression was - for a value of $36m so we have had 3 values from Federal Hotels. The first was $36m in early 1983. The second was $47.1m in August 1983. Finally, on 20 March this year, a letter from Mr Farrell said:

The Board of Federals has decided, only in view of what is implicit in your proposals, they would agree to sell the fixed assets of the 2 Northern Territory casinos for $55m plus the usual adjustments for consumables and stock.

Let me turn now to a letter that I received in March 1984 from the Martin Corporation. The whole of the letter, as far as I am concerned, is available to anyone who wants to read it. The final paragraph observes as follows:

It seems safe to observe, however, that the takeover of IPEC Holdings by TAL Holdings and recent asset disposals are the most visible signs of a fundamental reconcentration of activities by the group with all elements within it potentially, if not actually, for sale.

That is Martin Corporation's considered opinion after it had spoken to Mr Farrell and Mr Wolfe. Let me read it again:

It seems safe to observe, however, that the takeover of IPEC Holdings by TAL Holdings and recent asset disposals are the most visible signs of a fundamental reconcentration of activities by the group with all elements within it potentially, if not actually, for sale. We would not be surprised if, within a year, the group's activities bear little relationship to those that it is seen to be engaged in today.

Mr Speaker, to explain some of this for the benefit of people who do not follow financial matters closely, it is probably worth reading the part of the Martin Corporation report relating to Southlands Insurance. Southlands Insurance is a subsidiary of IPEC, as is Federal Hotels:

Southlands has advised that, on the basis of loss experienced to date, the total underwriting loss of the portfolio could amount to $20m.

That is a loss that they had to accept in one year in relation to reinsurance activities that they underwent. I was extremely concerned in March this year when I had word passed to me through insurance circles that the IPEC group was attempting to settle the judgments against Southlands Insurance and, in fact, had sent a director of IPEC to London to do this on the basis that the judgments be settled on the footing of payment of 30¢ in the dollar. I believe that, at that stage, IPEC and, for that matter, Federal Hotels, were very close to having a receiver appointed to take over the control of a whole group. I might say that it was not just at that stage that, according to the financial community, Federal Hotels had been close to having a receiver appointed. It was also touted fairly widely abroad that a receiver would be appointed to Federal Hotels late last year.

In the light of all these circumstances, is it any wonder that the Northern Territory was attempting to find new operators for the casino and, for that matter, to find new owners for the casino? The Leader of the Opposition has touched on it - there is now a casino being built in Queensland which is to be operated by the Hilton group from the United States. Applications for casino licences have been called for in South Australia and in Western Australia. For the Northern Territory's casinos to be put into receivership would be a disaster for the Territory with its infant tourist industry.

Mr Speaker, we heard the Leader of the Opposition fulminate against the the government's alleged exercise of what he termed powers that it does not have under clause 16(3) of the agreement signed with Federal Hotels back in April of 1979. Of course, that is the clause that the Treasurer and I discussed with Mr Farrell on the occasion of our meeting with him at the American Club in Sydney on about 14 March 1984. I would like to say that Mr Farrell has never sent me the notes of the supposed discussions we had. Mr Speaker, his letter to me is as follows. He wrote on 20 March:

At a dinner meeting at the American Club last Wednesday, March 14, you and Mr Marshall Perron put to me 4 proposals in the following order:

1. A company that could not be named because of the new MCSC regulations would be making a takeover offer for TAL Holdings Limited.

Of course, Mr Speaker, there has been a great deal of innuendo about the reason for the takeover of IPEC by TAL Holdings. One would wonder what motivation there could have been for Mr Farrell, who controls IPEC Holdings, to arrange for the takeover of IPEC Holdings by another company, which he also controls, called TAL Holdings. The word put abroad was that it was an attempt to defeat or at least defer creditors in the event of proceedings being taken especially in relation to the reinsurance debts. To continue with this letter:

2. The same company would like to purchase the Northern Territory casinos outright - that is, Alice Springs Federal and Mindil Beach Federal.

3. If we are not willing to sell, you would invoke clause 16(3) of the Darwin agreement attached to the Casino Licence and Control Act 1979 and that you could under this clause force Federals to sell up to 100%.

4. Federals could retain a minority interest in the 2 Northern Territory casinos. I stated that I was perhaps too emotionally involved and I would seek the advice of the Federal board and reply as soon as was practicable.

Mr Speaker, I am prepared to accept that Mr Farrell was emotionally involved but I should point out that it was Federal Hotels that approached us in relation to floating the casino off at $36m early in 1983. He was not too emotionally involved then. It was Mr Farrell who wrote to us in August 1983 saying that he would sell for $47.1m. It could hardly have come as a surprise to him that night when we went down for further discussions.

The board of Federal has decided, only in view of what is implicit in your proposals, they would agree to sell the fixed assets of the 2 Northern Territory casinos for $55m, plus the usual adjustments for consumables and stock.

Mr Speaker, clause 16(3) of the agreement annexed to the act provides that the minister may, at any time within 6 years after the date of the agreement, on 1 occasion only, give written notice to the holding company - that is, the Federal Hotels - and to Federal, the parent company, requiring the issue by the holding company of new ordinary shares or the sale by Federal of existing ordinary shares in the capital of the holding company to be offered for subscription or purchase, as the case may be, by natural persons resident and domiciled in the Northern Territory on terms to be agreed between the minister and Federal, but so that not less than 25% of the issued ordinary shares in the capital of the holding company at that time are offered to natural persons resident and domiciled in the Northern Territory or to companies owned or controlled in the Northern Territory. As a consequence of our discussions on that evening and the letter that Mr Farrell sent - and I think that clause is pretty clear to almost any layman so I do not propose to labour it - Marshall Perron wrote on 29 March to Mr Farrell:

I refer to your letter of 20 March to the Chief Minister who is presently overseas. I have discussed the matter with him. Contrary to your recollection, in point 3, we drew your attention to clause 16(3) of the Darwin agreement and the fact that the 6-year time limit expires early next year. Your offer to proceed by way of sale is accepted and welcomed. I take it that the offer includes the fixed assets, furniture and other movables associated with the operations, stores, consumables and all licences attached to the businesses. The price nominated is surprising bearing in mind the price of $47.1m contemplated by you late last year. Be that as it may, I am sure you would appreciate that any prudent purchaser would wish to have the opportunity to determine what is a fair market price. To this end, would you be prepared to agree to ...

We suggested what the honourable member for Millner suggested in a press release a few weeks ago, Mr Speaker.

(a) the appointment of a suitably-qualified, independent firm to act on behalf of both parties upon instructions to prepare a valuation on an agreed basis - such a valuer would, of necessity, have to have access to the books of account of the operating companies and the valuation would be made available to both parties; or (b) to a valuer appointed by the purchaser being given access to the premises and the books of account necessary to enable a valuer to prepare a valuation for the information of the purchaser.

It occurs to me that, if agreement can be reached on the consideration, it may be simpler to proceed by way of transfer of shares held by the holding company and the operating companies for the transfer of the issued shares in the holding company rather than a transfer of the physical and tangible assets. What do you think? I look forward to your early reply and any suggestions you may have as to an independent valuer.

On my return from overseas in April, I went to see Mr Farrell and some of his other directors, with the honourable Treasurer, at their offices in Sydney to attempt to conclude arrangements for the sale of the casinos. As we thought at that time, we successfully concluded arrangements because heads of agreement relating to the sale were entered into by the Northern Territory government as a nominee and by the chairman of Federal Hotels. I will read the introduction of the agreement of 16 April.

Mr SPEAKER: Order! Chief Minister's time has expired.

Mr ROBERTSON: Mr Speaker, I move that the Chief Minister's time be extended.

Motion agreed to.

Mr EVERINGHAM: Whatever may have gone on beforehand, Mr Speaker, this agreement between Federal Hotels and the government, as far as I am concerned, is the legal cornerstone of the government's position:

The Northern Territory government has indicated its wish that its nominee, being a company to be controlled by the Northern Territory Development Corporation, should acquire 2 hotel casino businesses, the businesses at Darwin and Alice Springs, and the owners, Federal

Darwin and Federal Alice Springs respectively, being both subsidiaries of Federal Hotels, have indicated their willingness to sell their interests in the business.

Just to give members Federal Hotels' view of that agreement, let me read from a telex from Mr Haddad to myself of 13 July this year:

Additionally, we have never considered breaking away from the heads of agreement which we accept are totally binding on both parties.

Mr Speaker, the valuations provided for under the heads of agreement were organised under the heads of agreement. The government agreed to buy, in effect, the real estate rather than the shares and that was at Federal Hotels' option. Federal Hotels wanted to sell the real estate rather than sell the shares. Certainly, that is a variation from the terms of clause 16(3) but that is at Federal Hotels' option. The 2 valuation teams got to work - 1 appointed by Federal Hotels and 1 appointed by the government. Let me read you this report that was prepared for me by 2 valuers, one of whom was the Valuer-General:

Under the heads of agreement signed by the Northern Territory government and Federal Hotels, each party was to appoint valuers to provide valuations of the casinos. The valuation of a business enterprise is normally based on the consideration of new maintainable profits or rental values and the capitalisation of such returns at an appropriate rate. To ensure, however, that Federals would not be disadvantaged by this approach, it was further agreed that, should the market value of any asset be found to be less than the cost of that asset, the cost was to be applied. It was further agreed, however, in order to safeguard each party, that, regardless as to the values determined, Federals would receive not less that $47.1m, their 1983 figure, or more than $55m. As it happened, the market value as determined by both the Northern Territory valuers and Federals' valuers were very similar - namely, NTG $44.288m and Federal Hotels $44.585m. However, each had adopted a different approach in determining their evaluation and it is at this point that problems arose. Federals' valuers interpreted the heads of agreement as meaning that, in addition to the market value, Federals were to receive an additional amount based on costs and this additional sum amounted to approximately $28.8m thus resulting in a total figure in excess of $73m. The Northern Territory government does not agree with Federals' interpretation ...

I must say that that is on legal advice received from 2 QCs.

... and believes that not only is it incorrect but it does not comply with the spirit of the agreement. The government believes that Federals, by adopting their approach, are double dipping which they are expressly precluded from doing under the terms of the agreement. Not only are they claiming the market value of their properties but they are adding to this figure an amount representing the difference between the market value and the cost of the land and improvements, this additional sum being $28.883m. The total value applied by Federals' valuers is therefore $44.585 plus $28.883 which equals $73.468m.

There are other accounting adjustments for certain debtors and

creditors which are not in dispute by the parties. The net effect of the double dipping is to produce an average figure in excess of the maximum agreed figure of $55m which therefore Federals now claim. The company, as well as their own advisers, are well aware that a resultant figure in excess of $73m cannot be said to represent fair value for the properties and businesses comprising the 2 hotel casinos and, in this respect, it is worth quoting from one of their advisers' reports:

> *Because of the arbitrary manner in which the agreement separates the functions of the property valuer and chartered accountant and further requires valuation of individual components, the sum of the valuations of individual components, the sum of the valuations of the Federal property valuer, T.C. Waters Pepper and Company, and the Federal chartered accountant, Arthur Young and Company, may not equal the fair market value of the total complexes.*

Furthermore, had we been required to value each hotel complex as a whole, our valuation may have been different to the sum of our valuation of the Federal property valuer. The valuation does not purport to be our opinion of the liquidation value or any other value of those hotel casinos.

Mr Speaker, there was a big problem and an impasse because the Northern Territory was quite prepared to offer the $47.1m and Federal Hotels were demanding $55m. Negotiations took place between the NTDC and officers of Federal Hotels and various telexes were exchanged. Let me read from a telex from Mr Farrell to myself dated 3 August responding to a telex from me of 26 July. The telex is available to anyone but I will read the 2 relevant paragraphs - 12 and 13.

You now say you consider the proposal as one which will be affected by legislative enactment providing for acquisition on just terms. You will realise that 'just terms' will take into account many additional items of a compensatory nature and the valuation will ultimately be determined by the Federal Court or possibly the High Court.

In this event, we realise the minimum and maximum figures contained in our heads of agreement will no longer have any relevance and there may be a small downslide risk for Federal but we feel this could be well worth taking in view of the greater potential for increasing the price.

Mr Speaker, can I be blamed for proceeding on the understanding that we would set up through legislation a mechanism for proceedings to take over the casinos and providing for Federal Hotels' compensation on just terms? The only fair and independent way out of the impasse is to appoint a judicial tribunal to determine what is a fair value for Federal Hotels. There is no doubt that it has agreed to sell the casino. The agreement of 16 April witnesses that. The telex from Mr Haddad in July confirms that it considers itself bound by those heads of agreement. In my correspondence with Mr Farrell, he says that compensation on just terms may have negative aspects for Federal Hotels but it has at least as many pluses.

We have been proceeding on that footing. Of course, I had a meeting the previous Monday with Mr Haddad at the casino in Darwin in an attempt to come to

some sort of compromise. Let me tell all honourable members that Mr Haddad was not concerned with losing ownership of the casino. At the meeting, Mr Haddad was concerned with the price and nothing else. The Northern Territory government has tried to put together a $300m or so project which will give permanent employment to at least 1600 Territorians. It involves parties from overseas but I believe that the vast amount of the equity in the project will be held by Australians. We certainly want the new operators to have some equity in the project so that they are bound to it. This project has taken an enormous length of time to put together.

The Northern Territory went out into the world and tried to find people who can operate casinos. We have managed to get operators from the United Kingdom and the United States. We have managed to involve Territory companies in the whole proposal. The proposal will provide for the offer of shares to Territorians in due course. This proposal certainly has not always gone as I would want it to go but I do not know how the negotiations could be described overall as having been conducted ineptly. I just cannot believe that anyone could have kept so many balls in the air as the Treasurer and myself have kept over what must be at least 12 months in putting together a proposal and, at the same time, removing from the Northern Territory the risk of our existing casino operator going down the financial plug hole. That is what has brought it all about: its financial instability and the fact that, according to the reports that we have, it could go down the drain at virtually any tick of the clock.

Mr Speaker, I certainly did not want to say those things about Federal Hotels but that is certainly the position. I reject utterly the suggestion of the Leader of the Opposition that the government has entered into a deliberate campaign of public denigration. But may I say that it is entering into the race ...

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

Mr SMITH (Millner): Mr Speaker, I do not think that Federal Hotels has denied that it has had financial problems. In fact, we heard in some detail today, both from the Leader of the Opposition and the Chief Minister, what sort of response it has made and initiatives it has taken regarding those financial problems when they occurred in 1983.

What we have not heard from the Chief Minister today is whether the Martin Corporation, which made these assessments, is the same Martin Corporation which signalled to the government that it was feasible to build the Mount Isa to Darwin railway. If it is, why have we not had a detailed proposal from the Martin Corporation backing up that initial opinion? In its consideration of this particular matter, did the Martin Corporation refer to the 38% capital injection that was proposed from Malaysian sources? If not, why not? I think that the timing that has been put to us by the Chief Minister today indicates pretty clearly that the proposed 38% capital injection from Datuk Koh and his partners in Malaysia was not even considered in this particular matter. If that would have not gone a long way towards solving the financial problems the Chief Minister thought Federal Hotels might have had, I would be very surprised indeed.

Not only did Datuk Koh and his partners in Malaysia offer a 38% capital injection, they also offered a ready-made marketing network to these casinos in the Northern Territory to Asian high-rollers. How many times have we heard from this government about the need to attract Asian investment into the Northern Territory? We have an example of this and what happens? The kybosh is put on it without even a proper consideration of the impact that money would have on the future viability of the casinos in the Northern Territory.

Mr Speaker, I want to contrast the treatment that Federal Hotels has had with the treatment given to other interests in the Northern Territory. Look at what Federal Hotels has done in its short time in the Northern Territory. In the period from 21 April 1983 to 30 June 1984, it has paid casino tax of $2.4m, which is 24% over the projection in the last budget estimates, it has paid wages and salaries for 370 staff at a total of $9.1m, it has purchased goods and services in the local area to the value of $6.7m, it has had 46 600 guests and it has staged 90 conventions, seminars and other major functions of over 100 people. That is a pretty impressive record and indicates quite clearly that it is a viable operation and has been performing satisfactorily in the Northern Territory. It won its position in open tender. It erected the buildings with its own capital. It did not ask the Northern Territory government for anything.

Compare this with the record of the companies that fall under the Koh umbrella. In Saturday's Weekend Australian, Mr Koh listed 4 companies and the contribution they have made to the Northern Territory. There is a pretty close relationship between those companies and it is a pretty mixed story. Northbrick, I am happy to say, is doing well after a shaky start. Raffles, as we all know, is a lemon. Interestingly, Burgundy Royale lent $3.5m last year to Raffles as an unsecured loan. $3.5m is the exact sum that the government had to fork out to keep Burgundy Royale operating in the Territory and to get the Darwin convention centre finished. It is obvious that Burgundy Royale will not see its $3.5m again. Let us hope that the government will see its money again.

Burgundy Royale came to the government with a proposition which the government accepted. It received an $800 000 loan to buy the land. It received another $600 000 loan in the 1982-83 financial year which the Chief Minister does not appear to be even aware of because he did not mention it in a press release the other day. I think it fair to say that it has had very serious problems this year in making progress payments. I am aware of extremely harsh words and harsh telexes being sent between the contractor and the government over the question of payments and over the problems that the contractor has had in getting his money out of this deal. As I said, it was necessary for the government to inject $3.5m into that company in order to pull it out of the lurch. Contrast that with the effective way in which Federal Hotels entered the Territory and carried on its business.

Let us look at an associated company of Burgundy Royale - Gardens Development Pty Ltd. It came to the government with a proposal that, if it were given a grant of land at Gardens Hill, it would build an 8 to 10-level complex of up-market accommodation. That land grant was given in March 1982. For 2 years nothing happened. No lease was signed and no development application was approved. There was not even any landscaping. On the Treasurer's own admission, that should have been sufficient basis for stringent government action against that company. That is one of the reasons he gave yesterday for taking action against Federal Hotels.

Mr Perron: Don't you like landscaping?

Mr SMITH: I love landscaping.

In the meantime, years after the grant was announced, nothing had been signed. In that period, we had a complete revaluation and the price of the property had risen by at least one-third. Yet, when the lease was signed on 28 June 1984, it was for the original sum - that is, $500 000. In that little exercise alone, there was a hidden subsidy to the company of $133 000 at least.

After we raised the matter in March, action started to occur. As I said, a lease was signed on 28 June 1984. I put it to members that the lease could

best be described as a Clayton's lease - the sort of lease you have when you do not really have a lease. They have to put up $100 000 deposit now, another $100 000 in December and then $100 000 in December of 1985, 1986 and 1987. Their $500 000 at no interest to them will take 7 years after the original announcement to pay off. As well, they were supposed to start work on $1.5m of improvements on 1 July or on such other date as the minister determines. It would be interesting to hear what date the minister has determined. They are supposed to start work on $6.5m worth of further improvements by 1 July 1985 or on such other date as the minister determines. It would be interesting to find out what that particular date is, assuming we live long enough.

What sort of proposal do we then have? Originally, we had an 8-10 level up-market accommodation proposal. Stage 1 is now pensioner accommodation for the Housing Commission. That is particularly ironic because the Housing Commission had the land taken off it in the first place so that this crowd could take the land over. In the last Assembly sittings, we asked a number of questions about this pensioner accommodation for the Housing Commission. Despite the fact that the Treasurer at that time said that he would provide responses to those questions, we still have not heard those responses. In case he has forgotten, I will repeat the questions. What is the cost to the taxpayer of this arrangement? Have interest-free or low-interest loans been extended to the developer? Will the Housing Commission advance the money up front for construction of the units? Will tenders be called for the construction of the units? Will the Housing Commission have an input into assessing those tenders?

The reason for taking so much time on these 2 projects is to compare and contrast the treatment they have received with the treatment that Federal Hotels have received. It is obvious that Gardens Development Pty Ltd was stretched for money, that a deal is being worked out to save the government embarrassment, that this deal is with taxpayers' money and that taxpayers deserve to know what is going on. I quote from the Treasurer in 1982 in regard to suggestions that favouritism had been extended to the Sabah-based group: 'I do not see that it has had any favourable consideration. It is a group that has demonstrated that it can put its money where its mouth is'. Even blind Freddy can see that Gardens Development has had considerable difficulty putting its money where its mouth is and has had extremely favourable treatment from this government, particularly when you compare the attitude the government is taking with Federal Hotels.

Mr Speaker, there has been considerable mention in the press about the government's views on the failure of Federal Hotels to service its casinos adequately in the Northern Territory and particularly its failure to attract the so-called high-rollers. The Leader of the Opposition suggested that the reason why we were not attracting high-rollers in the Northern Territory was not that Federal Hotels was not doing its best but that the airline services and schedules were insufficient and did not provide enough flexibility to allow this to happen.

Mr Everingham: You would believe anything.

Mr SMITH: I would believe anything. So would the Gasi Travel Agency of Singapore which said in a letter to the casino manager dated 5 March 1984: 'Unless the flight frequency between Singapore and Darwin improves, it is unlikely that we are able to do much'. For the information of the Treasurer, Gasi Travel Agency is one of the travel agencies that specialises in arranging casino gambling tours for high-rollers. From the Ban Tong Travel Service in Thailand: 'We could not work out due to the inconvenient flight a week between

Singapore and Darwin. The clients will not be able to stay that long'. From the manager, South-east Asia Federal Pacific Hotels in Singapore: 'Due to poor flight frequency in and out of Darwin, we have had to cancel sending a group of 80 people to Darwin on 31 January in and out on 3 February'.

There is quite a lot of evidence, Mr Speaker, that indicates that we are not getting our share of the high-rollers because we do not have the proper flight facilities. They are prepared to spend another 4 or 5 hours on a plane and go to Wrest Point rather than come to Darwin because they know that they can get out if an emergency happens back in their home base or if a special race meeting is called or something similar.

Mr Speaker, some criticism has also been made of the level of performance offered by Federal Hotels. We have already heard that, last year, at the very time that the Treasurer was in London attempting to undermine it in his negotiations with Aspinalls in October, it was being awarded by the Northern Territory Development Corporation the premier tourist development award. We have already heard that, last week, it received a gold plate award for its restaurant. It has also received a considerable number of unsolicited comments that congratulate the casino on the job that it has been doing. I will read a couple. One is from the Secretary of the Darwin Branch of the Country Liberal Party. I will not embarrass him by reading out his name:

> *On behalf of the Darwin Branch of the Northern Territory Country Liberal Party, I would like to express our appreciation for the excellent cocktail party held for the Hon. Andrew Peacock on 1 August 1983. The organisation and smooth running of the function were exemplary and, while the branch has received numerous extremely favourable comments, the credit really lies with you and your staff. I would appreciate your passing our thanks on to your most willing and pleasant workers.*

Another and perhaps less significant letter comes from an Ansett Airlines captain who wrote specifically to congratulate the casino on the treatment that he had received there:

> *This is my first overnight in your hotel and, in all the years I have spent as a house guest around Australia, I have never encountered so many pleasant and hospitable staff members.*

Another one comes from the federal Minister for Sport, Recreation and Tourism:

> *I must say that the service, hospitality and efficiency of the staff is something to be commended.*

There are heaps of those, Mr Speaker. It is quite clear that Federal Hotels, in its short time in the Northern Territory, has created a very favourable impression in the Northern Territory.

The Northern Territory government and the Chief Minister did it again today. They have constantly justified the old Darwin Hospital project in terms of the jobs that it will create. I must put it on the record that we have never opposed the old Darwin Hospital project either. What we are opposing is the heavy-handed and in fact brutal manner in which the government is conducting its current negotiations with Federal Hotels. The Chief Minister has said that 1600 permanent jobs would be created on that project. I would submit that the damage that this exercise has caused to the Territory's reputation is likely to cost

more than 1600 jobs. Businesses, both big and small, have lost confidence in the ability of this government to govern fairly for all people. I have never received as many phone calls from dissatisfied business people as I have over this particular matter. I know of a large construction company that is leaving town this week. Its reasons for leaving are not entirely unconnected with what has been going on over this particular deal.

It is no wonder that the business community in general is so dismayed and disgusted about what is happening. The government is acting in a manner that is not available to any other institution in the land. It is acting high-handedly and in a manner which has a dramatic impact on business confidence. It is particularly ironic that the government is acting in this manner when one considers the position that it has been taking on the Memorandum of Understanding. It has been hammering the federal government very hard on the Memorandum of Understanding and saying: 'We have reached this gentleman's agreement between ourselves and yourselves and you cannot change it'. In this particular instance, when it suits the government, gentleman's agreements and legislation go out the window. There is not much consistency there and I only hope that this particular exercise does not come to the notice of the federal Treasurer otherwise it may provide him with even more ammunition to alter some of the conditions of the Memorandum of Understanding.

Mr Perron: You confirm that he is trying? That is exactly what he did.

Mr SMITH: At least, Mr Speaker, he has had the courtesy to inform the Northern Territory government of his intention to review the Memorandum of Understanding and he has given the Northern Territory government the opportunity to make an input into these deliberations. That is more than you can say for poor old Federal Hotels which, on 15 March 1984, was hit over the head with a sledge-hammer.

Mr Speaker, in conclusion, Hunter S. Thompson has written 2 brilliant books: 'Fear and Loathing on the Campaign Trail' and 'Fear and Loathing in Las Vegas'. Both of these are particularly apt for the Northern Territory as we are talking about casinos in a federal election year. It is an election where the Chief Minister hopes to leave the Northern Territory kindergarten and advance to the big person's stage. I am sure Hunter S. Thompson would feel at home in the Territory right now. There is fear and loathing in this community, particularly in the business community and, in particular, in response to the actions of this government on this particular matter. The government stands condemned for the damage it has done to the business confidence in the Territory. It deserves to be censured by this Assembly.

Mr PERRON (Treasurer): Mr Speaker, the speech from the last speaker was hardly relevant to the motion before the Assembly. I think at least 50% of it was about somewhere called Gardens Hill. It did not seem to relate much to Federal Hotels' performance in the Northern Territory. The motion is in 4 parts and 2 of them, it would seem - items 2 and 4 - are as much a condemnation of Federal Hotels as they are of the government. The opposition is taking issue with the fact that 2 parties, the government and Federal Hotels, have been doing business outside some of the provisions in the Casino Licence and Control Act. Of course, for 2 parties to do any business at all, there must be some agreement. I point that out because it is interesting that the debate is intended to try to embarrass the Chief Minister and perhaps the government and try to assist in some way Federal Hotels' cause. However, in 2 items in his motion, the Leader of the Opposition certainly is not doing that by including Federal Hotels in his criticism.

The third item is a statement that Federal Hotels' casinos in the Territory have an excellent record of operation. I will address that in a couple of moments but, firstly, the real nub of the issues in the Leader of the Opposition's motion concern agreements to sell or non-agreements to sell Federal Hotels. The Chief Minister has been through the historical list of letters and bank reports that the government has received over the past 12 to 18 months on this very subject. There are a couple of facts which are absolutely clear and indisputable. We have 2 letters from Federal Hotels saying that it would sell the total interests in the casinos to us. We have had agreement in writing twice and the Leader of the Opposition read both of those letters completely. Both of them had different prices in them and that is an issue we will come to in a minute as well.

In addition to 2 letters saying that it would sell - and those letters were received about 8 or 9 months apart - we also have the heads of agreement which was signed this year. It is an agreement with the company, duly signed before witnesses, to sell the casinos. Whatever the Leader of the Opposition might say about Federal Hotels being reluctant sellers or whatever, it had agreed to sell. The government had not forced it to sell the casinos. There is no way we could force it to. If it adhered to its stance that it would stay there as long as it was a company in existence for the next x years, we could not put its hand to a piece of paper. It had the option not to reach agreement with the government as it did in the heads of agreement.

The point I am trying to make is that the issue before us is not sale nor acquisition but price. That is all we are talking about today. That is all the Leader of the Opposition is on about in this Assembly today. That is all Federal Hotels is supplying truck loads of information to the opposition for - it is all about price and nothing else. It valued the casinos totally unencumbered in the Northern Territory at $36m. That was in June 1983. It was prepared to sell the casinos to a trust for $36m totally and unencumbered. In August 1983, it agreed to sell them to us for $47.1m and, in March 1984, it agreed to sell them to us for $55m. The valuation by its team of accountants and valuers under the heads of agreement was $74m. In all cases, we are talking about money; we are not talking about acquisition or willingness or otherwise to sell. Unfortunately, the debate over the last couple of weeks - and I believe it is led by Federal Hotels and now supported and abetted by the opposition - has drifted into a degree of mudslinging. Naturally, when the government is placed under attack in this regard, we will seek to defend ourselves. I think it most unfortunate for all parties that the Leader of the Opposition has even brought on this debate. It is unfortunate that he has chosen to use quotes from conversations which I can only believe have been taped. That is a most unfortunate situation.

Mr Smith: Some people have memories.

Mr PERRON: Members of the opposition jest. I am very concerned that a conversation that occurred over at least a couple of hours between 3 people over dinner - and one of those people admitted in a letter later that he was emotionally involved - has now been quoted in great detail, as the Hansard record will show. The honourable member for Millner suggests that the gentleman might have a very good memory. I suggest that I do not know anybody with a memory like that for detail.

Mr Speaker, the Leader of the Opposition pointed out, in an attempt to make the Chief Minister look stupid, that, at a press conference where Federal Hotels and the government jointly and publicly announced the agreement to sell the casinos to make way for the biggest tourist development that the Northern Territory has ever seen, the Chief Minister described the casinos as 'successful'.

The Leader of the Opposition would like to make a big thing out of that and make a mockery of the government's case that perhaps Federal Hotels has not been performing as well as it should have been.

Mr Speaker, we did not start the talk about Federal Hotels' performance and I think it is a shame that we are now into it. We are into it well and truly because of Federal Hotels statements of the last week or two and because of this debate today. At a joint press conference announcing an agreement with a company, of course the Chief Minister used the term 'successful'. Did the Leader of the Opposition really expect that the Chief Minister would say on such an occasion that the company's performance left much to be desired. Of course he would not and neither would any other member of this Assembly.

We propose no harm to Federal Hotels in this exercise. In respect of any mudslinging that has occurred, we have responded to the allegations made. At the time that we reached agreement for sale, we were prepared to engage the company as casino consultants for a 12-month period as a public relations exercise at the company's own request. That is how far we were prepared to go to ensure that Federal Hotels suffered no harm from this exercise. We were doing the honourable thing but, thanks to the Leader of the Opposition's motion today and his contribution to the debate, it seems that Federal Hotels will lose face on that front.

Mr Speaker, contrast the government's commitment to trying not to denigrate Federal Hotels with the quotes from the conversation that were read out in the Assembly today. They were clearly supplied by the Chairman of Federal Hotels to the Leader of the Opposition. They could not have come from any other source. There were 3 people at the table all night: the Chief Minister, myself and the Chairman of Federal Hotels. They could hardly have come from any other source. There was no other party in the vicinity whatsoever so that should be fairly clear.

I will not spend very much time on the performance of the company because I am trying not to do any more harm than is necessary. However, the government is led into this situation by the allegations that have been made and by the motion before the Assembly. In response to the Leader of the Opposition's motion and the words 'in the face of the excellent record of operation of the casinos in the Northern Territory', I can only ask where he has been for 5 years. Who does he talk to in the community who goes to casinos? I suggest he do a little talking to people about casinos. Of course Federal Hotels claims it is successful. If the company is making some profit and it tells us today that it has just reached the point of making a profit, that is success. But the government has a vision far beyond marginal profits for the company owning the casinos.

Mr Speaker, I am handed a press release which is headed: 'No jeans so no Pam no June and no Bob'. It seems that the Leader of the Opposition and a couple of his colleagues have also had a little tussle with the casinos. That at least was an occasion when it was trying to uphold standards by keeping some people out of the gaming area.

The member for Millner made great play about how Federal Hotels was about to get its act into gear in March this year when it had an Asian interest who was prepared to buy 38% of the casinos. I point out that it was 38% of Federal Hotels' 4 casinos. It was not 38% of the Northern Territory casinos. It wrote to us advising that it was holding discussions with this investor but it sought no approval from us. It did not ask us to inquire into his background. The letter advised us that it was holding discussions with a party about the purchase of 38% of Federal Hotels. There was no approval sought whatsoever.

The Leader of the Opposition spoke about performance and casino promotion in Asia. In March 1984, Federal Hotels proposed to establish a structure in Asia to promote gaming tours to the Northern Territory. That was 5 years after casinos had been established in the Northern Territory and 5 years after promises had been made about international promotion and marketing. It had opened an office some years ago in Singapore but that is a story in itself, and a bit of a joke at that. After all that time, it put to us a proposal for a structure to be established in Singapore and a modus operandi of that structure. As I say, it was proposed and not actually working or under way. The straw that broke the camel's back in that marketing organisation in Asia was the line that said the marketing company would be separate from Federal Hotels in Asia but would be owned by it. Do I detect shades of the previous 5 years of performance?

The Leader of the Opposition has decided already how much the casinos are worth. He has told us several times on the media that $50m worth of assets are being acquired. It would be interesting to hear from him where he got the figure and what he proposes.

I will not detail the other areas of concern to the government about performance because I do not want to go into any more detail than is necessary. I simply sum up with a quote from a report to me from the Racing and Gaming Commission: 'It is our opinion that the company lacks the professional administration and marketing expertise one would expect in an organisation of its size'. That was in the final paragraph in a report to me about the casinos and their operations. Of course, the Racing and Gaming Commission does not just look at public complaints. I must say something about public complaints since quotations from 3 or 4 congratulatory letters have been read out. There are some letters in the casinos' files which reflect the opposite view. The opposition probably was not shown those. I understand that one was from a very important world-wide organisation that you would think people would go out of their way to make feel welcome - Lions International. It concerns a function for the international President of Lions. There were 4 pages of complaints sent to the casino after that function. It caused considerable embarrassment to the organisation in the Northern Territory. No doubt, it did not benefit the Northern Territory's international reputation from a Lions Club point of view.

Mr B. COLLINS (Opposition Leader): Mr Speaker, all members of this Assembly, and indeed the public and the press, should not let it escape them this morning that it is indeed the Treasurer who is the minister responsible for the operation of casinos in the Northern Territory. The reason I point that out is that I give the Chief Minister the credit for at least putting up a commendable performance in trying to defend the indefensible. The Treasurer's performance, particularly the last 15 minutes, indicated that, if lack of performance and not living up to expectations is a criterion, he is about to be acquired compulsorily by the Northern Territory government.

Mr Speaker, the contributions from both the Chief Minister and Treasurer have provided a very useful defence for the crime of rape. Using precisely the same logic as the Chief Minister and the Treasurer, the next person brought before a court on a charge of rape could say to the judge: 'It is perfectly true, judge. I did have a gun at the woman's head but she did agree to be raped'. I use that analogy because it is a precise description of the real negotiations that have gone on between the Northern Territory government and Federal Hotels over the last 12 months. In respect of the press statement issued by the Chief Minister saying that the casinos' operations had been excellent, the Treasurer asked if I really expected the Chief Minister to have said anything else. It has been obvious to everybody for the last 12 months that

every public statement that has been made by Federal Hotels has been made smiling through clenched teeth. Indeed, the letters that the government keeps on referring to reiterate in every paragraph that the casino proprietors do not wish to sell their assets and are being forced to do so. I ask the Treasurer if he really expected Federal Hotels to say anything else. The fact is that a sovereign state - which we are with a few constitutional apron strings - has enormous power. The government knows it and so does Federal Hotels. We are in a position to enact fairly extraordinary legislation in this Assembly.

It might be timely to go over a little of the history in respect of this private-enterprise government's relationships with other businessmen in the Northern Territory. I remember the unbelievable behaviour of the Chief Minister in respect of a person, to whom I think he later apologised, over the acquisition of Willeroo. Do honourable members recall that? Willeroo went wrong. We all remember the Northern Territory government making the same kinds of Gardens Hill, Myilly Point statements about the millions of dollars and hundreds of jobs that Willeroo would create. We all remember the problems the Chief Minister got into with Mr Quinton. I might add he is a highly-respected chartered accountant who acts as the official receiver for the oldest bank in this country, the Bank of New South Wales. Mr Quinton was publicly referred to as a 'bullying, carpetbagging financier'. The Chief Minister said that Mr Quinton was trying to screw the Northern Territory government. I remember that; I think Mr Quinton took some legal action over it.

Honourable members would also recall the even more extraordinary performance of the government in respect of the operations of Tancred Meats. The Minister for Primary Production did not distinguish himself by the conflicting and contradictory statements he made when he said that he had only taken action in order to stop cattle from being exported from the Northern Territory. He said that Tancreds was welcome to come back any time it liked after it had been kicked out. I would like to recall that to the attention of honourable members. The story of Tancred Meats is an interesting one aprops entirely the treatment of Federal Hotels. I know that a number of honourable members would recall this affair. It did not cast any credit on the government. I will detail the facts.

Tancred Meats was negotiating with CSR. Two private enterprise operations were negotiating for the sale of some properties which CSR owned. The sale had been agreed to by Tancred Meats and CSR on 20 October 1983. After it had been agreed to, it was to go to the CSR board for final approval. The Minister for Primary Production and the Treasurer went to Sydney and applied pressure directly to the members of the CSR board to prevent the sale of those pastoral holdings to Tancred Meats supposedly because this would involve the shipment of cattle out of the Northern Territory.

The way in which they did it was an example of the proper use of power by governments in relation to private enterprises. The Minister for Primary Production simply put to the CSR board that, if it did not agree to pull out of the deal which it had all but signed with Tancred Meats, it might find it very difficult to operate from then on in respect of the mining interests that that company had in the Northern Territory. It was debated at length in the Legislative Assembly. The Minister for Primary Production confirmed that it had happened and justified it by saying that he did not want to see Tancred Meats taking beef out of the Northern Territory. He indicated just as clearly that he did not know how the slaughter industry operated.

As a result, Tancred Meats completely withdrew from the Northern Territory. I had a very interesting conversation with the principal of Tancred Meats. He

said with a great deal of feeling that he was entirely unhappy about pulling out. The man is a millionaire of course; he is the largest meat processor currently operating in Australia. He told me that he would not come back to the Northern Territory while that 'same bunch are running the government'.

As another example of how this government deals with private enterprise, we have the pathetic treatment of Bob Rixon of Oolloo Station. One day, a helicopter descended out of the skies and landed on the front lawn of the homestead in which he had lived for 28 years with his wife. Out stepped the Chief Minister, the former Speaker of the Legislative Assembly, Mr MacFarlane, and I think you, Mr Speaker, at that time in your capacity as the Minister for Primary Production, and informed the Rixons that they had 28 days to get out. That was a couple of years ago now, Mr Speaker, and of course it all had to be done. Those citizens of the Northern Territory who had been on that block for 28 years had to be ridden roughshod over and kicked out because they were standing in the way of the progress of the Northern Territory and their property was urgently required for the ADMA scheme. Their property was acquired and they ended up living as squatters on their own block. I invite all honourable members to drive down to Oolloo Station and see how much sorghum has been planted there over the last few years. I will tell them: none. Nothing is happening on Oolloo Station except that the Rixons are still squatting in their homestead. I think they have been there for 30 years now but they do not own the place anymore.

I am sorry that people like the honourable members for Nightcliff and Port Darwin, who have had close involvement with the business community in Darwin and still have, did not contribute to this debate. Given the logic and arguments put forward this morning, I wonder when we can expect the Tasmanian government to compulsorily acquire the 2 Federal Hotels casino operations in Tasmania. On entirely the same grounds, it would be justified in doing so. I am sure it would be horrified at the very prospect.

There is an interesting article in today's Mercury from Tasmania. It is a front page story:

> *FBI Action on Casinos Called For. The United States FBI and the Australian Federal Police have been called upon to investigate the credentials of American casino interests seeking to penetrate the Australian casino market. Former Tasmanian Premier and now the independent member for Franklin, Mr Doug Lowe MHA, said yesterday that organised crime from the United States could enter Australia if the Northern Territory government went ahead with its plans to compulsorily acquire casinos in Darwin and Alice Springs. He said the Tasmanian government should immediately demand that the federal government and the US FBI monitor the actions of the Northern Territory government in acquiring these 2 casinos. Mr Lowe said particular attention should be paid to the credentials of international organisations... The intervention of the Northern Territory government in the casino issue has created an almost unprecedented crack between Federal Hotels and the Territory government. Mr Lowe said that this has caused grave concern to people in Tasmania as to the implications that this compulsory acquisition might have over the casino operations operated by Federal in Tasmania.*

Mr Speaker, we heard a lot of nonsense this morning in this debate. The Treasurer said that I had been supplied with truck loads of ammunition by Federal Hotels. Nothing of the sort. I obtained my information quite easily. I went to the casino on Friday and helped myself to the very impressive display of material that was laid out for the public.

Mr Perron: Including letters?

Mr B. COLLINS: Indeed, including the letters I have here. They were all laid out there. If he had paid a visit to the casino on Friday, he would have been able to pick some up.

Mr Speaker, the cold hard facts are that all hotels in Australia can produce evidence that they are well run. If you want to, you can produce evidence that letters have been sent to hotels to say that they are bad. I have never heard of poor service being used as a basis for governments to acquire the assets of a private company compulsorily. The Chief Minister made no attempt to address the other ridiculous part to the argument. This is a precis of the agreement between the Northern Territory government and Federal Hotels to contact ...

Mr Perron: Was that on display too?

Mr B. COLLINS: It is on display here. It is in the Assembly library and in the Government Information Centre. He is really not distinguishing himself by his contributions to this debate this morning.

Mr Speaker, this agreement, which is a schedule to the casino act, is detailed in very precise terms - and the Treasurer and the Chief Minister know it. Under section 8, it details all of the actions the government can take - and obviously this is written into a contract - in case the operators run into financial difficulties. Compulsory acquisition, I might add, is not one of them and nor would it be. If it were, we would not need to have special legislation introduced into this Assembly to take those assets off that private company. What happens when companies run into financial difficulties is already in the agreement. The Chief Minister went through a process of reading out documentation, none of which I will argue with. But because interest rates were going through the roof - I think they were over 20% at one time under Fraser - the company was paying through the nose for its capital which it raised itself. It was paying up to $5m a year in interest. That was one of its major problems but it worked its way through it and carried on. What the Chief Minister read out in the Assembly this morning is what is to be found in the examination of the cut and thrust of private enterprise businesses all over Australia. It is a highly competitive world, particularly the tourist hotel business. I have never heard the fact that companies have bad times and have good times being used as a basis for compulsory acquisition of their assets by government.

Mr Speaker, I think that Federal Hotels has a reasonable basis. We all know where the heads of agreement that were signed came from. They were signed because Federal Hotels knows and the government knows that it has had a gun held at its head for 12 months. Mr Speaker, do you remember the retrospective validating legislation that we put through this Assembly? An incredible number of people in the community said to me: 'Goodness me, I did not know that parliaments could do that'. The Northern Territory government actually committed an illegal act in respect of Willeroo, and, 12 months later, we passed an act which simply said that, whereas the action was illegal then, the act was retrospective and the action was deemed to be legal and always had been legal.

Parliaments have enormous powers to play fast and loose. But, Mr Speaker, when provisions for financial problems are incorporated in a contract, any company signing a contract with the Northern Territory government should be able to do so in the total confidence that it is doing so on the same basis as it would enter into a contract with any other reputable and stable person or

organisation. It should have a right in fair dealing to expect that any problems that it might have would be solved in the normal way that private enterprise solves problems - by invoking the terms of the contract that was signed and not by one of the parties taking action which is unavailable to any other corporation or individual in this country and simply unilaterally changing the terms of the agreement. That is not an unreasonable expectation by Federal Hotels or any business contemplating moving into the Northern Territory.

The member for Millner has touched on this but I will reiterate it. We all know that people in politics have short memories but I will tell members that there are much longer memories in the business community in Australia than there are in the electorate at large. That is the only way that they survive. If the proposed legislation goes through the Assembly and if the Chief Minister leaves, as his final monument, an act of the Assembly which compulsorily acquires $50m or $55m of privately-owned assets against the express wishes of the private company that owns them and does not wish to sell them, he will find it very difficult the next time he tries to be the great white hope of private enterprise, hands-off government if he goes down again to address a Liberal Party conference or any other conference. Unfortunately, both the government speakers this morning glossed over those few basic points. The Chief Minister did not bother mentioning that, in the agreement, as one would expect to find in a contract of this kind, provision is made in relation to financial difficulties for the company and for action that the government can take to totally remove a casino operator's licence and thereby put him out of business that way.

The Treasurer said: 'From the Leader of the Opposition's constant references to clause 16(3), one would think that we were not having any other negotiations with Federal Hotels that he does not know anything about'. Let me respond to that. He is quite right. The Leader of the Opposition and the opposition are just ordinary mugs like everybody else in the electorate. We rely for information on statements made by ministers of the government, particularly the Chief Minister. The reason that I assumed that the government was not relying on financial reports and on behind-the-scenes negotiations but on the force of clause 16(3) is because, for the last 2 weeks, the Chief Minister has been telling everybody that that is precisely the clause in the agreement the government has been depending on. If we cannot take the Chief Minister's word for it, whose word can we take? I relied on that clause because the Chief Minister told me that is the clause I needed to rely on because the government was basing its actions on it. The Treasurer's arguments in respect of that this morning did not do very much to support his Chief Minister.

Mr Speaker, I will conclude by saying that agreements have been made by Federal Hotels, as have now been made public, only because it has been operating under the impossible situation of having a gun put at its head and in the knowledge that, in the final analysis, this government, this party to a contract, was capable of contemplating passing an act of parliament which simply said that it would lose what it owned. That is precisely what we are told we will be hearing about later today.

Mr Speaker, for the sake of some short-term gain, no matter how desirable it might be, this government is considering embarking on an unprecedented course of direct involvement in private industry that is unheard of in this country from any government. It will do substantial and lasting damage to the confidence in the Northern Territory of the Australian and overseas business community. How can a company sign a contract with the government when it knows it has exercised a power simply to change unilaterally the terms of a contract, inside the Assembly where there is nothing anybody can do about it.

Mr SPEAKER: Order! The honourable member's time has expired. The question is that the motion be agreed to.

The Assembly divided:

Ayes 6	Noes 19
Mr Bell	Mr D.W. Collins
Mr B. Collins	Mr Coulter
Mr Ede	Mr Dale
Mr Lanhupuy	Mr Dondas
Mr Leo	Mr Everingham
Mr Smith	Mr Finch
	Mr Firmin
	Mr Hanrahan
	Mr Harris
	Mr Hatton
	Mr Manzie
	Mr McCarthy
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Robertson
	Mr Steele
	Mr Tuxworth
	Mr Vale

Motion negatived.

FEDERAL HOTELS CASINOS (COMPENSATION) BILL
(Serial 68)

Bill presented by leave and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to acquire the 2 hotel casinos operating in Darwin and Alice Springs and to establish a mechanism whereby the level of compensation paid to the present owners can be determined under the principle of just terms. Honourable members will be aware that the government proposes to facilitate the construction of the biggest tourism complex yet seen in the Territory on the old Darwin Hospital site and adjacent land on Myilly Point and in the Mt John Valley in Alice Springs. To refresh the memory of honourable members, the Darwin proposal includes the construction of some 600 hotel rooms, initially 300 in the form of villa units which will be managed as part of the hotel complex, together with professional and retail office space, an amphi-theatre, water features and a large marina. In Alice Springs, it is proposed to develop 300 villa units which will be managed as part of the existing casino through a hotel management plan.

To overcome existing problems and to cater for future growth, it is envisaged that, in the near future, an additional casino facility would be constructed on the old Darwin Hospital site. The entire project is anticipated to cost around $300m in today's values and take several years to construct. Staff employed to run the whole complex will total around 1600. The success of the entire proposal hinges on a combination of private enterprise commitment, government support, professional, national and international marketing and casino management which matches competition from casinos around the world. It is clearly essential that the 2 Territory casinos are an integral part of the total scheme.

Mr Speaker, it has been common knowledge that the parent and related companies which form the IPEC Federal Hotels group have faced a difficult financial period for at least a couple of years. The Chief Minister and myself have raised the financial position of the company with its chairman on a number of occasions during 1983 and 1984. These difficulties have been reflected in the Territory during the period the casinos were being constructed and in their operational and marketing budgets ever since. Considerable pressure had to be applied by the government in order to get the Mindil Beach complex under way and a series of alterations and deferrals were made during the construction period to reduce the cost of the buildings. Even today, almost one and a half years after the opening, sections of the casino have not been finished internally due to a lack of funds. The unfinished areas remain despite the chronic overcrowding on the gaming floor and a reduction in the original restaurant capacity. The landscaping at Mindil Beach has been third rate from the start and the stagnant, unlined creek beside the car-park is a disgrace. The 7 ha area surrounding the company's land, which it sought and was given responsibility to landscape and maintain, is below the standard we were led to expect. Back in the days of euphoria about Federal Hotels coming to Darwin, the public was advised that the casino grounds would be 'as good as, if not better than, our botanical gardens'.

In Alice Springs, the company sought and obtained the rights to develop additional land behind the existing complex for more accommodation. I announced in the 1982-83 budget that, having regard to operating losses incurred by the Alice Springs casino, the government had determined that the 15% tax on gambling profits due to commence be reduced to 5%. I further advised that the company was continuing with plans for expansion of accommodation in Alice Springs. Despite the tax cut and the fact that the IPEC European operation has just been sold to TNT for $30m and another subsidiary, Skypack, sold for $20m, Federal Hotels advised us in July 1983 that, unless the government provided a guarantee, the company could not afford to comply with its accommodation commitments in Alice Springs.

The financial difficulties faced by the whole group obviously placed the Territory operations on the bottom of the list of priorities. As a result of restricted operational budgets, the company failed to fulfil its promises in regard to overseas promotion, facilities, standards and service. The number of complaints received by visitors to both casinos is most unfortunate. Perhaps many of the problems are summarised in the concluding paragraph of a report to me earlier this year by the Racing and Gaming Commission:

> *It is our opinion that the company lacks the professional administration and management expertise one would expect in an organisation of its size.*

Mr Speaker, the government has been worried for some time about the financial standing of the IPEC group which owns Federal Hotels. As far back as January 1983, an Australian trading bank was commissioned to report on whether the group was financially sound. On the subject of liquidity, the bank had this to say:

> *The IPEC group operates with a ratio of current assets to current liabilities of 0.42, indicating a serious lack of liquidity. In addition, while fixed assets, investments and capitalised establishment costs accounted for 40% of the IPEC group's total assets in 1979, they now account for 80% of the IPEC group's total assets. Federal Hotels is also highly illiquid with a current ratio of 0.32. Fixed assets total approximately 93% of total*

assets on Federal Hotel's balance sheet. It would appear that the ability of the IPEC group and Federal Hotels to meet a sudden calling of short-term loans by lenders is questionable given this lack of liquidity and the time necessary to realise the fixed assets.

It should be noted, however, that over the 4 years time span analysed, the IPEC group has consistently operated with a current ratio of less than 1.

I now quote from the conclusions in that report:

The IPEC group is in poor overall financial condition, being highly geared and illiquid. In such a situation, the combination of high interest rates experienced by the IPEC group for the first 6 months of the current financial year and reduced economic activity can be severely debilitating to the company's financial viability. Whilst certain parts of the IPEC group appear healthier than others, the interrelationship among various IPEC group members makes it unlikely that any one part of the IPEC group can remain unaffected if another part experiences severe financial distress.

The companies were in a precarious financial position. To make matters worse, it was revealed that there was a $US15m contingent liability hanging over Australian National Hotels and Federal Hotels through those companies guaranteeing a loan to their parent company IPEC. It is not surprising then that Federal Hotels or individual shareholders have been trying to unload a major portion of our casinos for a long time. In November 1982, the Launceston Examiner carried an article headed 'IPEC Puts its Casino Chips on the Line'. It claimed that one shareholder had placed his one-third share of Federal Hotels' 4 casinos on the market for $20m.

In June 1983, Federal Hotels advised the government it was considering the formation of a unit trust to buy the Darwin and Alice Springs casino properties unencumbered for 36 million units of $1. Federal Hotels intended to hold 18 million units and lease back the properties from the trust. One month later, the government was advised in a letter that, in spite of the $50m sale of IPEC Europe and Skypack, the group of companies had to sell its interest in its remaining transport operations and a percentage of Federal Hotels or set up a property trust for Federal Hotels and that, to date, although there had been some parties interested in Federal Hotels, none had come to the party. Later, in January this year, The Australian ran an article headed: 'Hotel Body in Search of Casino Partners'. It went on to say that Federal Hotels was still looking for new partners 18 months after the search began.

The government commissioned another report in March this year by a merchant bank into the financial standing of the group of companies. The concluding paragraph reads:

It seems safe to observe, however, that the takeover of IPEC Holdings by TAL Holdings and recent asset disposals are the most visible signs of a fundamental real concentration of activities by the group with all elements within it potentially if not actually for sale. We would not be surprised if, within a year, the group's activities bear little relationship to those it is seen to be engaged in today.

The search for partners went on. In March this year, we received a letter advising that Federal Hotels was having serious discussions with a Malaysian group for the purchase of 38% of the Federal group. It appears that our casinos have been unsuccessfully touted around the world like a rag doll for the last 1½ years. One wonders if the reasons for the lack of success stem from the condition imposed by the sellers that they remain the operators.

Following the preparation of concept plans for what will be the biggest tourist development yet seen in the Territory, the Chief Minister and I met with the Chairman of Federal Hotels in August last year and sought his agreement to sell the hotel casinos to another party. The chairman wrote a week later agreeing to sell the complete interest in both properties for $47.1m. For the information of honourable members, I seek leave to table that letter received on 24 August 1983.

Leave granted.

Mr PERRON: During the following months, negotiations took place between government representatives and various parties in Australia and overseas. Discussions were held both with potential investors in the total project and competent casino operators in the United States and Great Britain.

Mr Speaker, it is important to note that the government did not pursue the expensive time-consuming course of bringing together all the parties necessary to get this project off the ground and to arrange for the relocation and re-housing of residents of Myilly Terrace until after Federal Hotels had agreed in writing to sell the 2 casinos. In March this year, when plans and negotiations were well advanced, the Chief Minister and I again met with the chairman to discuss the purchase of the casinos. One week later, the chairman wrote to advise that the price being asked now was $55m. Mr Speaker, I seek leave to table a copy of that letter and my response.

Leave granted.

Mr PERRON: During subsequent negotiations, an agreement was reached that the most appropriate arrangement to determine a sale price would be for each party to obtain valuations and the mean of those 2 figures be accepted. Heads of agreement were drawn up to put this arrangement in place. It is unfortunate that the interpretation of the heads of agreement, particularly the section relating to valuation, has led to differences to such an extent that Federal Hotels' valuation of $73m was described by its own valuers as unrealistic. The government's valuers arrived at a figure of some $44m. The heads of agreement provided that, if the mean value established was less than $47.1m, this was the figure that would be paid. On the other hand, if a mean value in excess of $55m was established, then $55m would be paid. The sums of $47.1m and $55m represented 2 figures put forward by Federal Hotels at various times. The $47.1m was Federal Hotels asking price in August 1983 and the $55m was the asking price in April 1984. Our attitude was more than reasonable to Federal Hotels.

It is unfortunate that, in the section which related to valuations in the heads of agreement, the valuers engaged by Federal Hotels found difficulties. This resulted in what the Federal Hotels' valuers themselves termed an unrealistic valuation. In submitting their valuations, Federal Hotels' valuers said:

> *As discussed and also pointed out in our valuations, the instructions as per the agreement created an artificial situation in isolation where only part of the total of each property was to be considered in our valuation reports.*

The government's valuers established a fair market price of $44.288m. Significantly, and putting aside the unrealistic approach, Federal Hotels' valuers established a market value of $44.585m. However, the Federal Hotels' valuers then said that, as the cost of the land and improvements exceeded the market value, the cost figure was to be adopted. Having increased the value applied to the land and improvements, they failed to make the consequential adjustments necessary to the valuation of the licence and intangibles. The difference between the market value and the cost of the land and improvements in their report is $28.883m which they then added to the market value of $44.585m thus arriving at a figure in excess of $73m.

Mr Speaker, the valuation of a business is normally based on consideration of net maintainable profits or rental values and the capitalisation of such returns at an appropriate rate. To ensure, however, that Federal Hotels would not be disadvantaged by this approach, it was further agreed that, should the value of any asset be found to be less than the cost of that asset, the cost was to be applied. The Northern Territory government does not agree with Federal Hotels' interpretation and believes that not only is it incorrect but it does not comply with the spirit of the agreement. The government believes that Federal Hotels, by adopting this approach, is double-dipping which it is expressly precluded from doing under the terms of the agreement. Not only is it claiming the market value of its property but it is adding to this figure an amount representing the difference between market value and the cost of the land and improvements.

There are other accounting adjustments for certain debtors and creditors which are not in dispute by the parties. The net effect of the double-dipping is to produce an average figure in excess of the maximum agreed figure of $55m which, therefore, Federal Hotels now claims. The company, as well as its own advisers, are well aware that a resultant figure in excess of $73m cannot be said to represent fair value for the properties and businesses comprising the 2 hotel casinos. In this respect, it is worth quoting from one of its advisers' reports:

> *Because of the arbitrary manner in which the agreement separates the functions of the property value and the chartered accountant, and further requires valuation of individual components, the sum of the valuations of the Federal property valuer, T.C. Waters Pepper and Company, and the Federal chartered accountant, Arthur Young and Company, may not equal the fair market value of the total complexes. And, further, had we been required to value each hotel casino complex as a whole, our valuation may have been different to the sum of our valuation contained herein and the valuations of the Federal property valuer. The value does not purport to be our opinion of the liquidated value or any value of those hotel casinos.*

Mr Speaker, we believe that, having regard to the fair market value established by both valuers, $47.1m was more than appropriate. Federal Hotels rejected the offer. The owner's own value of the property 3 years ago was $36m. One year ago, the asking price was $47.1m. The claim now is that they are worth $73m. I let honourable members draw their own conclusions about the credibility of the latest claim.

Given that the matter cannot be resolved amicably, we have decided to settle the price through specific legislation. This appears to be the best solution in the circumstances as, in fairness to both parties, the legislation will provide for a basis of acquisition on just terms. The Chairman of Federal Hotels appears to agree. In his latest telex to the Chief Minister, he states:

You now say you consider the proposal is one which will be effected by legislative enactment providing for acquisition on just terms. You will realise that just terms will take into account many additional items of a compensatory nature and the valuation will ultimately be determined by the Federal Court or possibly the High Court. In this event, we realise the minimum and maximum figures contained in our heads of agreement will no longer have any relevance. There may be a small down-slide risk for Federals. But we feel this could be well worth taking in view of the greater potential for increasing the price.

Honourable members should be very clear in their minds that the real question to be settled is not sale but price. It has been amply demonstrated that Federal Hotels Territory casinos have been on the market. The shareholders have agreed to sell. The issue before the Assembly is what the properties are worth as trading entities today. Despite negotiations, the government and the company may have been unable to reach agreement. The obvious course is settlement by arbitration.

Mr Speaker, before turning to the provisions of the bill, I foreshadow to honourable members that I will be seeking a suspension of Standing Orders in due course to pass this legislation through all stages at this sittings.

Part I of the bill contains the preliminary clauses found in most bills presented to this Assembly. The most important in this case is the commencement provision which provides that certain of the proposed sections will come into operation before the proclaimed commencement date. Some of these will commence on the date on which the Administrator assents to the bill. Examples are clause 5 which allows the minister, by notice in the Gazette, to make it clear in certain circumstances which particular items are being acquired or excluded from acquisition and clause 31(3) which allows a minister to nominate an officer to observe the continued operations of the establishments up to the date of acquisition. However, subclauses (1) and (2) of clause 31 will have retrospective effect as from tomorrow and place an obligation on the company to continue its normal operations in the casino and hotel complexes until the acquisition date and, at the same time, refrain from taking any action that might unreasonably increase the acquisition price.

Part II is the most important operative part. It is here acquisition power is to be found - namely, in clause 4(1) - where the complexes themselves are to be acquired together with all other property, by whomsoever owned, used in or in connection with the businesses conducted by the companies in the complexes, including and excepting respectively, items listed in schedules 2 and 3.

The other provisions of part II set out the method of claiming compensation, in division 2, and the principles upon which compensation is to be assessed. These principles are those laid down in our existing Lands Acquisition Act. The method of determining compensation is in division 4 and the payment of compensation and what happens to mortgages is in division 5. Apart from divisions 1 and 3, this part of the bill contains essentially the same provisions as the corresponding parts of the Lands Acquisition Act of the Commonwealth and is designed to ensure that compensation payable will be compensation on just terms as required by section 50 of the Northern Territory (Self-Government) Act.

Part III of the bill is designed to establish a tribunal to determine the compensation payable and to give it fairly wide powers to enable it to do so. Honourable members will note that the tribunal will be constituted by a judge

or former judge of the Supreme Court or the Federal Court or of the Supreme Court of a state or another territory or, failing this, a Queen's Counsel. The tribunal and the judge constituting it have been equated, in most respects, with the Supreme Court and a judge of the Supreme Court respectively.

Part IV of the bill is a miscellaneous part. Apart from clause 31, which I have already mentioned, clause 32 provides for the cancellation of the casino licences and liquor licences. There is power in the minister, in effect, to direct the transfer of the liquor licences to the new operators without the need to go through the detailed procedures required in the application for a fresh licence. Honourable members will recall that there is a provision in the new Casino Licensing and Control Act, which was passed by this Assembly during the last sittings, allowing for the granting of new licences for the casinos. Other clauses in this part deal with such matters as a redemption of gambling chips, clause 34, the guaranteeing of pre-booking arrangements, clause 36, and the mechanics of the handover takeover. There is also the general power in the minister to transfer and vest property in similar terms to the corresponding power in the Commonwealth act.

Finally, there are the schedules. Schedule 1 contains the title descriptions of the Darwin and Alice Springs casinos. I have already mentioned schedules 2 and 3, and schedule 4 sets out the rules to be applied in assessing compensation. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MINISTERIAL STATEMENT
Betting Systems in the Northern Territory

Mr PERRON (Treasurer)(by leave): Mr Speaker, on 6 June 1984, I tabled a report of the Racing Industry Working Party. In doing so, I announced that the government had accepted in principle the recommendation that the racing industry should be supported and encouraged to retain viability. The working party also concluded that the Territory racing clubs are facing inevitable bankruptcy unless the returns from the betting system are made more productive for it. The ever-increasing injection of funds from other taxpayers was seen as an unacceptable alternative. The report contains an examination of possible refinements of the betting system leading to the principal recommendation that exclusive offcourse totalisator betting be introduced.

In relation to this recommendation, I foreshadow the need for further supporting information and comment as to gambling turnover sensitivities and on the social effects of that move. In particular, officials were asked to confirm and expand the working party's calculations relating to the benefits of retaining some offcourse bookmakers together with the totalisator.

We have now had the benefit of that substantial amplification of information which the working party included in its report. We have gone over it very thoroughly and come to our own conclusions. This has been the most thoroughly debated issue to come before government for some time, and necessarily so. The decision to be taken is not one which should be considered lightly. Our betting shop system has been part of the Territory's character for many years. It is clearly a popular service. Philosophically, we have a strong commitment to allowing Territorians freedom of choice.

Almost everyone agrees that a TAB offers its own brand of attractive service. It would have been an ideal situation if a tandem system of betting could have been made to work in the Territory. The government is now convinced that the best interests of a majority of the parties concerned cannot be served

by proceeding in that direction. The figures show that a TAB is very efficient in creating large wager pools for even small bettors scattered over vast distances. To achieve this, however, it requires that it incur certain unique fixed costs, particularly for communication lines and for sophisticated telephone and computer equipment. Consequently, it is not until the TAB reaches a certain critical size that there is a surplus of revenue over the sum of payouts and those fixed costs. That is a dead weight to carry but the positive side is that, once that point is passed, each additional dollar wagered contributes progressively to the surplus. Once a TAB becomes very large - for example, in Victoria - the overheads are of little significance and the costs to each dollar bet are little more than the direct transaction expense. Variations in turnover, therefore, have very little effect on the percentage surplus achieved per dollar invested as wagers.

Mr Speaker, a monopoly Territory TAB has been shown to be quite a viable prospect and will become even more so as we grow. However, the relatively small size of the total pool in the Territory means that net returns are very sensitive to turnover variations. By the time the turnover in a year reaches $20m in round terms, the estimate of turnover for a full Territory TAB in the first year, each dollar wagered with it is contributing an average of 8.6¢ to racing and government. If some dollars are diverted to bookmakers, then there is a two-edged effect. Firstly, the tax contribution is reduced in respect of each of those dollars to 2¢. Secondly, the average contribution of all remaining dollars wagered on the TAB is reduced.

It has been shown that the combined effect of these factors when turnover is shared between the TAB and even a very restricted number of betting shops is to render the return to racing less than it is now, even with the government returning the full amount to the clubs. Accordingly, I now confirm that a full TAB service will be introduced from 1 July 1985 and that this will coincide with the closure of all existing betting shops. Our TAB, at least in the early years, will be linked with another Australian system. Selection will follow the calling of competitive bids and take account of the range of race coverage and services provided. Such a link will give punters the immediate advantage of a broad daily program, the stability of large race calls, full exotic bet capability at the outset and betting to the jump. Local pools will be developed for Territory races.

We will expect the TAB to feature modern and comfortable shopfront premises exhibiting form guides and other aids to uncertain customers and, generally, to make for a friendly atmosphere. It will provide a central telephone result service to the public. It will also ensure the availability of midweek race broadcasts, where possible, to coincide with the race coverage provided. The distribution of those outlets in the Territory will have to be determined. What I can say is that sufficient outlets will be opened to ensure that convenience is served. Eventually, I would expect that the TAB will provide self-service terminals in popular locations. A centralised telephone betting service for the cost of a local call from any part of the Territory will be established for those who wish to open and maintain an account.

Although the betting shops will close, bookmakers concerned will not be without opportunities in the same field. Our general policy will be to have TAB operate through agencies rather than branches. In that way, the operators will be self-employed. Their remuneration would be under a formula covering their fixed costs, processing costs and a turnover-based commission. These people will have the opportunity to do well. I presume that some of the present bookmakers would be eminently suitable to take up such businesses. Other bookmakers may be granted the right to field oncourse to cope with those extra patrons who prefer to bet with bookmakers. Bookmakers will be reimbursed for

any unavoidable out-of-pocket expenditure occasioned by the closure of their shops when it occurs. Where there is flexibility, we would expect that no commitments are entered into by them which extend beyond 1 July 1985.

The TAB will be established as a statutory body directly responsible to me as Treasurer. Separation from the Racing and Gaming Commission will be maintained because of the continuing supervisory function of that latter body.

The method and proportion of its surplus distribution between the government and the racing clubs has yet to be addressed. When it is, regard will be had to precedents of TABs interstate. That share which will go to the industry will be transferred from the TAB to the Racing and Gaming Commission for distribution. Preliminary projections indicate that, even in the first year of TAB, there will be a worthwhile increase in funds available to racing.

At the same time, the clubs need to appreciate that they will have to frame their budgets carefully. So far as the government is concerned, there will be no additional assistance given to race clubs from general revenue. Direct employees, jockeys, merchants, trainers and breeders and others all rely on the clubs to a greater or lesser extent. The onus is squarely on the clubs to manage their financial affairs to their mutual advantage.

Mr Speaker, I return to the social aspects of this decision. There is no doubt that there will be those who will attempt to act outside the law and illegally accept bets once TAB commences. This problem is a matter of degree and there is evidence already that illegal betting activity has attached itself to the current betting system. We are serious in our determination to stamp out and prevent this activity. We will take the opportunity afforded by the flow of money to the government from the TAB to establish a dedicated police squad of whatever size is shown to be necessary. The squad will be trained in the latest techniques to detect and investigate illegal transactions. I will seek to meet with senior executives of Telecom to gain the cooperation of that organisation with the new squad. Whilst the government is not persuaded that a mandatory prison sentence as recommended is an appropriate penalty for a first offence for illegally accepting bets, we will review the legislation covering such offences and introduce amendments to provide a much stronger deterrent than is presently the case.

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

Mr LEO (Nhulunbuy): Mr Speaker, I rise to congratulate the Treasurer on his statement relating to the introduction of the TAB betting system in the Northern Territory. I presume that I can speak for my colleagues on this side of the Assembly who are always glad to see the implementation of Labor policy although, in this case, somewhat belatedly. I know it has been difficult for the government to come to this decision for whatever reasons. I wholeheartedly wish the minister well in this venture. I think it will definitely prove to be an asset to the Northern Territory public and the racing industry generally.

Mr Speaker, I will conclude by saying that I look forward to seeing its implementation and the mechanics of how it will work. There is obviously a lot of nuts and bolts work to be done and I can assure the Treasurer that I will give him whatever assistance I can.

Motion agreed to.

PETROLEUM BILL
(Serial 61)

Continued from 14 June 1984.

Mr LEO (Nhulunbuy): Mr Speaker, the Petroleum Bill is a major piece of legislation and is of extreme importance to the Northern Territory. It replaces the present Petroleum (Prospecting and Mining) Act and it has a number of major modifications all of which the minister covered in his second-reading speech. I do not think that they need to be gone through twice but there are some major innovations that have been made.

The Territory will be divided into blocks over which various types of leases will be held. The nature of the leases will be dependent upon the activities that are undertaken. In other words, there will be exploration permits, retention permits and production licences. This bill will also give the government the power to require that all operations are conducted with what is commonly called good oilfield practice. This means good housekeeping on the oilfields. It is necessary to maximise the return from any successful drilling operations. I am sure that the member for Braitling would appreciate that. In the past, there have been some unfortunate experiences, not only in Australia but in other places in the world where good oilfield practice has not been followed and the resource base was used inadequately.

There is a transitional provision within the bill which will allow mining companies with permits under the current legislation either to operate with those permits or to convert to the new system. After some discussion with the industry and with various people who know about these matters, I am led to believe that most operators will opt for this new system. It is very forward-thinking, progressive legislation. I am led to believe that the APA, which has participated in discussions leading up to this bill, is pleased with it.

There is the ongoing question of what the royalty level should be. In this case, it is 10% of the gross value of the product at the wellhead. All royalty payments are arbitrary. It is acceptable to the industry. I am not saying that that is the only reason it should remain at 10% but it does seem that it is acceptable to the industry at the moment. If the government feels so inclined, it can be changed at a later date.

Mr Speaker, I do not know what further I can say on the legislation other than the opposition will certainly support its passage. It will need continual monitoring. Oil and all other resources will play a very big part in the Northern Territory's future development. This very comprehensive legislation needs to be monitored very closely to see what effects it will have on the industry. The opposition supports the bill.

Mr HATTON (Nightcliff): Mr Speaker, I am pleased to support this bill. It is an excellent example of legislation developed through a long process of consultation with people within the industry and those who are involved with the industry. It combines both fairness and practicality and deserves the support of the entire Assembly. I understand that, since the bill has been presented, there has continued to be extensive consultation and discussion with the industry as to the practical operations of this legislation and there will be some consequential mechanical amendments. The level of consultation has produced, in this case, a very good piece of legislation.

The legislation modernises the rules and regulations dealing with petroleum and hydrocarbon products. In many ways, it is consistent with the approaches that are adopted in the modern Mining Act and introduces some provisions, such

as the exploration, retention and licence provisions, which will afford some security of tenure for miners and explorers. The business of exploration is very risky, particularly in the petro-chemical area which involves very heavy expenditure in the exploration stage and where a resource cannot simply be found and immediately placed on the market. That protection gives explorers the confidence to explore regions of the Northern Territory and, obviously, that is to the benefit of those explorers and also to the economy and the people of the Northern Territory. That has been evidenced most spectacularly this year with the developments that have been occurring in the Amadeus Basin region with the extensive exploration that has been taking place, particularly over the last several months, into gas reserves and the potential that that can provide for overcoming many of the long-term energy and electricity cost problems that have long plagued the Northern Territory. This legislation is an integral part of that process and the encouragement of that development, and I would commend that particularly.

The previous speaker referred to the royalty provision of 10%. To my understanding, that is a very common provision throughout this country. It is consistent with royalty payments that are being paid throughout the country and it is not without surprise particularly given the level of consultation and consistency. It is well accepted by industry, as the honourable member for Nhulunbuy indicated.

It is worth noting that the royalty provision is different from that provided under the Mining Act but there are good and cogent reasons for that. They have to do with the fact that, whilst the exploration costs in relation to petroleum are very expensive, they can be very short term before gains are achieved. This would be an unusual circumstance in respect of mineral exploration. Secondly, the developmental costs are considerably lower than those in the mining industry. Further, in the petroleum industry, there is much less fluctuation in the price of petroleum products over time. There is much more certainty as to the price than can be obtained for the product over an extended period of time. When that is combined with lower developmental costs, it makes a royalty of this nature both practical and fair. That is quite different from the situation of the mining industry where there are very large developmental costs and the price of minerals, over time, can fluctuate quite dramatically from periods of super profits to periods of super losses. Therefore, a royalty based around profits in that situation provides a much fairer approach for the industry and should serve as an incentive for that industry to explore in the Northern Territory. Companies then know they will not be hit with some ad valorem or some impost in the form of royalties at a time when those businesses are suffering the vicissitudes of the market. Mr Speaker, I commend the bill.

Mr VALE (Braitling): Mr Speaker, I wish to speak in support of this legislation. It is just on 30 years since the legislation which this bill repeals was first introduced into the Northern Territory. I believe its revision is timely given the proposed development of the Mereenie oil and gas field and the Palm Valley natural gas field in central Australia.

Mr Speaker, as I said in June, the potential for the Northern Territory's oil and gas reserves to play a major role in stabilising energy costs and assisting the development of all our industries is just starting to be recognised and we must ensure that legislation processed through this Assembly encourages rather than inhibits the search, discovery and development of our hydrocarbons. In saying that, I would hasten to emphasise that I am not advocating that what is necessarily good for, say, the Mereenie partners is good for the Territory. These companies must and, I believe, have played a responsible role in the development of the hydrocarbon industry, given the long years of frustration under federal governments of both political colours.

Mr Speaker, one area of concern to the oil and mining industry is not the establishment of a rule book but the tendency of some governments to change the role constantly which has a destabilising effect on any industry. However, after 30 years, anyone would be stretching the truth today to speak about constant rule changes and I believe the legislative changes contained in this bill will be welcomed by all sections of the industry.

The section of the legislation dealing with the conversion from exploration permits to production licences and the introduction of retention licences will indeed make life easier for companies operating in the more remote areas of the Territory and isolated from potentially large markets. The expenditure that exploration companies face in the first years of search from geological to geophysical surveys to wildcat drilling is an immense cost factor and the ability of companies now to put full development on the back burner while market studies are carried out or, indeed, while markets develop, will be most welcome. Examples of this market development are the construction or establishment of completely new towns such as Yulara, Jabiru and Nhulunbuy. They are examples of energy markets virtually developing overnight.

In his second-reading speech, the minister mentioned the scheme of royalty payments based on the wellhead price of crude oil and of natural gas. It is a highly technical and complicated procedure to determine what is a fair price for wellhead calculations after allowing companies to deduct for downstream operations. Having recently visited a number of interstate refineries and the Esso BHP gas treatment plant in Gippsland, Victoria, and seen how sophisticated, technical and expensive such downstream operations are, I believe that a detailed study of operations and royalty payments elsewhere in Australia is needed before any final decision is made on altering royalty payment levels in the Northern Territory.

Mr Speaker, in conclusion, there are 3 points that I wish to mention. The first is by way of explanation to honourable members. There is a mistaken belief held by many people that Australian crude - light crude in comparison to crude in other parts of the world - is unable to be refined to remove all of the products such as bitumen through to lubricating oils and greases. This is not so. If Australian refiners wished, they could install additional and expensive refining equipment to produce these products from Australian crude. However, pricing dictates that it is much more economical to import the heavier crudes from the Middle East and refine these products out in Australia. Whilst I might, from time to time, argue about refinery gate prices and other pricing structures of the major oil companies, I have no argument with this importation scheme in heavy crude oil.

Mr Speaker, one further thing I would like to raise this afternoon is the proposed products from the Alice Springs refinery. I believe that, before any final decision is made as to what products that refinery should produce, a close examination needs to be made by the Northern Territory Department of Mines and Energy and the minister. Whilst I am quite happy at this stage with the proposed transportation into Alice Springs by road and by rail down to Port Stanvac in South Australia, I believe the final decision on the refinery proposal in Alice Springs needs close examination.

Mr Speaker, from time to time in the Assembly and elsewhere in the Northern Territory, I have raised - and I believe I did it in June - the absurdity of the import parity pricing structure of Australian crude oil being priced against the Middle East levels. I have suggested before, and do so again now, that, if and when the world price for crude drops, Australia is duty bound to follow. I notice that an article in the Weekend Australian of 4 August is headlined,

'Expert Tips Collapse of Oil Prices as Discounting Persists', and a world leader in the energy field in New York is now tipping that world oil prices could fall by up to 50%. The Australian government has followed the world price up to import parity and it is duty bound to follow them down. This would result in a dramatic reduction in petroleum product pricing across Australia. As I said, the Australian government is morally bound to follow that pricing down, if and when it occurs.

Mr Speaker, the second point that I wish to raise is that our legislation must ensure - and I believe that this bill does this - that the smaller, independent companies are not excluded from the Territory oil and natural gas industry in both the short and the long term. Whilst the major companies, the seven sisters, as they are called from time to time, have a role to play in this development, they must not be allowed to develop an exclusive cartel over this vital industry.

I conclude by saying that there is now an urgent need for the Department of Mines and Energy to seriously upgrade the Energy Division within the department for it will be required to play an extremely important supervisory role in this industry in the years ahead. I support the legislation.

Mr BELL (MacDonnell): Mr Speaker, I rise to make a few brief comments in relation to the bill. I do so chiefly because the 2 current petroleum developments within the Territory lie within my electorate. I refer, as did the honourable member for Braitling, to the development of the Mereenie oilfield and the natural gas at Palm Valley. It has been of considerable interest to me as the local member for that area to visit both those developments, particularly the development at the Mereenie oilfield. I noticed from an article in the Centralian Advocate some time ago that the members for Braitling, Sadadeen and Flynn had visited that particular oilfield with the Chairman of Oilmin, Mr Julian Beale. That must have been of great interest to them as my subsequent visit to the oilfield was to me. Goodness me there was a great host of them. The honourable member for Braitling has just drawn to my attention that there are far more government backbenchers with little enough to do; they are able to visit corners of my electorate at will and that is excellent. It is pleasant country and a most interesting development.

The other point I wish to note is the innovation of the retention licences where, if a particular field has been proved up and, for economic reasons, the company concerned may not necessarily feel that production is viable at a particular time, it will be able to hold its right to produce at some future time subject to certain conditions within this legislation. Of course, that has been important with the Mereenie oilfield because that field was proved up some 20 years ago.

Mr Speaker, the reserves at the Mereenie oilfield were found to exist some time in the early 1960s. Thus, it has been at least 20 years between the time of the proving up of the field and the production which we are about to move on to. In that context, it is worth while mentioning that there have been a number of Jeremiahs who have suggested that the eventual production of oil from the Mereenie field in some way has been held back because a part of the land over which that production lease is held is Aboriginal land. On this morning's news, we heard that the new road by which the oil will be taken initially from Mereenie into Alice Springs has been negotiated successfully. In fact, prior to the final negotiations, work had already commenced. Having driven over the particular stretch of road a couple of times in the last 6 weeks, I know that to be the case. It is worth pointing that out, particularly in the current climate where there are a number of somewhat dishonest operators in the mining industry who are trying to pretend in other places that difficultes that they

are experiencing result purely and simply from problems with negotiations for exploration leases over Aboriginal land and with the provisions of the Aboriginal Land Rights Act.

Mr Speaker, those are the comments that I wanted to make in this second-reading debate. I join with the member for Nhulunbuy, the shadow minister for mines and energy, in supporting the provisions of this bill. I look forward to seeing it provide an innovative and suitable framework for the development of hydrocarbon resources in the Northern Territory.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank honourable members for their support. I am very grateful that so many members have put so much time into the consideration of the bill. It is innovative legislation. It is trying to come to terms with the administration of an industry which has seen more technological advances in the last 20 years than probably the computer industry has seen. One of the problems that we have in our administrative arrangements with industry is that of keeping up with technological change, let alone worrying about anything else that is occurring around it.

This bill is designed to enable the companies to operate in the most effective way with government administration. The reason that we have so many amendments is that, since the bill was tabled in March, a great deal of consultation has occurred with the industry in all the states and, in fact, with the state governments. The exercise was really one of asking people what it is that they would not do again if they had their time over. We have been able to benefit from the experience of the other states in trying to ensure that our legislation is not cumbersome.

I think too, Mr Speaker, it is timely that our legislation should go through at this sittings. There is no doubt about the great interest in central Australia at the moment with the development of the oil reserves, the further exploration for gas and the possible transportation of gas to Darwin. We have 7 rigs operating in the Territory at the moment. That is an all-time high. We have 5 onshore and 2 offshore and there will be a further one offshore in November. We hope to attract additional wells into the Amadeus, Ngalia and Wiso Basins later this year in a program to step up exploration for additional gas reserves that we would like to prove. The contents of this bill will be very important to us in the immediate future and I just say to honourable members that I do not expect for one minute that the legislation will be perfect. If we can try to knock out as many lumps as we can, then that will be to the good.

The member for MacDonnell raised a point about the innovation of the retention leases. Mr Speaker, 4 or 5 years ago, the Northern Territory government pioneered the retention lease in its mining legislation and we believe it is fitting to have it in the oil and gas legislation. We are the first state to do this although I believe both the Commonwealth and the Victorian governments are about to amend their acts to bring the retention lease into law and enable them to administer their own areas a little more effectively.

The last point I would like to reflect on is the comments by the member for MacDonnell in relation to land rights and the development of oil and gas reserves. In a debate in the last couple of months, we discussed the issue of Aboriginal land rights and the impact it was having on exploration and mining. I do not want to go into all of that again. Let me reiterate that what is most important is that we conclude negotiations between companies and Aboriginal land councils for access to land and for traversing land and so on. I do not mind what the conclusions involve as long as both parties are happy and we get on and do it. The only frustration that I encounter is that some of these

negotiations go on for very long periods and everybody ends up quite out of their brains. This costs many people a fortune. I do not think that is by design; it just happens and, whatever our perception is of land rights in relation to the industry, other people do not take the balanced approach that some of us take.

Mr Speaker, I would say to the member for MacDonnell that, in the next 2 to 4 months, we will have the opportunity to look at more exploration, pipelines, traversing and production in the fields of both oil and gas. I hope that we find oil and gas on Aboriginal land; I hope that we find it in every corner in the Northern Territory because that would be to the advantage of us all. However, wherever we happen to find it on Aboriginal land, all I would ask is that we be able to consummate agreements between the parties concerned at the earliest possible time so that, as a community, we can all benefit from the riches that we find.

Mr Speaker, I would like to foreshadow to members that I propose to take the committee stage at a later day because amendments to the bill are not quite ready. I thank honourable members for their support and I would ask them to bear with us during the committee stage which is likely to be a little prolonged.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

WILLS AMENDMENT BILL
(Serial 35)

Continued from 6 June 1984.

Mr BELL (MacDonnell): Mr Speaker, in rising to speak to this amendment, I note that the main purpose of the bill is to validate wills which otherwise might fail on a technicality. The bill places in the hands of the Supreme Court the decision as to whether the will in question represents the true testamentary intention of the deceased. The rules relating to the validity of wills are fairly rigid and unsuspecting testators and testatrixes can easily make their own wills or alter an existing valid will without realising that they are not conforming with the required technicalities, particularly in regard to the execution and witnessing thereof.

Mr Speaker, hopefully this amendment will save such wills which otherwise would be invalid. The bill places on the Supreme Court the obligation to be satisfied that there is no reasonable doubt that the deceased intended the document in question to be his will. This is an onerous obligation and will ensure that there is no abuse of the new provisions. The opposition welcomes this as a flexible and enlightened approach to a situation which has led to the failure of many wills through minor faults. Anyone who has looked into the strict rules relating to how wills must be executed and witnessed will appreciate how easy it is for the unwary layman to be caught out and make a perfectly genuine will which may fail on a technicality. The amendment in this bill should preserve such wills and, in so doing, preserve the wishes of the testator. The bill also contains a redraft of the provision relating to powers of appointments in the will. With those comments, the opposition supports the bill.

Mr HANRAHAN (Flynn): Mr Speaker, I also welcome the legislation and I trust that, as time goes by, it will not be the only time that the member for MacDonnell and myself will agree.

A comment I would like to make is that, in the past, the Northern Territory has shown a willingness to keep step with legislative changes throughout the states of Australia and, in fact, the world. In some cases, it has set the pace to overcome minor deficiencies and technicalities in legislation as well as introducing new legislation, such as the Criminal Code, which promotes wide debate. That brings me to the point that all legislation should be given a chance to work and it is the court system, in interpreting and dispersing justice according to the law, that provides the necessary feedback as to the purpose, sufficiency and results of any legislation.

As a result of the workings of the Wills Act, we find this amendment before us. It is based upon the South Australian law which has received world-wide favourable comment. As mentioned by the member for MacDonnell, there have been instances throughout Australia where various Wills Acts have determined a rigid procedure for the completion of a testamentary document. It is also a fact that many persons are unaware of the legal requirements when, in good faith and quite innocently, they express their testamentary desires and believe that everything will be all right. I would ask members how many times a delay in probate has occurred simply because of the interpretation of the testator's intentions, as perceived by him or her at the time of making a will, because it does not follow the letter of the law. Obviously, there are many instances. In fact, it would almost be a daily occurrence. This legislation reflects an intention to have the testator's wishes considered and not necessarily the letter of the law as expressed in the Wills Act. That is a welcome change.

One area I would like to bring to the attention of honourable members is something that I have found as I have proceeded around the electorate of Flynn in Alice Springs. In the electorate there is the Old Timers' Home and also quite a few elderly residents. When I talk to them about changes to the Wills Act or anything to do with such legislation, I find that they are probably the most threatened segment of our community because of the very makeup of our laws. I have found that they express a great deal of concern when they become aware that changes have been made to legislation and I would call on honourable members to set the minds of these people at ease, particularly in relation to one aspect that has certainly come before the courts of Australia: undue influence. There have been many famous and very bitter and lengthy court procedures involving undue influence and, although the legislation before us does not seek to alter in any way the procedures that are currently in place in the Wills Act, it would be a worthwhile exercise for honourable members when speaking to elderly citizens - who, I believe, feel threatened - to set their minds at ease.

I endorse the proposed amendments as I believe the benefits will be many to those persons who seek to have their final wishes endorsed by the authorities and believe that they have honestly complied with the known legal requirements. I commend the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I also rise to support the bill. At the outset, let me say that the thrust of the bill is not to put the legal profession out of work by providing technically deficient wills thus purporting to suggest that the uninitiated should race out and draw up their own wills in the knowledge that they will be supported by law - quite the contrary. Any prudent person who has real property or assets to dispose of should exercise that prudence and engage the services of a suitable lawyer to enable him to dispose of the estate in exactly the manner in which he would wish it to be distributed without the problems of challenge or legal upsets.

Mr Speaker, the legislation arose from the findings of the Northern Territory Law Reform Commission in part and further investigations since that report was received. It provides a remedy where a comparatively minor error

has occurred in the drafting of a will and the will is therefore technically deficient even though its thrust is clear. Consideration was given to the provisions of state acts and the original South Australian act on which our act is currently based. We have based these amendments on changes to the South Australian act which have received very favourable comment both in Australia and overseas law journals.

Probably the most important provision of this amendment is the ability of the Supreme Court, on application for admission of the document for probate purposes, to validate a will as long as it is satisfied that there is no reasonable doubt that the deceased intended it to constitute his will. This will relieve the pressure on families and executors where, in the past, a ruling has or could have placed them in the position of the deceased having died technically intestate. Personally, I have had to live through just that situation on the death of my father and so I know what hardship and difficulties can occur. I commend the bill.

Mr ROBERTSON (Attorney-General)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CREDIT UNIONS AMENDMENT BILL
(Serial 34)

Continued from 6 June 1984.

Mr BELL (MacDonnell): Mr Deputy Speaker, I am having a little trouble seeing you in the rather dim light. You are not reflected in your customary glory.

I rise to make a couple of comments in relation to the bill and I note that this amendment will expand the membership of the Credit Union Advisory Committee. That committee currently consists of the Registrar of Credit Unions and 2 credit union representatives. To their number will be added a nominee of the Treasurer and a consumer representative appointed by the minister.

Mr Deputy Speaker, the point I wish to make in relation to this bill concerns the consumer representative who is to be, as I have noted, a ministerial appointee. I make the point that organisations, such as the Australian Federation of Consumer Organisations, feel quite strongly that such consumer representatives, rather than being ministerial appointees, should be selected by the consumer organisations concerned. Quite obviously, the fledgling consumer affairs organisations in the Northern Territory do not necessarily have somebody who may be able to be selected as a consumer representative on this committee. However, I believe that it is incumbent on me to say that, where consumer interests are to be taken into consideration, it really is not good enough for such persons to be nominees of the minister. Rather, they should be nominees of the organisations concerned. Certainly, we do not oppose this amendment because we realise that there are certain practical difficulties that would arise in the Territory context. However, at some stage in the future, should there arise an organisation which has developed expertise in this area, I hope the minister will accept the principle that such an organisation should nominate a representative to the committee.

Mr Deputy Speaker, I have no more to add to those few comments. The rest of the bill is acceptable to the opposition. However, I hope that the Attorney-General will take into consideration the suggestions that I have put forward about the propriety of the nominee being proposed by consumer organisations rather than being a ministerial nominee.

Mr PALMER (Leanyer): Mr Deputy Speaker, consistent with our newfound spirit of agreement in here, I also rise to speak in support of this legislation. Basically, the bill provides for the expansion of the Credit Union Advisory Committee from 3 to 5 members to include a nominee of the Treasurer and a consumer representative. Credit unions are rapidly emerging as a major part of the Australian finance industry. Today, close to 2 million people or 15% of all Australians belong to a credit union in one form or another. Australian credit unions control assets in excess of $3626m - a mammoth investment in our terms. Credit unions have been in the forefront in providing electronic fund transfer systems to their customers and the nationwide spirit of cooperation between the myriad of these individually small financial institutions provides a viable alternative to our present banking system and brings an air of competition into the system which can only work to the benefit of all Australians.

The Northern Territory is part of the trend towards credit union saving and borrowings mainly through the efforts of the Public Service Cooperative Credit Society. The Public Service Cooperative Credit Society currently provides new loans in excess of $1m per week, mostly directed at consumables or home improvements, and is a considerable force behind the Territory's ever-strengthening economy. The Public Service Cooperative Credit Society boasts more than 8000 members making it, I dare say, the largest private organisation in the Territory. This credit society has assets in excess of $15m and, I believe, this legislation is indicative of the government's recognition of the important role it plays in our community.

The Public Service Credit Society is a prime example of what Territorians can do. The rapid expansion of the society, with branches and agencies set up throughout the Territory, is evidence of its commitment to the Territory and Territorians' commitment to it. Currently, it holds $15.27m of members' funds and has loans outstanding of $12.38m. It employs directly 20 persons and indirectly another 50 or so. It is with that in mind that I urge the government, in appointing members to the advisory committee, to give ample consideration to the expertise contained within our own credit unions so that our own homegrown variety can have input into future legislation and controls.

I would point out to the member for MacDonnell that the difficulty in finding a consumer representative for the credit unions is that, by virtue of their charter, all consumers are members and I do not think that there is a consumer group that would adequately cover their interests. I believe that it is in their best interests that the minister seek and appoint a suitable person from the public to undertake that role on the committee. The advisory committee will allow both the consumers and the industry the opportunity to discuss and make recommendations to government concerning the industry. Already, we have similarly structured advisory committees for the building society and real estate industries and the setting up of this committee is further proof of the government's willingness to allow all Territorians input into areas of government that may affect them.

I will be raising other issues relating to credit unions in adjournment debates but, in the meantime, I commend this bill to honourable members.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Attorney-General)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

COMPANIES AMENDMENT BILL
(Serial 32)

Continued from 6 June 1984.

Mr BELL (MacDonnell): Mr Deputy Speaker, the purpose of this bill is that, in the case of a company liquidation, the Supreme Court has the power to summons for examination persons who can give information relevant to the winding-up of the company. Under the present provisions, the court may direct that the examination be carried out by a magistrate. This amendment will empower the court, in appropriate cases, to direct that the examination be carried out by the Master or the Deputy Master of the Supreme Court.

Mr Deputy Speaker, the opposition does not oppose such a provision. We appreciate the heavy workload under which the Supreme Court has to operate. We are aware that the Master and Deputy Master already carry out many such quasi-judicial functions and we believe it to be appropriate that they be able to carry out these examinations in appropriate cases. We note that only in cases in which the Supreme Court so directs will the Master or Deputy Master carry out these functions and this will ensure that this occurs only in appropriate cases.

The opposition recognises that this will free the court from duties which could be delegated to other quarters and that this represents a further step in the streamlining of judicial functions and the reduction of delays in hearings. We believe that these are commendable objectives.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, I also intend to be very brief in support of this bill. Certainly, the Attorney-General's second-reading speech was most clear and the bill, whilst important, is not a particularly weighty one. I have had the opportunity of discussing the bill with the Chief Justice and the comments of the opposition have been taken into account. Certainly, the Chief Justice agrees entirely that a considerable amount of time is spent by himself and his brother judges in taking evidence on matters which could quite adequately and competently be handled by another appropriately-qualified member of the court system whose time - and I do not mean this to be derogatory - is less valuable. As he so rightly points out, the legislative provision for direction means that the Supreme Court judges will oversee this provision and, where they see fit, may direct their power to be exercised by a stipendiary magistrate, the Master of the Supreme Court or his deputy. I commend the bill.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Attorney-General)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

ADJOURNMENT

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

Mr BELL (MacDonnell): Mr Deputy Speaker, in rising to speak in today's adjournment debate, I wish to raise 2 particular matters. One is a matter of particular importance in my electorate and, generally, in Aboriginal communities in northern Australia. I refer to a statement made in a joint press release by the Minister for Transport and Works and the Minister for Mines and Energy. In the statement, they pointed out that the responsibility for the provision of electricity services to remote communities was being transferred from the

Department of Transport and Works to the Northern Territory Electricity Commission which comes within the purview of the portfolio of the Minister for Mines and Energy. The statement went on to say that the provision of power to Aboriginal communities had been carried on since self-government by the Essential Services Group within the Department of Transport and Works. It referred to the progressive conversion of remote area facilities. All of us in the Northern Territory are receivers of remote area facilities but I presume that the statement meant that Aboriginal communities away from the town centres of the Territory would undergo progressive conversion to town grids under NTEC control which would mean less responsibility for Transport and Works personnel.

Mr Deputy Speaker, I am aware that, within my own electorate, there have been considerations and indeed some planning to place Hermannsburg on the town grid and provide it with power generated from Alice Springs instead of the current situation where there is a generator at Hermannsburg. This brings me to the point I wish to make in today's adjournment debate. I believe that there is a further point that ought to be taken into consideration not only by the 2 honourable ministers who were responsible for this joint press release but also by the Minister for Community Development who, unfortunately, is not with us in the Chamber at the moment. My point is that the generation of power on Aboriginal communities, in the time that I have been associated with them, has become more and more complex. This relates not only to power generation but also to the techniques by which water bores are run. In relation to water bores, there is much more sophisticated electrical machinery involved as opposed to the old Southern Cross diesels that were widely used several years ago.

That is quite a good example to draw because, on the basis of my own dreadfully-limited technical capacity, I would be reasonably confident or at least game to have a go at dismantling a Southern Cross diesel, putting it on the back of a truck and taking it into town for repairs should that be necessary to be done. However, if one of these modern and more sophisticated electrical pumps were to break down, I would be forced to walk away because of the complex circuitry that is involved with them. I raise that merely as an illustration because I am aware that there has been considerable effort made on behalf of people on Aboriginal communities so that they can carry out their own repairs and maintenance to those sorts of facilities, and that is a laudable objective.

Mr Deputy Speaker, in the context of the high unemployment that characterises these particular communities - and this is the essential point of what I wanted to say - it is incumbent on the government to consider the relative benefits in terms of employment and the control that Aboriginal people have over their communities when arrangements for the supply of power in this regard are considered. I hope that the Minister for Transport and Works and the Minister for Mines and Energy, who are responsible for this particular joint statement, will get together with the Minister for Community Development to take into consideration what I believe to be a further dimension worthy of consideration in the context of that particular joint press release.

The second matter that I wish to mention is of wider concern. I imagine that all honourable members will have received material from the Parliamentarians for World Order, an organisation dedicated to the development of a peace initiative around the world amongst politicians of every race, colour, creed and political affiliation. Whereas some people may be inclined to regard such organisations as pursuing goals that are hopelessly utopian or hopelessly idealistic, I believe that it is incumbent on us, even with the small population we have in the Northern Territory and even with a small Assembly such as ours, to give whatever support we can to such organisations. Certainly, foreign affairs is not an issue that comes within the purview of this Assembly. It is not a

responsibility that anyone here has but I believe that each of us, as people involved in public life, has a responsibility to be aware and to be involved in organisations of this sort.

I do not mention and endorse this particular organisation in any partisan spirit. It is probably worth making the general point that the global tensions that characterise our world are based on the relationship between the 2 super-powers. On the one hand, I have had no sympathy for the supporters of the peace movement who insist on denigrating the United States and pay no concern to the serious restrictions on personal freedom that characterise many of the eastern bloc countries. That is a matter of particular concern to me. Despite the fact that this is an issue that is of deep concern to the future of our children and our children's children, there is a tendency for many of us to say: 'I cannot do much about that. I will worry about the mundane concerns that I might be able to have some influence over'. I earnestly commend this particular organisation and urge that time be reserved in this Assembly's deliberations so that we may express our concern about the harmful effects of global tensions and the nuclear arms race that beleaguer the world at this time.

Mr FIRMIN (Ludmilla): Mr Speaker, this evening, I would like to advise the Assembly of a recent visit that I made on behalf of the Northern Territory government to the Indonesian island of Ambon. Whilst one might first consider that a trip to Ambon such as I undertook may be onerous, let me point out at the outset that it was not very onerous. I enjoyed the visit immensely. In fact, I sailed to Ambon as part of the 13-yacht contingent of 100 people on the eighth Darwin to Ambon yacht race. Whilst it is a matter of history who won and lost, as I recorded in the log book at the end of that visit, it should be obligatory for all parliamentarians to have that sort of transport to and from their overseas visits on behalf of the government. It was a very pleasant way to travel.

I might also add that the visit to Ambon, whilst we might be jocular about it in terms of the race, was nonetheless extremely important to the people of Ambon and I certainly treated it that way when I arrived. I would like to commend the organisation that was set up by the Darwin Sailing Club's Darwin to Ambon Committee at Ambon and the way in which the sailors, the visitors, some 100 of whom arrived in 3 or 4 plane loads for the end of the race, and the changeover of crews carried themselves during the period that they were in Ambon. They were particularly well behaved and acted as good ambassadors for the Northern Territory.

I represented the Northern Territory government and acted at the presentation night on behalf of the Northern Territory government by presenting the prizes and paying tribute to the Governor, the Lord Mayor and the admiral of the fleet in the Indonesian islands. That went down particularly well.

There was one other thing that I did which was not a government initiative. I think it helped me in deliberations with these people on matters of trade and commerce. There have been some difficulties in the two-way relationship that we have had with that particular area over the years. Certainly, the members of the yachting fleet that travel to and from there have been frustrated to some extent by the government activity or lack of activitiy in allowing them to sail through the Indonesian islands by granting them permits to different areas. It was probably fortuitous that, last year, the race did not take place and since that time Ambon's economy has deteriorated for several reasons. The Ambonese area has seen several initiatives, one of which was not to sell raw product timber in the way in which it was sold before. They are trying to expand that industry into a job-creation scheme. They have spent $3m or $4m on a timber processing plant and a plywood factory. In the short term, of course, they are suffering badly from a lack of export dollars because the sale of the product has yet to be realised to any great extent.

Added to that, unfortunately, they are suffering the worst wet season that they have had in many seasons. We also suffered to some extent there because of the conditions of the roads. The roads were to be repaired in preparation for one of the largest Christian conferences in the Indonesian islands to take place, in late October. It was intended by the Governor and the Lord Mayor that the road systems would be upgraded to reflect an increasing community involvement in the area and a better economic sense. Unfortunately, the rainy season started early and the rain has not yet stopped. It has been raining since early June. The road systems are deplorable. It takes about an hour to cover 2½ miles in Ambon. They have suffered badly from landslides and they have lost several of their homes down the sides of mountains because of the mud.

As a result of their excessive wet season, they also suffered a failure in their clove crop last year. That has caused them great economic concern so the race this year was seen as a means of bringing money into their community. For the first time, we had considerable response not only from the Ambonese people but also from the central government in Jakarta. They estimate conservatively that the fleet in its entirety injects roughly a $A0.25m into their economy.

During the presentation night, I also presented to the Governor a framed document which I asked him to keep on display for the Ambonese people. I was assured that it would be presented to the war museum and would be displayed for the whole of the people of Ambon. I would like to refer to this and to the people who allowed me to take this gift to Ambon. The document came to my notice just recently in Darwin. It is a copy of the 1945 surrender document in its entirety both in English and in Japanese signed by the Emperor Hirohito and all of the allied powers. It is a very interesting and attractive document. I would like to thank Mr Sid Hawkes in Darwin and his wife, Tina Hawkes, the daughter of the late Rajah of the island of Roti, who made the document available. In his own time, Mr Hawkes framed and arranged for the document to be made available to me so that I could present it to the people of Ambon.

That was received extremely well and it also helped smooth the way for intergovernmental discussions which took place the following day. Those discussions were quite exciting. They related to a particular type of tourist activity which is being promoted within the Ambonese group of islands by a tour operator in the Darwin region who is looking for something different to offer world-wide clients. There has been some difficulty in the arrangements between these 2 parties over the past 6 or 8 months. I was asked to assist by becoming an intermediary in their discussions. Fruitful talks took place over a 4 or 5-hour period on that following morning with the Minister for Tourism and Trade, Forestry, Environment, the Police and the Army. A large number of problems that were difficult to resolve have become very close to being resolved and will certainly be resolved in the near future. A preliminary visit by the tour operator will be made within the next month and, all being well, if that exploratory trip meets the expectations of the operator and his clients, I would see a very large injection of funds into our community because the operator can only operate out of this region to the islands. His overseas guests will help to fill some of our hotels and perhaps spend considerable sums of money before they depart. I am not allowed to talk about it at the moment. Of course, they will return via Darwin to exit points overseas. It is an exciting proposition and the reason why I cannot talk about it is because other operators may be also interested in doing the same thing. One has to be fair to the operator who has taken the initiative in the first instance.

We also talked at some length about the trade relationships between the 2 areas. The Deputy Governor was interesting in that he spent about an hour explaining to me the reasons why Ambon and the Northern Territory should have greater cultural and export links. In so doing, he completely overshadowed the

one hour of the same sort of discussion that I wanted to thrust at him. They are starting to lean towards us very strongly. In the very near future, I see the possibility of extending our importation of timber products from the Ambon area. It is only 580 miles to the north of us. It is very close by shipping standards and we would not have to go so far afield as Malaysia and New Guinea to obtain these products.

Since returning to Darwin, I have spoken to several people in the timber industry and we look like getting something going. At that time, I took the opportunity to point out the obvious advantages of Ambonese government representatives coming to Darwin and suggested that they may wish to avail themselves of the forum of Expo 1985 to exhibit their wares and talk to like-minded traders in the Darwin region. That was taken up with some interest. It is my intention over the next week or so to arrange for documentary evidence and other papers to be sent to them about Expo 1985 and we hope to see them here then.

Mr VALE (Braitling): Mr Deputy Speaker, one point that I wish to raise tonight concerns the bicentennial road levy. Before I do that, I would take this opportunity of congratulating the Speaker, the Clerk of this Assembly and the Chairman of the Museums and Art Galleries Board, Dr Jack-Hinton, on the selection of such a fine gift for presentation at the recent opening of the Papua New Guinea parliament house.

I had the good fortune of visiting Papua New Guinea several years ago when the parliament was located in the old building. It is interesting to note that the opinion that there is no such thing as a free feed was tested in March this year in Papua New Guinea. I quote from a Melbourne Sun article of March 1984 about a mix-up which marred the last day's session in Papua New Guinea's old parliament house: 'As members enjoyed drinks on empty stomachs, builders munched through $1324 worth of free food. The function caterers had sent the food to the new parliament house and the beer to the old parliament house'.

Mr Speaker, whilst talking about gifts, in most big firms and organisations, people who retire are presented with a gold watch. When I am kicked out or voted out of here, I do not want a gold watch and I put that on record this afternoon. What I would like - and I am never going to get one out of the Minister for Youth, Sport, Recreation and Ethnic Affairs who is not aware that I have one of these in my possession at the moment, and I am sorry he is not here this afternoon - is one of these excellent well-designed sports logos which have been presented since last year to sportsmen and women who represent a Northern Territory side. On a number of occasions, I have had the opportunity of presenting these to sportsmen and women in central Australia on their departure as a Northern Territory contingent. I congratulate the minister and his department for the design of these sports logos.

The issue that I wish to raise tonight is that of the bicentennial road levy, the 2¢ per litre which applies to all motor spirits, petrol and auto distillate across Australia. The original intention of the legislation was to raise money to upgrade Australian highways to a national standard by December 1988 to coincide with our bicentennial celebrations. I believe that the levy had the support of most Australian motorists although my personal opinion is that we are overtaxed now in terms of road taxation, levies, indexation and excise charges.

The point that I wish to raise tonight relates to indexation by the Hawke government. The legislation has a sunset clause in it. By December 1988, the legislation ceases to exist and with it the 2¢ per litre and the indexation amount will disappear and the price of fuel will be reduced. I say this

hopefully because we do not know what the federal parliament may do. The indexation, which is a sly tax grab by the federal government, commenced in August 1983. Instead of paying 2¢ per litre, the motorist then had to pay 2.09¢ per litre. In February this year, it went up and the motorist is now paying 2.18¢ per litre. That may seem a small amount: 2¢ was the original levy fee and it has risen to 2.18¢ per litre. Let me give you the figures, Mr Deputy Speaker. In 1983-84, an incredible $26m was taken out of the Australian motorists' pockets as a result of indexation. This financial year, it is estimated that an additional $52m will be taken. In 1985-86, $79m will be taken; in 1986-87, $110m will be taken; in 1987-88, $143m will be taken; and, in 1988-89, $81m will be taken. The latter is only half a financial year because the bicentennial program will finish in December 1988. Overall, a total of $491m will be extracted unwillingly from the Australian motorists' pockets.

My understanding is that the levy goes into a bicentennial trust fund and not into Consolidated Revenue. It is paid out to the states and the Territory for work on their national highways program such as the upgrading or, in the South Australian section, the sealing of the Stuart Highway. Mr Morris, the federal minister, argues that the legislation does not make provision for the indexed amount to be paid into the trust fund and then to the states and the Territory. Hence, it goes into Consolidated Revenue. If this is so, the federal government has been less than honest in this sly tax grab and should do 1 of 3 things.

It should immediately abolish the indexation of the levy and have the Treasury pass the amount that has been raised to date - and that is about $34m - to the states and the Territory for reconstruction work. If not, it could use the entire amount which would be raised between 1983-84 and 1988 to construct the Darwin to Alice rail-link. The Prime Minister argued initially that funding was a problem. Indeed, the federal minister for Transport and Works, Mr Morris, said at the ALP conference in July of this year - and he was speaking against the proposal to build the line - that the railway would cost too much. The total price of the railway would be about $600m. As I said, the amount raised by indexation of this road levy will be $491m. That would be the lion's share of the total cost of the railway. As the state premiers supported the construction proposal some time back, they should agree with the proposal outlined here tonight.

The third option is that the legislation could be amended to enable the indexed amount to be passed to the states and the Territory through the trust fund to speed up the national highways program, in particular to speed up the upgrading of the Territory section of the Stuart Highway. I emphasise the word 'upgrading' because our federal member is continually talking about the need to upgrade the Stuart Highway. What he fails to point out to the general public is that, for years, millions of dollars have been pumped by the Northern Territory government into the upgrading proposal. In fact, I believe - and the minister may amplify this tonight - that the Northern Territory section of the Stuart Highway will be completely upgraded to a national highway standard by 1991.

The federal government could give a large share of this indexation amount to the Northern Territory and South Australian governments for the upgrading of our section of the highway and the speeding up of the program in South Australia. The South Australian section of the Stuart Highway is programmed to be completed by December 1986 to fit in with its sesquicentennial celebrations. I would suggest that, if the federal government were to agree to this proposal to grant additional funding to South Australia and the Northern Territory, possibly the Northern Territory could make available to South Australia engineers and equipment - using federal funding - to complete this road 12 months ahead of time - that is, by December 1985.

Mr Deputy Speaker, I must say that I am disappointed that the state governments have been more than complacent about this indexation amount. Of course, 4 of them are Labor states and that is probably the reason why. I would suggest that it is now time that they joined forces with the Northern Territory and industry groups to mount and maintain pressure on the federal government to hand this money, which rightly belongs to the states and the Territory, across for road construction. Tonight's budget will need to show a massive increase, in real dollar terms, of money allocated for roadworks because the federal government has been grabbing this money slyly from the motorists and, by the end of this financial year, it will have raised $78m by way of indexation over and above the amount that the motorist is paying in the 2¢ per litre road levy.

Mr COULTER (Berrimah): Mr Speaker, in rising to speak in the adjournment debate tonight, I would like to draw this Assembly's attention to an addition to the CLP party platform which was inserted at our annual conference on the weekend. That relates in particular to our relations with South-east Asia. The honourable member for Ludmilla has just spoken of the importance of the region to us. I would like to take the opportunity to read the actual motion:

> *The party recognises that the Northern Territory's future is inextricably linked to that of the developing nations of the region. Accordingly, the party supports: the strengthening of the Territory's association with regional neighbours to advance individual prosperity and regional stability; the development of a constructive regional policy leading ultimately to the concept of a Pacific community; the development of cultural, educational and sporting ties with nations in the region and the concept of a multi-cultural society as a means of building regional goodwill and understanding; the diversification in the Territory's economic base to take advantage of structural changes taking place in the economies of the region; the encouragement of the Territory's business enterprises seeking South-east Asian venture capital, investment and partnership; and greater regional cooperation to achieve economic growth and benefit to all people in the region.*

It goes on, Mr Deputy Speaker, but I will not go into it in detail. However, I would like to address some of those issues tonight. We have heard enough rhetoric over the years about the Northern Territory's geographical position within the Asian region and I think it is time that we stopped talking and undertook a little more action. The nations immediately to our north are now the fastest-growing economies in the world. South-east Asia and the south-west Pacific countries have between them a population more than 100 times that of Australia - a population aggressively seeking new economic opportunities and in need of a wide range of items from technical expertise to raw materials and from services to basic foodstuffs. Our geographical location, our climate, the makeup of our population, our long tradition of contact with South-east Asia and a series of other related factors make us the most likely trading partner with that vast market.

The NT government has established substantial commercial and cultural relations with a number of our neighbours. There is no doubt that those relations will develop and expand. The Prime Minister, Bob Hawke, announced recently his wish for a profound restructuring of Australian industry. By doing so, he raised the hackles of vested interests, particularly in the industrialised, south-eastern corner of Australia. The Territory, on the other hand, has no vested interests that will prevent the introduction of new industries, new technology and new managerial and marketing techniques. Our building task is much easier because we have nothing to dismantle. We also witness the

impressive advances of new technology, not only in the finished products but in the manufacturing process. Allied to that is a vast array of services that come with the goods. Those 3 things - goods, technology and services - must be allowed free access across the various geographical boundaries that make up the nations of the world.

We should not believe those who claim that competition will wipe out existing industries and jobs. Competition forces change and, through change, it creates new industries. It helps introduce new technology, new processes and new and more effective ways of doing things. By allowing fresh trade winds into our region, it creates an environment where inventiveness and imagination are not stifled but given free rein so that further innovation and changes become possible. Competition is uncomfortable because it forces the vital forces of industry out of a trough of complacency into a world where only the best survive. That is the world in which the Northern Territory belongs and we have proven that through 6 years of self-government. It is the world that we in the Northern Territory have been promoting since self-government in 1978.

Perhaps more than at any other time in the short history of this nation, we need to think in terms of a global Australian economic strategy to face the challenges of the future. For too long the economic strategy of this nation has centred on what is good for the producers, manufacturers and financiers of Sydney and Melbourne at the expense of the peripheral regions that produce so much of the wealth of Australia and offer such opportunities for expansion. Surely the development of the vast and empty north with untold wealth in the ground and close to the fastest-growing markets in the world is Australia's most pressing question. The Territory is the fastest-growing region in Australia and has been so for the last 6 years. We should be unashamedly pro-development and pro-economic growth because that is the only way to create lasting jobs rather than the make-believe, 6-month work schemes which we are faced with at the moment.

So far we have only pushed the door ajar. What we need to do now is to shove it wide open and let the fresh breeze of the South-east Asian trade winds blow in. Economic indicators leave no room for doubt about the strength and potential of that trade. The projected growth figures for 1984 are 7% for Singapore, 6% for Malaysia, 6% for Thailand, 5% for Indonesia, 7.5% for Taiwan and a magnificent 8% for South Korea. Compare this at a time when the European Economic Community will be lucky to achieve 2% growth and even Japan's mighty machine will be lucky to make 4%.

There is a whole new world opening in front of our eyes just as the new world opened in front of the eyes of Australia's pioneers. This world has to do with the formidable potential for trade with our immediate neighbours to the north. It is there that we look to continue and expand our development. The establishment of a free trade zone in Darwin is the next logical step in that development. We should not drop the fight to make the Commonwealth build the Alice Springs to Darwin railway that was promised as long ago as 1910 and as recently as March 1983 by the present Prime Minister. We should make Darwin an entrepot for the region and for the rest of Australia.

The answer lies in what the Territory is precisely about. It is about taking calculated risks for large rewards. I would like to conclude on this point. Just as early Australians had the forethought to develop the Snowy Mountains hydro-electric scheme which provided the electrical muscle for the production centres of the south, we must provide the north-south railway to provide the land bridge in the north because, if we sit back, the markets will be taken from us. The Hill Report, that recommended against the railway, developed its justification on the basis of existing freight movements and not

on potential freight and other advantages that could emerge as a result of the new rail link. The Stanford Research Institute International has reviewed this document and believes that further study is warranted prior to abandoning the idea. Isn't it strange how somebody has to come in from another country to tell us what to do? We cannot see the forest for the trees. This document briefly describes their conclusions concerning the inadequacy of the study and provides some new ideas on ways in which a rail link between Darwin and Alice Springs might be justifiable economically and help promote international trade between Australia and Asia.

SRI went on to say: 'In general, the analysis and conclusions developed by the report showed no imagination and were overly conservative. The only benefits developed were for cost advantages that might accrue from moving freight volumes known at the present time'. I submit that our southern brethren have still forgotten that we are up here. 'Projections were based on expected increases in these volumes rather than on potential changes in freight distribution and transportation networks that could occur within Australia because of the additional track. These projections therefore were conservative'.

Mr Deputy Speaker, it is obvious the real benefit of a rail line between Darwin and Alice Springs would be the ability to improve the international trade link between all of Australia and the Far East. This type of forward thinking was not contained in the report. SRI indicated their thoughts on what might occur and what should be studied prior to dismissing the idea. They say Darwin is approximately 2000 to 2500 miles closer to Far Eastern and northern markets than is Sydney. An Asian-bound vessel, therefore, must traverse an additional 4000 to 5000 miles to stop at the port of Sydney as opposed to port facilities at Darwin. This distance translates into about 10 days of steaming time or as much time as required to move cargo from the west coast of the United States to Japan. These extra costs make Australian exports less competitive in Far Eastern markets and add to the cost of imports from the markets. With a rail link at Darwin, Australia would have the ability to consolidate shipments to and from the Far East and to develop the unit train container or flat car concept that has proven to be both popular and profitable in the United States. Unit trains can move cargoes to their ultimate destinations more quickly and at less cost than numerous stops by ocean liners.

In addition to helping make Australian exports more competitive, the port facilities of Darwin could be enhanced to provide container and other facilities that handle large volumes of cargo to be distributed throughout or collected from the rest of Australia. Such single port or limiting port service is becoming more popular with carriers. Minimising time in port is important because of the increased capital costs involved in the larger and more sophisticated vessels. With the great and varied resources of Australia and transportation costs, a critical factor for most bulk commodities, efforts should be taken by the Australian government to minimise transportation time and costs involved in moving these products to ports. The rail link from Darwin to Alice Springs is such an activity and should be seriously considered. In addition, helping to move general freight cargoes into and out of the NT will benefit not only its citizens and consumers of Asian products but its labour force as the ability to generate new jobs associated with increased exports expands.

The reality is that, unfortunately, short-term, political considerations have created a political myopia which is seriously damaging the prosperity of future generations not only in the Northern Territory but throughout Australia. By international standards, Australia has long been a major trading nation but our share of the world trade has fallen continuously since the 1970s. This is due in part to our manufacturing industries which are not sufficiently export-oriented or competitive. The protection policies adopted by governments in

post-war years have encouraged inward-looking, import replacement industries. The high tariffs and quotas directly increase the cost of imported goods and, in the long term, create inefficient and uncompetitive local industry. As a result, exchange rates have been kept higher than they would otherwise have been, further restricting the competitiveness of our efficient export industries. Protectionist policies have given enormous bargaining power to our union leaders. This power has been exploited ruthlessly with corporate managers for short-term gains, pricing school leavers out of jobs and exporters out of the export market and costing consumers plenty. What is needed is a more enthusiastic and vigorous government effort to support industries in negotiations for new markets. It is my intention to outline these new markets and the potential growth industries in more detail during this sittings.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, on Friday last, I had the pleasure to attend a field day at Yambah Station which was organised by the Department of Lands. It was opened by the member for Braitling and attended by the members for MacDonnell and Stuart. It was an excellent day and about 200 people attended. Some people came for a time and then left and others came later on. Overall, I would say that at least 200 people attended this field day. There was advice given on the subject of perpetual leases and how to meet the requirements. In fact, after lunch, we had a tour around the property looking at the improvements and various people gave talks. The Department of Primary Production had officers there. They talked mainly about brucellosis and tuberculosis. The Conservation Commission officers were there to explain the commission's role in the granting of perpetual leases and the involvement of pastoralists in good management of their properties. The commission also explained the role that it plays in helping to determine whether perpetual leases should be agreed to and the advice given to the minister on the granting of perpetual leases. There was also some advice about legislation before this Assembly on stock routes, the vesting of land bill and Aboriginal living areas. All of this which was well received by people who came from stations many miles away.

As in all of these conferences, and this was a fairly informal one, the greatest advantage was simply to hear members of the department and various pastoralists getting together on a one-to-one basis and raising problems and any suspicions which they held. They talked these matters out and the suspicions were largely dispelled. I think the departments managed to put the message over that they were not trying to be difficult. I feel that excellent contacts were made between all the people. I commend the Department of Lands, the minister and all of the people from the various other departments who took part.

The staff of the Department of Lands in Alice Springs brought to my attention my terrible habit of referring to the 'Lands Branch'. They hounded me and I understood why on Friday. They do not like being called a branch; they like to be considered a whole tree. I apologise to them for that. Indeed, those officers from Alice Springs showed considerable talent in the way that they provided hospitality to those people who attended. There was a barbecue lunch and refreshments throughout the day. Frank discussions took place, information was exchanged, suspicions were reduced and useful contacts were made. It was an excellent day.

Yambah Station is the home of John and Nancy Gorey. They have an excellent property to inspect. It was an example to pastoralists of what they would need to do if they want to gain perpetual leasehold.

On the road to Yambah Station, I came across a dead eagle and 2 more sitting on the road. A lizard had been killed and this was what the eagles were attracted to. Honourable members may recall how I described previously coming

around the corner from the turnoff to Yambah Station and seeing some 10 eagles burst into the air from a dead animal on the side of the road. These are excellent birds indeed. It was a magnificent sight. It was one of those events I wished that I could have recorded on film. On the same day, I saw 3 dead eagles in one particular spot.

There are not many of these birds around and that concerns me. It certainly concerned the officers of the Conservation Commission because I could have easily run over the other 2 that were on the road. Because the eagle is unused to anything preying upon it, it is a rather defiant bird. It will sit there and look at you in a very defiant manner. However, they are no match for cars or road trains. I will suggest in writing to the Minister for Conservation that signs could be placed on the stretch of road from the MacDonnell Ranges to about 100 km north of Alice Springs warning motorists that a toot of the horn and deceleration may be necessary to avoid hitting these birds. They are a tourist attraction. On the journey back to Alice Springs, I had the company of Mr Bill Waudby from Central Mount Wedge Station. We saw no less than 9 eagles in one patch on the side of the road at dusk. It concerns me that these birds are being killed - hopefully unwittingly, as I hope nobody sees it as smart to kill the wedge-tail eagle because he sits there and defies you. A couple of toots of the horn and deceleration of the vehicle could preserve these birds as an attraction for tourists and locals alike.

Before we got back into Alice Springs, an event which horrified me occurred near the telegraph station. It was so simple. A tourist was driving out of the telegraph station over onto the Stuart Highway. At that particular point, it is simply a 2-lane highway but there is a secondary road with an island in between and it is on a bend. The tourist went over into the right hand lane and later turned right. I could understand why. He was no doubt fooled by the fact that, on the secondary road, there was a car travelling in the opposite direction. Obviously, he had the impression that the 2 lanes were for the traffic heading south and the other lane was for the traffic heading north. I tooted my horn and then decided that that would only distract him. He could have been head on to a vehicle coming in the opposite direction. Fortunately, when he got around the bend, there was a car coming but it was about 100 yards away and he had plenty of time to get out of the way. I mentioned this to the Minister for Transport and Works. As much as we both hate seeing a proliferation of signs, a sign in this case could prevent a nasty accident in future.

This is one of those odd instances. In this Assembly, I requested the previous Minister for Lands, the Chief Minister, not to have any more backyards facing onto major roads as we have in Araluen and Sadadeen because of their unsightly nature and the undesirability of a uniform fence. I remember suggesting that a secondary road would be a useful idea. In this instance, a secondary road has led to a traffic problem. Thus, there are really no easy solutions to any of these problems. I am sure the residents of Alice Springs were grateful to hear from the present Minister for Lands at a meeting at Alice Springs recently that, in future planning, no more backyards will be facing onto the major roads. I am sure that that is welcomed in the town.

Mr DALE (Wanguri): Mr Deputy Speaker, I want to touch on a couple of sporting matters this evening. The first one relates to golf and, unfortunately, the dangers of our great game of golf, particularly when you play the game at the standard that I do. It is a serious matter. A couple of days ago, a constituent reported to me that, whilst driving his vehicle along Bagot Road near the end of the airport, out of the corner of his eye he saw somebody tee off from the golf course. He had to sit there and wait while the little white ball homed in on him and went straight through the windscreen of his car. I believe he was down under the dashboard at the time that the ball actually hit the

windscreen but it illustrates how dangerous the situation is at that golf course. Somebody told me - and I do not know how he got the statistics - that something like 5 or 6 golf balls make that journey across Bagot Road each week. If it were heading for a motor cyclist or for a cyclist, he could take a sudden turn either to the right or straight across the median strip and cause a major accident. There is nothing much that the Northern Territory government can do about this matter. It is a matter for the Department of Defence, the RAAF people or the golf club personnel to do something about it. I call on them to take cognisance of the fact that there is a dangerous situation there. I would hate to see it reach a stage where somebody is killed before they start to do something about safeguarding that area.

Recently, I had the pleasure of representing the Minister for Youth, Sport, Recreation and Ethnic Affairs at the Australian Sport and Recreation Ministers Council Conference in Sydney. I was very pleased that, at that conference, it incorporated in its porgram for the next 12 months 3 projects put forward by the Northern Territory government. They were a research program on the value and effectiveness of fitness assessments, an evaluation of the national coaching accreditation scheme set up 5 years ago by the council and the Confederation of Australian Sport and a review of recreation and exercise needs for the over 50s, including the house bound, the frail, the aged and those in institutional care.

One of the major things that was discussed at the conference was the fact that the council approved in principle the holding of the Australian Games and that these games be held on a biennial basis with the first games being held in Victoria in 1985. Those games are anticipated to be bigger than the recently-held Olympic Games in that countries from the eastern bloc will be participating. On that basis, they say that the games will be bigger, particularly in regard to the standard of the competition.

The thing that interested me most was the fact that, whilst Victoria was keen to hold the 1985 games, when the ministers were asked who would like to be host for the 1987 games, no hands were raised. I put forward the proposition that we hold a decentralised Australian Games in 1987. However, I asked them to consider stretching that date of 1987 into January of 1988 which would bring it in line with our bicentennial celebrations. If we held a decentralised Australian games, various major sports could be held in cities throughout Australia. Those cities need not only be capital cities but also some of the smaller cities. Facilities are already in place and therefore there would be a limited cost factor involved. Each capital city and some smaller cities would be able to participate. It must be remembered that 1988 is an Olympic Games year. The Australian Games held in January of that year would be a tremendous opportunity for athletes and other sports persons to gain the experience that they would need leading up to the Olympic Games.

I spoke of the cost-effectiveness of such a games being spread throughout Australia. They are fairly obvious. There would be no huge financial burden on any city because there are existing facilities in the various cities. For example, hockey could be held in Western Australia and swimming in either Sydney or Melbourne. There are rowing facilities in Tasmania and cycling facilities in Adelaide. We could hold perhaps shooting sports, martial arts or any of the medium profile sports in Darwin.

The development of the standard of various sports and management of sports could only be enhanced by such a decentralised games. There would be a spreading of the tourist dollar which would not home in on 1 particular city. It would be distributed throughout the country during the course of the games. The economic benefits to the economy of Australia are fairly obvious. The games could be coordinated very easily throughout Australia by way of television and

of course that could be transmitted overseas. That would be little problem for the technical people today.

The games would certainly project Australians in what is the image we would like to portray for what will be our bicentennial year; that is, as a sporting nation. The medals that would be struck and won at the games would probably have equal worth to those of the Olympic Games, if not even more so, particularly for the Australians involved because it would be a one-off situation. I have spoken to a number of people in sport and they believe that the games would certainly generate a great deal of enthusiasm from the sporting people of Australia. It would certainly improve the management standards through sport in Australia and could do nothing but good for the entire Australian sporting scene during our bicentennial year. I intend to take the matter further with the honourable Minister for Youth, Sport and Recreation and I hope that he takes my recommendations further to negotiate for the holding of such a games in our bicentennial year.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I would like to spend some time this afternoon on the plight of my electorate, particularly the primary school population. As the minister indicated in the last sittings of the Assembly, the Department of Education intends to implement rigidly a bussing policy which would not carry students who live within 1.6 km of the school. At the time, I agreed with the minister and I still agree with him that people who deliberately abuse the policies of government should not be allowed to do so. I agree wholeheartedly with that. It is not a problem in Nhulunbuy because we only have one primary school and one high school. There is no real fear of anybody travelling to another school on a bus that they are not entitled to travel on.

Another policy of the Department of Education which, unfortunately, is not as rigidly enforced, is the policy that a primary school, within certain very broad limits, should not have any more than 350 students. Of course, Nhulunbuy's primary school population is 750 students. Indeed, we have more bikes ridden to that school than the average primary school in the Northern Territory. The last census indicated that there were about 400 bikes ridden to the school. It is a very dangerous situation.

It is a pity that the minister cannot apply policies rigidly across the board. There is a rigid policy of not bussing students who live within a 1.6 km radius of a school. The minister should also rigidly apply the policy of not allowing primary schools to develop beyond 350 students, within reasonable guidelines. There would not be any problem of students being bussed from a distance of more than 1.6 km if the school was not so large. It simply is a dangerous situation. The school has 750 students. They range from toddlers up to grade 6. The school is situated on one of the busier roads in the town. I would ask the minister to review his policy in light of the circumstances in Nhulunbuy. I think it is a ludicrous way of applying the policy anyway. There is a crazy situation where, because the high school happens to be a 100 m further away, a high school student can catch the bus to school but his brother or sister attending the primary school cannot catch the bus to the school. It is absolutely ludicrous. I know there are problems at Humpty Doo. I am afraid I have problems at Nhulunbuy where there is only one high school and only one primary school. There is not the problem of abuse in Nhulunbuy. That simply cannot happen because there is only 1 school. I wish we were given the opportunity to abuse the system; I wish there were 2 primary schools. Unfortunately, that has not happened and it is unlikely to happen in the immediate future.

In the interests of safety, I would ask the minister to review the policy for those students going to the Nhulunbuy Primary School. It is quite definitely necessary and I would ask him to do it as soon as possible before somebody is injured.

Mr SMITH (Millner): Mr Deputy Speaker, on 12 August, the Minister for Community Development issued a press release which stated: 'The Parliamentary Steering Committee will meet for the first time this week to look at the establishment of a Northern Territory theatre company. The Minister for Community Development, Mr Daryl Manzie, said today that 3 members of the Legislative Assembly would make up the steering committee: Mr Hatton, Mr Hanrahan and Mr Finch'. Some of these people are very talented. There are little committees creeping up all over the place that these people are on.

However, I am concerned that the minister, in ignorance no doubt, has issued a press release stating that a parliamentary steering committee has been established when in fact what has been established is a CLP backbench committee. It is not being pedantic to say that there is a significant difference between a CLP backbench committee and a parliamentary steering committee. A parliamentary committee of any type would be elected or appointed by this body from amongst its own membership. It is extremely misleading to the general public to say that a parliamentary steering committee has been established to examine the establishment of a Northern Territory theatre company when, in fact, it is merely a CLP backbench committee. I hope that the minister learns his lesson and does not issue another such press release in future.

Mr Speaker, I am glad the Minister for Health is back because I want to make a rare venture into the health field. In the last year, there have been 4 Health Department contracts let that have been causing some concern. Three of those contracts were let under the department's grants-in-aid scheme. One was to the McLachlan Street sobering-up centre for a toilet, shower and wheelchair rent - a total sum of $7600. Another was to the Lone Women's Shelter in Stuart Park for extensions - a total sum of $26 000. A third was for the sobering-up centre in Stuart Park for renovations at a total cost of $6000. The fourth one was for the installation of partitions in the Waratah Crescent headquarters of the Youth, Sport and Recreation Division and the sum there was $17 000.

What they have in common and what is of concern is that none of these 4 projects were put out to tender despite the requirements both of the appropriate Treasury regulations and grants-in-aid regulations. Secondly, what is of concern is that all work was performed by 1 contractor. Considering the very competitive building situation that has existed in Darwin in the last few months, that seems a very remarkable coincidence indeed.

The Treasury Directions are very clear and I want to read out the relevant section:

> *The underlying intention of regulations 8 to 14 of Treasury Directions is that the procurement procedures of the Territory government should be, and be seen to be, beyond reproach. That is, that all who wish to participate in Territory government business are given the opportunity to do so, that the Territory government maintains a reputation for fair dealing, and that Territory moneys are spent effectively and economically.*
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> *This intention is best achieved by the public invitation of tenders, by press or Gazette advertisements and the subsequent publication in the Gazette of detailed contracts arranged. It is not, however, always appropriate to call tenders or publish details of contracts and the regulations provide for alternative procedures.*

Alternative costs may make it inappropriate to apply the full tendering procedures to small orders and regulation 9 provides for the obtaining of representative quotations where the estimated cost of the supply of services is between $501 and $10 000.

Mr Deputy Speaker, in essence what that is saying is that, on contracts of more than $10 000, it is expected that the department will call for tenders and the only discretion that I understand to be available is the discretion of the Treasurer and not the discretion of the ministerial head of the department involved. But in the case of the installation of the partitions at Waratah Crescent for a sum of $17 000, it is my understanding that tenders were not called and that the contract was awarded in-house without any other person or any other group being given an opportunity to put in a price.

The other 3 areas that I mentioned, the McLachlan Street sobering-up centre twice and the Lone Women's Shelter, are covered by the grants-in-aid regulations and they are similarly quite specific about what should and what should not be done. There are 2 relevant parts. The first is 10(5) which is headed, 'Calling of Public Tenders':

Public tenders are to be called by sponsoring organisations for all capital construction works unless approval is obtained from the department to do otherwise.

Part 10(9) which is headed, 'Administration of Contract', says:

Any contract for construction works entered into by a sponsoring organisation will be between the contractor and the sponsoring organisation as principal. The department will meet its obligations to the sponsoring organisation only to the extent of providing the finance to the organisation for the works. The department will not be a party to any litigation arising from the contract.

Despite this clear intention, as laid out in 10(5) and 10(9), those procedures were not followed. It quite clearly says that, once a grant-in-aid has been approved, it is the responsibility of the organisation to whom the grant has been made to organise the contract and carry out the work. It further says that all capital construction works carried out under a grant-in-aid must be awarded by public tender unless approval is obtained by the department to do otherwise. Yet, in the 3 cases I have outlined, neither of those things happened. The Department of Health itself carried out the work on the 3 grants-in-aid projects and none of them were put out to tender as they were required to be. Quite clearly, the regulations were circumvented and an arrangement was entered into by Department of Health officers and the contractor for the contractor to quote and draw up plans for the department and for these to be approved without the matter going to public tender.

Mr Deputy Speaker, I would submit that this situation is bad enough and warrants an explanation in this Assembly from the minister at the appropriate time. But what I understand happened next makes it even worse. These matters were brought to the attention of relevant senior Department of Health officials by other people in the department. An investigation was held and the Department of Health people said that technical breaches only had occurred. In other words, in my view, they have invoked 10(5) of the grants-in-aid provisions retrospectively. They have said it was a 'technical breach' not to call for public tenders on these matters because the power to order the tenders was not necessary in these situations. Everybody would realise that that is a power you exercise

in advance and not retrospectively. I would submit that the Department of Health's officials who put that view forward have been guilty of trying to cover up rather than expose what happened. We must ensure that the procedures that are followed in future are consistent with the regulations that are laid down. There are a number of questions here with which the minister should familiarise himself if he is not familiar with them already and respond to this Assembly at a later date.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

DISTINGUISHED VISITORS

Mr SPEAKER: Honourable members, I draw your attention to the presence in the Speaker's Gallery of 4 gentlemen who collectively served this Assembly and the former Legislative Council with distinction for 35 years. The men are Mr Deric Thompson, the first Clerk of the Legislative Council, who served as Clerk from 1948 to 1959, Mr Fred Walker who served as Clerk from 1959 to 1977, Mr Keith Thompson, the second of his clan to serve the Northern Territory legislature, from 1977 to 1982, and Mr Ray Chin who served this Assembly from 1982 to 1983. I do not think many other legislatures could assemble in their Chamber an unbroken line of 5 clerks. On behalf of all members, I extend a very warm welcome to our distinguished guests.

REPORT

Investigation by Ombudsman into Complaints against Police

Mr EVERINGHAM (Chief Minister): Mr Speaker, I lay on the table the report of the Ombudsman on the investigation into complaints against police arising from a protest demonstration at Pine Gap, south of Alice Springs, between 13 and 15 November 1983. Mr Speaker, I move that the report be printed.

Motion agreed to.

STATEMENT

Ombudsman's Report on Complaints against Police

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I have received a report from the Ombudsman on his investigation of complaints against police arising from protest demonstrations at Pine Gap on 13 and 15 November 1983. I believe it is necessary for me to make some observations in regard to the report and the matter generally.

In the course of the demonstrations, a total of 129 women were arrested by members of the Australian Federal Police for trespass on land at the Pine Gap facility. The women were placed in custody in the watchhouse at Alice Springs. 46 of the women subsequently lodged complaints concerning their treatment at the hands of the Northern Territory Police Force whilst held in the watchhouse. Probably the most significant fact of the report is that, in its 69 pages, there is no finding that the police at any stage acted improperly or, indeed, in anything but a reasonable manner and this, I might add, was in the face of a concerted attempt by the women arrested to overload the system to a point where it might break down. The fact is that the system did not break down.

It is my view that the Territory police involved in this exercise are to be praised for their reasonable approach and restraint in the face of provocative and, in some cases, disgusting behaviour on the part of some of the arrested women. A ready example of this may be found in the results of investigation of complaints concerning plumbing and sanitation at the watchhouse. On 2 occasions, toilets were blocked and consequently overflowed. On both occasions, plumbers discovered they had been blocked by drinking cups, toilet rolls, sanitary napkins and women's panties. On one occasion, the quantity of material removed was sufficient to fill 3 or 4 buckets. There were complaints that there was insufficient water to some of the cells. Repairs were required to taps which had been ripped from the walls and some women deliberately kept taps continually running in ground floor cells thereby restricting the flow of water to upper cells.

Complaints concerning the quality of food were found to be unjustified as were complaints that legal advice was delayed or denied. Similarly, complaints concerning body searches were unjustified. A major complaint centred on the requirement of the police that all persons arrested be fingerprinted. 108 of the arrested women gave their names as Karen Silkwood. In addition, many gave false addresses. It was therefore apparent that fingerprints would be necessary for purposes fo identification. Claims were made that the police used handcuffs and, in one ridiculous allegation, a thumbscrew, as instruments to inflict pain and thereby coerce prisoners to open tightly-clenched fists in order to take fingerprints. The Ombudsman is of the view that such coercion did not take place. However, at page 63 of his report, the Ombudsman expresses the view that the police exceeded their powers by taking both photographs and fingerprints of the persons arrested.

Mr Speaker, the government has sought legal advice on this matter and I can assure you that there is no question that the police acted in any manner beyond the powers given them by law in regard to the taking of fingerprints and photographs. The Solicitor-General has provided me with an opinion on the meaning of section 146 of the Police Administration Act which contains the powers in question. Subsection 146(1) provides that the police may 'take or cause to be taken... (c) prints of the hands, fingers, feet or toes of the person; or (d) photographs of the person'. Under subsection 146(2), it says: 'in exercising his powers under subsection (1), a member of the Police Force may, for that purpose, use such force and may call upon such assistance as may be necessary'.

The Ombudsman said that the 'or' between (c) and (d) is completely disjunctive; that is, that the police may take fingerprints or photographs but cannot do both. However, the Solicitor-General is of the view that, if the intention was that the police may do either (c) or (d), the word 'either' would appear in accordance with the current drafting practice. For example, section 7(1) of the Parole Order (Transfer) Act provides that parole orders may be transferred if the minister is satisfied that it is desirable and either the parolee has consented or the parolee is in the Territory. However, the debate rarely reaches the courts. However, in Federal Steam Navigation v the Department of Trade 1974, a weekly report says at page 505: 'The House of Lords held that a pollution statute, which said "the owner or master of a ship was guilty of an offence", meant "and or" so that both could be guilty of the same offence'. The Solicitor-General believes that a similar result would apply in the present case. The Solicitor-General suggests that a court, in reaching a decision, would look generally at the issue of the investigation process and the benefits that these types of evidence may provide for the administration of justice. He notes that, while print or photographic evidence might provide conclusive proof of guilt, equally it might provide conclusive proof of innocence and considers that then the court would look at the practicalities of the situation when deciding what meaning should be given to those provisions.

Some of the practicalities are as follows. A burglar may leave hand prints or fingerprints or he may have been seen entering a building or a series of buildings by a number of people. At the time of arrest, the police may not be aware of the availability of print evidence. They may not know whether any print evidence that is available or suitable is hand or fingerprint evidence. In many instances, it would be unreasonable to assume that the police officer arresting should know. A police officer, at the time of an arrest, is not to know a hand print or fingerprint at the scene of the crime shows sufficient characteristics to allow for production in court. He cannot, however, assume that one or the other of the prints is unsuitable and he must collect both, for one may be in order. There may be both a hand print and fingerprint at the

scene, and they could be from different persons. Of course, if the prints are from the same person, then collection of both prints on arrest may provide even more conclusive evidence.

The permutations and combinations could go on and on but they show how at least the 'or' first appearing in paragraph (c) would be interpreted as 'and or'. Of course, if paragraph (c) were interpreted as 'and or', it would seem to follow that the 'or' between (c) and (d) would be similarly interpreted. There are, however, practical reasons why it should be so interpreted. At the time of arrest, the police officer may not know whether the arrested person will take part in an identification parade if required. In these circumstances, it may be essential that photographs have been obtained at the time of arrest to allow for photographic identification later. While this type of identification is not as formidable as parade identification, coupled with other evidence such as print evidence, it may provide proof of guilt or, for that matter, innocence. Another example of the need for photographs would be in situations where an offender has fled the jurisdiction after arrest. In the absence of other forms of identification, photographic evidence may provide the only form of identification necessary for successful extradition proceedings.

Consequently, given the practicalities of it all, it is considered that the courts would interpret the 'or' between paragraphs (c) and (d) as 'and or'. The taking of different prints from suspects on occasions as well as taking photographs on occasions is a practice by police long-accepted in the Territory. The Solicitor-General is not aware of any adverse judicial criticism of the practice. It should be added that if 'and' appeared between (c) and (d), then we would face argument that the police had to take both prints and photographs and could not elect to take one only. The context of section 146 clearly requires that the police may do both. However, it would have been clearer if 'or' had been omitted and no joining word appeared between (c) and (d).

Finally, it should be stressed that the collection of hard evidence by the police is something that should be encouraged. In general, this type of evidence is of better value than more challengeable evidence such as confessional material. While not wishing to downgrade the importance of confessional material, it is obviously of great benefit that evidence such as prints and photographs, which may put an issue beyond any doubt, be collected in many instances.

On page 61 of the report, the Ombudsman makes the observation that the power in section 146(2), 'to use such force' and 'call upon such assistance' is too wide because it is not limited to the use of reasonable force. This argument is rejected by the Solicitor-General who entirely agrees with the views of the Commissioner of Police given on page 71 of the Ombudsman's report:

> *The suggestion that the omission of the word 'reasonable' provides licence for extreme behaviour ignores the firmly entrenched common law principle that, where greater force than is reasonable is used in any jurisdiction, a police officer will have to accept the criminal consequences. (Bishop-Criminal Procedure at page 52). There is in fact an overwhelming weight of law confirming that powers must be exercised reasonably. I therefore suggest that the Ombudsman ought not to include the critical comments in his report without first confirming the accuracy of his interpretation of the law.*

Mr Speaker, speaking as a lawyer, I endorse those remarks but, speaking as Chief Minister, I must add that I am surprised that a person holding the high

office of Ombudsman would venture into technical legal areas without first checking the accuracy of his observations.

I believe it is necessary to put the matter of this report in context. The Ombudsman was not able to undertake a specific investigation of each individual complaint because of a lack of response from many of the complainants to his endeavours to obtain information from them. The women were involved in a campaign of civil disobedience. They were out to create as much disruption as possible in order to bring attention to their cause, and their complaints were part of this campaign.

I have probably taken more of the time of the Assembly than this matter warrants but, when compared with the lengthy report concerning the actions of the Northern Territory Police, I believe it necessary that the position should be made absolutely clear; that is, that the police have been completely exonerated. Further to that, I wish to add my personal commendation of the police involved for performing their duties in a calm and professional manner under extreme provocation.

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

Debate adjourned.

MINISTERIAL STATEMENT
Housing

Mrs PADGHAM-PURICH (Housing)(by leave): Mr Speaker, for several years now the Territory government has been concerned at the lack of finance being channelled into home lending by banks in the Northern Territory. Lending levels have been below those managed by the banks in the rest of Australia. This has meant that the government has had to take specific continuing action to inject large amounts of money into the Northern Territory housing industry whereas other state governments have been able to restrict their activities to assistance to low-income earners only. Obviously, this has restricted the government's ability to act in other areas.

There have been many efforts to get the banks to change their policies but the big stumbling block has always been the large amount of money available to middle-income earners from the Housing Commission in the Territory at very favourable rates of interest. The banks claim, with some justification, that this has inhibited their ability to lend money to Territorians to buy their own homes. The government is proud of its record in encouraging home lending which has been so necessary in the early years of self-government. In the past 6 years, the Northern Territory Housing Commission has assisted 6400 purchasers to buy their own homes. More than $165m has been devoted to this scheme. Annual funding has increased by 180% and the government now finances 75% of Territory home purchases. At the same time, approximately 2400 public servants have been encouraged to buy homes from the Housing Commission and have been offered long-term loans at generous rates of interest.

I am delighted to advise that the banks have agreed finally to bring their home lending levels up to the Australian standards. They have stressed that this would be possible only if the Housing Commission's loan scheme is altered. The government has agreed to do this but only on the basis that the overall package being offered by banks and the Housing Commission to Territorians remains most attractive so as to encourage home ownership. When referring to the banks, I include the building societies and other financial institutions which have made, and I trust will continue to make, such a valuable contribution to home ownership for Territorians.

The government's new scheme, combined with funds made available by the private sector, will provide a package of $50 000, the same as under the old scheme, to assist low and middle-income Territorians to buy their own homes. Total repayments to the private lender and the Housing Commission will be restricted to 20% of the income of the borrower and spouse. Honourable members will agree that being able to borrow $50 000 towards home purchase for no more than 20% of the family income is a most generous arrangement and will continue to be a great incentive for people to settle in the Territory.

Mr Speaker, I must stress the significant benefits to the Northern Territory economy. The additional money flowing from private lenders into home lending will be a net stimulus to the Territory economy. Government funds that can be diverted to other uses will be able to be used to employ more people and provide better government services. I am confident that, in a full year, at least $10m will be brought into the Territory by private lenders. This should enable the creation of at least 200 new jobs and will foster further expansion in the economy.

After all the years of encouraging the private lenders to improve their performance, the government will obviously be closely monitoring their performance. We have now entered into a partnership with the private lenders to help Territorians and I have great confidence that these major Australian institutions will play their part. I must add that the positive attitude of the banks does not seem to be unrelated to the deregulation of the financial markets and the likelihood of foreign banks establishing themselves in Australia. I can only conclude that competition is a good thing for all of us.

Mr Speaker, the new scheme has been designed to fit in with the new Commonwealth States Housing Agreement which comes into force in 1984-85. In the states, the thrust of Commonwealth and state housing policy is to provide assistance to low-income earners. We have made a major effort to assist not only low-income earners but also middle-income earners to meet the high cost of housing in the Territory. We are obliged to follow the principles of the Commonwealth States Housing Agreement in the home loans assistance that we provide.

The key features are: repayments are to be no less than 20% of the income of borrower and spouse; the interest rate charged by the Housing Commission is to be at the Commonwealth Savings Bank concessional home loan rate; and any subsidies are to be repaid over the life of the loan. Honourable members will agree that these terms are hardly onerous. Further details on the scheme are included in an explanatory leaflet prepared by the Housing Commission which I will table for the interest of honourable members.

So far I have been referring to the general public but now I must turn to the position of our public servants. In 1982, the government began the merger of the general public and the public service housing lists with a sunset period of some 2½ years on the public service list. That amalgamation has now been effected and my government considers that it is now time to take another step towards removal of discrimination according to employment which currently applies in the Territory as regards the provision of accommodation. In reaching a decision in this matter, the government has had regard to the increasing stability of the public service while remaining conscious of the disadvantages that still concern many who work in the Territory, particularly their distance from their relatives and families based in other states.

The government must continually review its commitment of resources to provide special assistance to government employees. Honourable members must

remember that any dollars spent by the government to provide special assistance to public servants must be at the expense of other programs designed to help the whole population or, ultimately, must be financed by taxes higher than otherwise necessary. The government has now decided that there is room to move very gradually towards putting housing arrangements for public servants and the rest of the Territory population on the same basis.

There are 2 major changes. First of all, the special loan arrangement for Territory public servants will be phased out over the period ending on 31 December 1986. I hasten to add that any person who is at present a public servant and wishes to make use of the existing government employees sales scheme in that time will be able to do so. That should be ample time for anyone to decide on purchase and arrange the necessary deposit. Therefore, there is no question of taking rights away from existing public servants. Any new public servants will be recruited in the clear knowledge that they will not be eligible for this special loan arrangement. I remind honourable members that government employees will, of course, be eligible for the home purchase assistance scheme I have just described which, in itself, is much more generous than that offered by any other state in Australia to its employees.

The second initiative is to move interest rates, over a very long time period, towards the minimum rate charged by the Commonwealth Savings Bank. The Commonwealth Bank home loan rate is now 11.5%. For those public servants with loans at 9.75%, the phasing-in period is 3 years. For those with loans on 6.75%, the government has decided on a 9-year phasing-in period. The government's calculations show that a relatively junior officer, say at the A4 level, with an average mortgage under this scheme of $62 000, will pay roughly the same percentage of income as at present over this 9-year phasing-in period provided earnings increase by 5% per annum. Given modern Australian income conditions, this rate of increase is surely a conservative estimate. In fact, I am confident that, if earnings rise at such a slow rate, the Commonwealth Bank's minimum loan rate will drop substantially from its current level and so alleviate the repayment burden.

Since details of the new arrangements were released, the Housing Commission has become aware of 1 or 2 anomalous cases where existing public servants, with existing home loans, could be disadvantaged by the new arrangements. These are cases where someone on a relatively low income has a relatively high mortgage. I have asked the Housing Commission to report back to the government within the next week on ways to alleviate the burdens that these few public servants would face.

Summing up, Mr Speaker, there is no way the Northern Territory government is going to place its public servants at any disadvantage compared to other public servants in Australia or to other Territorians. On the other hand, the government has a responsibility to use its limited resources in the best interests of all Territorians. The government is confident that its decision strikes a fair balance and will act quickly to review any anomalous situations of hardship that arise.

I wish also to clarify the issue with respect to Housing Commission accommodation being available for single persons. At present, besides single, aged, invalid and widowed pensioners, only government employees have access to single accommodation. Members of the Assembly would be aware that the government has been pursuing a housing policy that removes discrimination based on employment. You will recall that, on 1 January 1982, the Housing Commission closed off its list to provide staff-type housing to public servants only. A single list now operates for all members of the community and this has been well

accepted. The last step in the process of the amalgamation of the previous housing schemes is to deal with single accommodation. It would be impossible for the government to attempt to house all single people. Even if resources were available, it would be undesirable to go in this direction because of the impact it would have on the private housing sector and the possibility of encouraging the breakup of families. The Northern Territory is a party to the Commonwealth States Housing Agreement. Within that agreement, there is an attempt to remove all discrimination within the community based on age, sex, marital status, race, religion, disability or life situation. The agreement also attempts to make housing more equitable between those who rent and those who purchase. The Northern Territory government has achieved a great deal as far as these principles are concerned.

Mr Speaker, the government is currently reviewing its policy for accommodating single persons. The establishment of criteria to determine who would be eligible for accommodation is a very complex issue and one which requires a great deal of research and planning. It would be foolish for the government to rush into this area and raise the hopes and aspirations of single people if resources will not permit the provision of the extra accommodation that will be required. I realise that some sections of the community, particularly some government employees, are raising concerns on this issue claiming that my government intends to discriminate against single public servants. Mr Speaker, nothing could be further from the truth. It is our clear intention, however, to treat single public servants on the same basis as ordinary single members of the public. To do this, we are giving existing single public servants a period of over 2 years in which to take up an offer to purchase under the existing generous scheme to public servants. Again, this is ample time for such a personal decision to be taken. New single public servants recruited in the future will be made aware of this change. The government departments most affected are planning and implementing alternative accommodation arrangements. Single officers in remote localities are unaffected and there is no reason to suppose that the provisions for single officers in any part of the government services will suffer.

As Minister for Housing, I am also aware of other single persons with accommodation problems. Such examples include young people who have recently commenced employment and whose parents transfer to another centre. Marriage breakups add to the problem. The examples are numerous and need thorough examination. One of the greatest problems in the community at the moment is the lack of cheap accommodation for unemployed and low-income single people. Under the CSHA arrangements, money may be made available to assist community groups to provide cheap accommodation for these people. Mr Speaker, the Northern Territory is not alone in this problem. The situation elsewhere in Australia, as I understand it, is as follows. In the ACT, all single people may apply but few gain access. In Victoria, single people can apply under youth housing programs sponsored by community groups. No accommodation is provided for public servants in metropolitan areas. South Australia allows all to apply but single people are assessed on a needs basis and provided with accommodation if it is available. Public servants are not provided with accommodation - I think that should read 'in the metropolitan areas'. New South Wales makes accommodation available if it is not required by others. No provision is made for public servants in the metropolitan areas. By far the worst is Western Australia which has 24 units but they are only available for single women. Again, no accommodation is provided in the metropolitan areas for public servants.

Mr Speaker, our first priority is for single pensioners. We are accommodating them as fast as we can but there are still approximately 270 currently waiting for accommodation. As I said at the beginning, the government

is reviewing its policy. All aspects of the problem must be addressed and the policy must be realistic and achievable within limited resources. The Northern Territory leads the way with respect to home purchase assistance for single people. Many single people in the public arena have availed themselves of this generous scheme. The scheme is available to government employees and I exhort them to utilise it.

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

Mr SMITH (Millner): Mr Speaker, once again I must express my disappointment at the extremely cumbersome procedure that the government uses to allow shadow ministers briefings on matters of importance such as this. On Thursday, I asked the Leader of the Opposition to write to the honourable Chief Minister to seek a briefing on this particular matter. It was stressed in that letter that, seeing that the Legislative Assembly was to sit this week and this matter would be raised, a briefing would be useful on Friday of last week. To this date, unfortunately, I have not had a briefing on this particular matter. Once again, that exposes the inadequacies of the present system the government uses to provide briefings to shadow ministers and it makes it extremely difficult for shadow ministers to come to a full understanding and appreciation of the government's point of view on particular matters.

In turning to the general content of the honourable minister's statement, I think we need to recognise first of all the significant improvement that the federal government has made in the housing area. From a situation where, in 1981-82, $200m a year was put into housing in Australia, we now have a situation where $500m is put into housing in Australia. That is a very significant increase.

The minister has indicated that a number of changes that the government has undertaken have been as a result of the proposed Commonwealth States Housing Agreement which, if all goes well, will be signed in the next couple of months.

I want now to discuss what the government has done in an area that the minister did not mention: the area of the increase in rents for people renting accommodation from the Housing Commission. As I understand it, again the Commonwealth States Housing Agreement has provided that the basis for increasing rents should change from market rents to cost rents. That quite clearly is an improvement for the Northern Territory. As we all appreciate, because of a number of factors, market rents are extremely high in the Northern Territory. Cost rents are based on the operating costs, the interest charges and the depreciation pooled in the Northern Territory. Rents are set for each dwelling on the basis of this total cost divided by the total number of dwellings. As a side issue, I ask the honourable minister whether those expensive units at Marrakai are included in this particular exercise and what the effect would be on rents if they were taken out of the cost rent situation.

However, my major concern is the way the government has gone about increasing rents this year. I understand that, under the CSHA agreement, it was accepted by the Commonwealth and the Northern Territory that rents in the Northern Territory were approximately 30% below the cost rent level and that the Northern Territory would be given 5 years to get up to the cost rent level. If that information is accurate, and I believe it is, for the life of me I cannot understand why the government has imposed a 12% increase in rents this year on its renters in the Northern Territory. I know it is too simple to say that, if you have a 30% increase to catch up, and you have 5 years, it is 6% a year. Obviously, there are inflation factors. But it would have seemed to me to be very reasonable indeed, Mr Speaker, to have a 7%, 8% or even 9% cost rent

increase this year and to work out a system whereby people were not hit with one almighty jump in rents this year but were informed that, over a period of 5 years, there would be a rent increase so that the 30% could be reached without causing undue hardship to renters. I want to say that this 12% increase this year has caused a lot of concern to renters and, particularly before the federal government's announcement last night, looked like causing some hardship to a great many people. Obviously, the federal government's decision to give tax cuts and to increase the zone rebate will alleviate that concern to some extent. However, I would certainly like an answer on why it was felt necessary to slug renters 12% this year when all the government had to achieve was a 30% increase over 5 years.

Mr Speaker, by going to cost rents, we are also putting on the line the Housing Commission's own efficiency because it is a very significant element in the determination of cost rents. Perhaps a most significant element revolves around the Housing Commission's efficiency in terms of operating costs. I think that there are enough recent examples of inefficiencies within the Housing Commission to warrant an inquiry into the operations of the Housing Commission. We need to make sure that we are getting an efficiently-run Housing Commission and that the inefficiencies that have been revealed to us in the last few months in terms of penalty interest waiver decisions and things going wrong at Palmerston are not being reflected in increases in rent for Housing Commission tenants. The efficiency of the Housing Commission has become a very important issue. The efficiency question is nagging a lot of people at this present time. It would be in the government's interests to set up some sort of inquiry to ensure that the Housing Commission is operating very efficiently and effectively and that the rents that it is imposing on tenants are the minimum rents that need to be imposed.

Mr Speaker, the Home Purchase Assistance Scheme certainly is a very radical change from previous arrangements. The opposition has no problem at all with the concept that has been developed - that the Housing Commission should ease back from its up-front role and should essentially become a backup financier to private housing financiers. We accept that, as the Territory matures and as the banking and building society sectors in the Territory mature, it is common sense for them to take a bigger role in the provision of housing finance. It makes equally common sense for the Housing Commission to back off in that area.

Particularly from my point of view, it is too early to assess accurately whether the new scheme is going to work. Obviously, the concerns are for people in the lower-income levels.

I would just like to outline one situation and seek the minister's comment on it. As I understand it, if your income is around the $220 to $230 income mark per week, you are entitled to borrow $50 000 from the Housing Commission. However, again as I understand it, under the rates on the 20% repayment basis, in the first year you will be paying back only about 50% of the real 11½% interest rate. I know that, as salaries increase, this will increase. But it does appear to me that, at that very low level, there will be an increasing subsidy build-up of people's repayments. You could have a situation in 7, 8, 9, 10 or 11 years time where, if a family was intent on selling a house for whatever reason, it would find that it has made very little progress in terms of paying off the house. It might in fact receive a real shock if it thought it could sell its house in the Territory and then move somewhere else and use that as a little nest egg to obtain accommodation. As I understand it, there is a real problem in that area. Certainly, I would like the minister to make some comment on that. However, as a general principle, if the figures work out, and acknowledging the constraints placed upon the government by the Commonwealth

States Housing Agreement, I think that the system does provide a basis for establishing an equitable scheme.

However, let us look at public servants. That is obviously the most controversial aspect of the scheme. As the honourable minister pointed out, the proposal is to abolish the present separate government employees housing scheme and to amalgamate the opportunities that public servants have with others. In terms of people presently on the government employees sales scheme, the proposal was to raise the interest rate by 0.25% this year and then 0.5% in future years so that eventually they are paying 11.05% like everybody else.

The honourable minister has been fairly cute about the fact that this year most public servants, when the rents go up by 0.25 of 1%, will be paying $3 a week extra. I would like to point out to her that one of her own Treasury documents spells out the example she gave in here of a person with a loan of $62 000, earning $18 739 per annum. Mr Speaker, on these figures, the public servant whose interest rate goes up 0.25% this year is in fact not paying $3 a week extra but $11 a week extra - from $366.47 to $377.96. Now, $11 is a pretty significant increase compared with $3 and I would like the honourable minister...

Members interjecting.

Mr SMITH: Mr Speaker, I have just self-destructed.

Mr Everingham: Yes, tell Cavanagh as well.

Mr SMITH: I must admit that I am wrong and I thank the government members for pointing it out so nicely.

In terms of the attitude of public servants, I think that the major concern that public servants have is that they feel that they have entered into this housing situation on a particular basis and it is most disturbing and concerning to them that the interest basis that they were given, and led to understand would apply during the course of their loans, has been changed quite dramatically. The figures are quite dramatic. Over a period of 9 years, the payments for a person on $18 739 increase from $366 a month to $588 a month. That is a rise of over $220 per month.

In terms of salary increase - and I am right this time - this particular set of figures is based on an assumption that there will be a 5% salary increase per year for the next 9 years. However, the salary that this figure is based on is the present salary after the 4.1% increase that we have had this year. We are not going to get another 5% increase in salary this year. In fact, the way we are going at present, it is most unlikely that we will get a 5% salary increase next year. At least in the short term, the increase in the home loan interest repayments expected of public servants will certainly be more than the increases in salary over the next 18 months at least. That will pose some problems for a number of public servants.

Mr Speaker, I acknowledge with some gratitude that the Housing Commission is aware that there could be some public servants on relatively low incomes who have taken up relatively high mortgages. It is very important that the government be aware that there will be a number of people in this category. If the government does not accept the public service unions' argument that there has been a breach of faith, it should be looking at an income-related repayment scheme for public servants who are presently members of the government employees sales scheme. If it could work out an income-related scheme where a public servant paid no more than, say, 25% of his gross weekly earnings, that

would remove much of the concern that many public servants have about the scheme as it has been announced.

In turning to single public servants, what the government has done is turn the clock back 10 years. In fact, it has turned my memory back 10 years and probably the memories of the Attorney-General and the Treasurer because, in my previous occupation, I tangled with both of them on the very vexed question of single officer housing. The situation has not been helped by the inane response given by the minister on a radio program. The question was: 'Is it going to be a problem because single officers cannot get into government accommodation?' She said: 'I do not think it really is because a lot of single people currently live in de facto relationships. Some of them declare them and some of them do not. For all intents and purposes, they may be officially single but may be living in de facto relationships. Thus, they will still have availability of housing offered to them'.

Mr Speaker, to be frank, that is an absolute disgrace. What the minister is suggesting is: 'Here we have a system but I am already trying to back away from it. I am pointing out a way that single people can lie and cheat themselves into government accommodation because of the stupid decision my government has made'.

Mr Bell: Shame.

Mr SMITH: It is quite shameful.

Mr Speaker, if the government is going to insist on this particular scheme, I would submit that various departments within the Northern Territory government must look at their own schemes for supplying single officer accommodation. I can live with the general principle that it is not the place of the Housing Commission to house single public servants but we are all aware of the problems in housing single public servants. We are all aware of the importance that single public servants are to the teaching, the nursing and other professions. We cannot exist in the Northern Territory without them. At a time when it is becoming increasingly difficult to recruit teachers in particular, this will act as a significant disincentive for single teachers to come to the Northern Territory. If the government is going to chop them out of this scheme, it must ensure that government departments provide accommodation for them.

I would remind honourable members opposite that there has been very little research into housing needs in the Northern Territory. However, research has been done by a Mr Drakakis Smith. His conclusion - and I do not have time to read it out unfortunately - is that 30% of the need for housing in Darwin is by single people and they are the single most disadvantaged group in terms of the provision of housing in Darwin at present. Nevertheless, under this scheme, we have chopped them out.

Mr Speaker, what I most dislike about what the government has done so far is that it has taken decisions under the Commonwealth States Housing Agreement that will benefit the government and will bring it extra income but it has not announced any of the other initiatives that are contained in the Commonwealth States Housing Agreement. Where, for example, is the rental purchase scheme which would enable low-income people who have difficulty in getting the deposit together to buy houses? That is an important element in the Commonwealth States Housing Agreement. Where, for example, is the broader eligibility for public housing that would allow needy groups, particularly singles, youth and people in crisis, to obtain government accommodation? It is not good enough to say that we are looking at the problems of single people. We have had years to look at

the problems of single people; they have been around for years. They have been causing problems in terms of housing for years. We are still looking into it. It is an important and integral part of the Commonwealth States Housing Agreement.

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

Mr B. COLLINS (Opposition Leader): Mr Speaker, I simply wish to speak about 1 aspect of this particular matter: the question of single accommodation. I would like to join the honourable member for Millner in saying that I think it is a very sad and regrettable move that the government is making.

Mr Speaker, my regrets and disappointments about this matter were certainly compounded by the very strange interview which the honourable minister gave on the subject on the ABC. After listening to it, I thought that I would have to repossess my rose. Any examination of the transcript will show that the unfortunate part about that interview was that, when the minister actually got off her set speech, and actually had to respond to questions that were being asked, she indicated only too clearly by her answers that she did not know what she was talking about. It is as simple as that. It did disturb me. She was not on top of this major new initiative, if you could call it an initiative, that she was responsible for. She simply did not know what it was all about.

She then compounded the matter grossly by touching a nerve with me because of experiences I have had when I was a single officer working for the Northern Territory Public Service and afterwards for the Commonwealth Scientific and Industrial Research Organisation. The question of single person accommodation is a very vexed question and I would explain it in very simple terms. I am not talking about myself in this case. I must admit that, in those days, access to purchase of housing by single people was a lot more difficult than it is now. However, if you were a senior officer working for CSIRO, and had been for 15 years, you were a valuable and respected member of the organisation and, in terms of the actual work of the organisation, you were making a valuable contribution. In the workplace, you occupied a particular position and you were a valued member of the organisation. There were married employees who may have been with the organisation for a year. You had 15 years of service in the organisation and yet the married employee, whose contribution arguably had been far less than yours, was living in a modern, well-equipped, comfortable government house whilst you existed - and that is all it was - in an 8x12 room at the Esplanade Hostel. In fact, when I lived at the Ross Smith Hostel, the single officer who was living next door to me, and who had worked for the Department of Transport at the airport, had been living at the Ross Smith Hostel, formerly the DCA Hostel, for 45 years. He had been living in the same room at the hostel for over 20 years. He was a single man with fixed habits and hostel life suited him. I concede that his was a most unusual case. However, most single officers who were forced to exist in that kind of accommodation did not find it satisfactory at all and it was a constant battle for them, as it was for me, to move continually from one set of shared accommodation to another. Like many single people, I ended up sharing houses with 3 or 4 different people who were trying to overcome the cost problems.

After the cyclone - and I was single at that time - a number of very aggravating things happened in respect of housing and in respect of this very question of denying single people the right in the public service to be treated on a par with their colleagues in the workplace. I saw people deliberately filling out false statutory declarations. However, I never expected to hear a minister of the government, the person responsible for the administration of such a program, publicly advising people to do precisely that. It was quite

simply an appalling answer for the minister to give. I do not think that, in hindsight, she would be very proud of herself for giving it.

Mr Speaker, you cannot blame people for taking advantage of whatever is available to them. Imagine the situation of a person in a laboratory who was cheek by jowl with the person at the next desk. One was living on a concrete block with no roof on it - as I was at the time. He had a tarpaulin with no water and no sewerage services. Because he was single, he was not entitled to anything. However, the bloke next to him had made an arrangement with a friend of his who happens to be female and submitted a false statutory declaration that enabled him to live in a brand new house in a new subdivision - Tracy Village - whilst the single person lived on a concrete block under a piece of canvas. It caused a lot of tension in the workplace. As much as you say that you cannot really blame him, it is still a little annoying. When you are talking about an officer who has worked for an organisation for 15 or 16 years, and has made a choice to remain single, it becomes particularly aggravating indeed. It is an unfair discrimination. It should not be applied. I have no axe to grind any more because I am in the happy position now of being married, having a child and qualifying for all of these benefits. But to be single and to be discriminated against in this way in a high-cost housing market, which this has always been, is not fair. It is not reasonable. It is not just.

Mr Speaker, I know that some people will do the wrong thing. Who would dob them in? I would not. Why would anyone do that? Who is going to bother checking up on them? I would not because the cost of doing that would far exceed whatever savings to government might accrue. Inevitably, more people will sign statutory declarations that they are living in a de facto relationship when in fact theirs is purely a situation of cohabiting for convenience. I know many examples of this. I am not taking a big stick to those people and saying how terrible it is because that is not how I feel about it. Good luck to them. However, I do not expect to hear the Minister for Housing publicly telling anybody when she announces the scheme that that is precisely how they should get around this particular problem which she acknowledges as being a problem in the scheme.

I use the minister's own words to support my case. The Minister for Housing acknowledged that it is unfair to discriminate against single people who may be contributing equally. We are talking about entitlements provided by an employer. They are contributing equal value to the employer and they should be entitled to receive from the employer the same conditions, salaries and everything else that are being received by the person sitting next to them. There should be no distinction at all on marital grounds. I found it very aggravating when I was a single officer working for the Northern Territory Department of Primary Industries and CSIRO to see that in the workplace and to watch all of the devious and commonplace ways in which people got around it.

Mr Speaker, if the minister wants to acknowledge it is unfair, which she did, and if the minister has the absolute appalling cheek to advise people who claim that they are living in de facto relationships that that is a means of overcoming the problem, she really does not have a leg to stand on. I would advise the minister, if that is her attitude, to use her power to change the arrangements so that people do not have to be forced or indeed advised by the minister to enter into arrangements which are in fact illegal. That is the reason why I do not feel too harshly about people who do that. They are forced into that situation by being faced with an arrangement which they consider to be unfair and unjust. I agree. Their married colleagues are getting a deal that they are not getting.

I would ask the government to reconsider that particular part of the arrangement and put single employees, who are making as valuable a contribution to their employer as married employees are, on exactly the same terms and conditions as those married employees receive. That way, the minister will not be put into a position of having to advise people to submit false statutory declarations in order to get around the scheme which she announced.

Mr ROBERTSON (Attorney-General): Mr Speaker, I would like to address myself briefly to the motion. I can understand what the Leader of the Opposition was saying in relation to the difficulties that officers of the public service may find themselves in. Indeed, you can have a position where 2 public servants are of equal rank or even where the single officer is of a higher rank than the person who just happens to have chosen to marry. I can understand the argument of the Leader of the Opposition that, within the public service structure, that would necessarily cause friction and perhaps a little illwill and jealousy. On the other hand, the government of the Northern Territory has a responsibility to even-handedly administer the provisions relating to housing equally for all Territorians. While this proposal may well, at least in the short term, cause some resentment among certain officers of the public service, the existing provisions certainly create resentments on the part of those who are outside the public service and who do not enjoy the benefits which are perceived to be enjoyed by members of the public service. Obviously, when it comes into operation in 2 years time, the government will want to monitor the effects of this policy upon its ability to recruit in key areas. You would be aware, Mr Speaker, that at the moment specific housing is being built and leased in respect of officers of the police force. Of course, we have the additional special relationships between ourselves and officers of the correctional services function of government. It is true to say that those special provisions may well relate to the award under which members of those organisations are employed but, nonetheless, it is an example where the government, having cognisance of the circumstances at the time, sees fit to enter into special relationships in respect of those officers.

It would be reasonable to expect that the government would monitor the position in relation to its need to employ single people, particularly in those areas accurately identified by the Leader of the Opposition where it seems that our public service, by and large, comprises many single officers - the teaching profession, nursing and so on. Obviously, we have a duty to provide a service to the public, through our public service, and we would be anxious to ensure that that service was continued without interruption as a result of any policy change that may be outside of the policy changes directly affecting the operations of an individual department. Basically, it was a decision which Cabinet did not arrive at with any sense of ease. Nonetheless, we are charged with the duty of serving the entire community in a manner which is even-handed.

Of course, it is open to the opposition - and it has not directly suggested it yet - to suggest that we should open the list to all single people. That would be the soft option as far as politics is concerned but, in financial and real terms, it would be the silly thing to do. We would so clutter our housing list as to make impossible the Housing Commission's fundamental role of providing housing for families. It would so delay the process that the commission would have absolutely no prospect whatsoever of achieving the basic and fundamental objectives long understood in this country as the function of a housing commission.

Mr Speaker, it is reasonable to suggest that the interest rates adjustments which are to be brought in by the government should be equally applicable. People who have obtained housing under the most generous home loans scheme in

this country have a system of calendar increases in respect of the payments under those mortgages. We have not sought to penalise officers of the public service but to make it operate in a manner consistent with that which is applicable to all other citizens of the Northern Territory who will avail themselves of whatever housing schemes are available under this government's auspices.

It is not as if we are taking those interest rates beyond that which is normally expected in the marketplace. Indeed, when one looks at the 0.25% in the first increase, and then 0.5% per annum, one will see that it will be 9 years from now before the 11.5% is reached. Mr Cavanagh and those who are trying to distort it by saying that the increase represents some $300 a month out of the pockets of public servants are perpetrating a deliberate falsehood because they know that that is not the position. Governments take these sorts of decisions in the knowledge that they will not necessarily be very popular with those whom they count upon for votes in a purely political sense. Nevertheless, governments are charged with a clear duty to be even-handed in matters of public expenditure so that all citizens to whom they are accountable are benefited equally.

Mr Speaker, the Leader of the Opposition and the member for Millner launched this debate with a rather extraordinary attack on the Minister for Housing. I say 'extraordinary' not because of what the attack initially started out as but how it ended up. We had the member for Millner openly castigating the minister for the words which she used on the ABC interview. Those words, of course, were really saying that these are the realities; these are the things which are happening.

Mr B. Collins: Isn't she big enough to look after herself?

Mr ROBERTSON: I will get to that in a minute. I can assure him that he will not be laughing. Again the grin will disappear.

What the honourable minister was actually saying was that these things are realities and that there is always a way around just about every law or policy that was ever implemented. The Leader of the Opposition followed his colleague and said in this place precisely what the honourable minister said in an interview. There was no difference in substance between what each of them said. The Leader of the Opposition said that he cannot blame them, that he knows it occurs and that he condones it. Not content with that, the Leader of the Opposition went one further. The Leader of the Opposition, the former opposition spokesman on law, actively, consciously and deliberately presented to this place and enshrined in Hansard his view that, if he was responsible for it, a direct breach of section 23D of the Oaths Act would be aided, abetted, condoned and forgiven by him. It is the only time I have ever heard in this Assembly a member of any standing, much less the standing of the Leader of the Opposition, say that, if you break the criminal law for which there are penalties provided in the Oaths Act, he would wish you luck.

Mr BELL (MacDonnell): Mr Speaker, when I listened to the Minister for Housing this morning, I was put in mind of Marie Antoinette. Marie Antoinette said to the poor of Paris when they were hungry: 'Let them eat cake'. As far as I am concerned, what the honourable Minister for Housing has said in relation to the housing of Territorians is roughly equivalent. If the minister behaves rather in the manner of Marie Antoinette, I can only say that, having listened to the Attorney-General, he plays a pretty poor Louis XVI.

The chief reason I wish to speak in this debate is because of the decisions that have recently been made by the government, as advertised and

described on radio and television and raised in the statement today, that relate to the housing of single people in the Northern Territory and the impact that will have on a variety of activities within the Territory. I hope that, in the course of my comments this afternoon, Mr Speaker, I will make it quite obvious, both to you and to all honourable members, why this particular decision is nothing short of a disaster.

Mr Robertson: Not very likely.

Mr BELL: It is. To use the words of the Attorney-General, this is a choice of a soft option, taken a few months after an election. The government hopes to get away with it because it is as guilty as sin, as we have said on a number of occasions in this Assembly, of making inadequate provision for the housing of Territorians. I am aware of that and I am sure that honourable members who live in town centres are aware of it. The Minister for Housing has something of an excuse because she represents an out-of-town section of the Territory. Equally, I represent an area that does not include a town area, but I can say that I have had 3 years of receiving representations from residents in Alice Springs who have had considerable difficulty in obtaining adequate housing. I only offer that as a possible extenuating circumstance which the minister may be unaware of in the normal course of her electorate duties. I extend to her the invitation that at any time she is in Alice Springs, she is most welcome to come and visit my office and see the extent to which I do receive such representations.

I can only say that this particular debate is extremely apposite because only last week I received representations from people in Alice Springs. They were having considerable difficulty in the conduct of their business in Alice Springs because, when they recruit people, particularly single people, who work in this particular enterprise, the only moderately self-contained accommodation available for them is a caravan. As far as I am concerned, a caravan is terrific fun for a day or two here and there but to have to put up with it when one is working full-time is an intolerable burden. As far as I am concerned, the minister is seriously failing, as is the honourable Attorney-General when he says: 'Look, our job as a government is to distribute even-handedly housing as it becomes available'. We have had debate after debate in this Assembly about the housing needs of Territorians. As far as I am concerned, making a statement like this, out of that sort of context, is extraordinarily unreasonable. It is an extraordinary example of poor planning.

Let me turn to some of the gems that the honourable minister gave us in her particular statement. The current position is that single people working in the private sector are the only people who are not allowed to apply for accommodation through the Northern Territory Housing Commission. What is the solution of the honourable minister? Instead of providing the possibility for those people to apply for accommodation, she is going to cut it off for public servants. That would not be so bad if it were not clouded with this cant and nonsense. It is pompous hypocrisy to start talking about the particular decision that the minister has taken as an attempt to remove discrimination. That really is hypocrisy of an extraordinary order.

The minister said: 'There is an attempt to remove all discrimination within the community based on age, sex, marital status, race, religion, disability or life situation'. That of course is absolute nonsense because this very decision discriminates on the basis of the marital status that the minister is trying to pretend she is removing. That, by itself, would not be so bad if the government took a decision that was not going to affect people particularly. I have mentioned one particular case of private sector employers

who are having a great deal of difficulty running their businesses because this government will not shoulder the burden as far as providing housing for single people working in the private sector is concerned.

I want to raise a particular point relating to a particular area with which I am somewhat familiar. I am pleased that the Minister for Education will speak after me because I hope he can pick this point up. He would be well aware that, at least in Alice Springs - I am not sure of the situation in Darwin in this regard at the moment - one of the great difficulties that has been experienced in providing adequate staffing in Alice Springs schools has been that many teachers are single people. The difficulties have been created because those people cannot obtain adequate accommodation and this is having a serious impact on the education that is able to be offered to the children in Alice Springs. That bothers me and it should bother the minister, every backbencher who lives in the town and the Attorney-General, who sits on the frontbench and may or may not be interested.

When we look at the 2 types of schools for which the minister is responsible, primary schools and secondary schools, this problem with single teacher housing impacts rather differently upon secondary schools than upon primary schools. I think that he will find that many primary schoolteachers are married women whose husbands are employed elsewhere and for whom housing is less of a concern. On the other hand, I think that, because of the isolation of all the communities in the Northern Territory, he will find that secondary schoolteachers are much more likely to be recently graduated and single. It is much more likely that they will be affected more significantly by this particular decision than any other particular group. Let us not be under any illusion about the effect of this. I will make a prediction that the quality of education being able to be offered in secondary schools will be seriously affected. It has been already. Let me give an example. About this time last year, the previous Minister for Education, the honourable member for Fannie Bay, made a statement to this Assembly in relation to senior secondary courses. He told us what a wonderful idea senior secondary courses are. Of course, as an alternative Year 12 course, they are an excellent idea. But what has happened to those courses in Alice Springs 12 months later? I really wonder whether the honourable Minister for Education is aware that the senior secondary course in geography at Alice Springs High School has not had 1, 2 or 3 teachers this year but it has had 5 teachers. That is for a course that is supposed to have been accredited by South Australian education authorities. That is a matter for deep concern.

I notice the honourable member for Sadadeen smirking on the backbench there. I would be interested to find out if he is smirking about this because, if he is smirking about the fact that there have been 5 teachers in this particular course, that is absolutely outrageous.

Mr D.W. Collins: Grow up.

Mr BELL: Let me give one more example. If you think the SSC course in geography is bad, you should have a look at what the biology course has had to put up with. That course has had 7 different teachers in one year. Now that is not quality public education.

Mr Speaker, the availability of housing for single public employees directly impacts on the availability of teachers to teach courses like that. It directly impacts upon the ability of the schools and the Department of Education to retain their services. I would like the honourable Minister for Education to check those figures. I think he will find that they are right.

Even if it were only 2, 3 or 4, it would be outrageous but the numbers I have quoted represent a scandal. If they were the kids of anybody here, I am sure he would not be sitting back calmly as the members opposite appear to be now. That is a matter for considerable concern.

Mr Speaker, I will not comment on the dubious morality of the minister's exhortation to those single people to enjoy the pleasures of a de facto relationship in order to get a roof over their heads. All I wish to say is that, as far as I am concerned, the government is sloughing off its responsibility. It is not giving adequate consideration for the housing of these single people and that has serious impact on the quality of services in both the public and the private sector. You will be aware, Mr Speaker, of the verse out of the Bible that refers to the foxes having their lairs and the birds their nests. All I can say is that, as far as Marie Antoinette is concerned, and her counterpart in this Assembly, the Minister for Housing, the single people of the Territory would do just as well joining.

Mr HARRIS (Education): Mr Speaker, I rise to speak on the statement on housing matters. I am very pleased that the member for MacDonnell spoke before me because it is quite obvious that he is as confused as some other people in relation to this whole issue. I might say beforehand that the retention rate of teachers in the secondary area is of grave concern to everyone and not just the member for MacDonnell. I am sure that everyone in the community is very concerned about the retention rate of secondary teachers. But I might say here that the actual recruitment of specialist teachers in mathematics, science, home economics and all the areas that the honourable member for MacDonnell has addressed is a national problem. It is not only a problem which we have in the Northern Territory. It is something that we should be addressing, and we are addressing it.

The other thing that the honourable member for MacDonnell has not really come to grips with is that the teaching profession is a respected profession in the community and one would think that some of the teachers would have some respect for that profession and not just resign without notice. It is an issue I have tried to get the federation to address. It is an issue that the department is addressing. Teachers can come to the Northern Territory. We give them an air fare to get up here, we recruit them and we give them good conditions. How then some teachers are able to resign without any notice whatsoever and leave the students in the school for the rest of the year without teachers is something I cannot understand at all. I am sure the honourable member for MacDonnell would be aware that that is a problem. If a person moves from one place to another, it leaves a gap in the system.

Some of the teachers from the states are using us as a holding paddock. When positions are available back in their home states, those teachers go back there. One of the problems that we have with the semester system is that there are 2 long vacation periods. Many teachers go south during their mid-year break and tell the departments in the other states that they have had 2 years or 3 years experience in country areas - the Northern Territory is classed as a country area - and those teachers are obtaining positions in their home states. I have asked that the federation and the Education Advisory Council address the problem whereby teachers are able to resign without notice.

I believe that consideration should be given to recruitment from overseas and the possibility of contracting teachers from overseas. There are industrial problems in relation to Australian teachers. I am not entering into that debate; I am just saying that we must have a situation where teachers can be positioned here and we can be sure they will stay for a specified period.

It is useless having a system whereby a teacher can come here tomorrow at our expense from interstate and disappear the next day.

Mr Speaker, the reason I entered into this debate today was to clarify a point. A number of teachers are confused about this issue and I believe that their worries will be set at rest by the federation itself. There was confusion with the comments made in this pamphlet that was distributed by the Public Service Commissioner. The pamphlet mentions single teachers. Teacher accommodation has not really been a problem in the Darwin area and I want to make that quite clear. There has been ample accommodation available. We might argue whether or not the rents are reasonable but there has been accommodation available in Darwin. In other communities, accommodation has been a very serious problem and we acknowledge that. Because of that, several years ago, the government introduced a system of head leasing accommodation units to make sure that teachers were available to provide education to our children in those communities. I think the comments made by the Attorney-General in relation to this are relevant here. It is important that the departments which have a responsibility to provide services - in this case the teaching of children in communities - must be assured that they can cater for their accommodation needs. Whilst the current situation is still serious in areas outside of Darwin - in Katherine, Tennant Creek, Nhulunbuy and Alice Springs - it is hoped that, by 1985, teacher housing problems will subside through this expanded head-leasing system.

The department is interested only in rental accommodation. I need to make that quite clear. The department is under no obligation to allow teachers to buy their homes. In fact, the only entitlement that teachers had in that regard when they obtained accommodation through the department was to have their names included on the Housing Commission list.

Mr Speaker, I mentioned earlier that there had been some confusion in relation to the pamphlet that was distributed throughout the community. Since that pamphlet has gone out, however, there have been discussions between the Northern Territory Teachers Federation and the department about the housing of teachers. The federation has been made aware of a number of points that the Public Service Commissioner's pamphlet did not cover. I would like to cover some of those issues here and I hope that the honourable member for MacDonnell sits a little easier after hearing this.

The first point I will mention is that it has been agreed between the department, the Public Service Commissioner and the Chairman of the Housing Commission that the department can continue to solve its teacher accommodation problems by head-leasing arrangements in Katherine and Tennant Creek, with an extension to Alice Springs in 1985. Where the department anticipates that single recruits will have difficulty finding suitable accommodation, the department will head lease appropriate accommodation and, if necessary, arrange with developers to build such accommodation. The second point is that there is adequate private sector accommodation in Darwin for single staff. The third point is that there is no change to existing policy for small, remote, rural centres where the department provides all accommodation for other than local recruits. The fourth point is that the department is working with the Northern Territory Teachers Federation to set up regional housing committees. To this end, the department can actively seek head-leasing arrangements where accommodation is scarce.

Mr Speaker, I would also like to indicate to members of the Assembly, and also to teachers generally, that the department will be issuing a circular which will be distributed to all teaching staff throughout the Northern

Territory. That pamphlet will explain the regional housing committee's approach to this problem and the expanded head-leasing arrangements for single and married officers outside Darwin. I am informed that the federation is now clear on the issues of teacher accommodation even though there was a degree of confusion when the pamphlet was first distributed amongst the community. The federation is now satisfied that the department will be able to meet housing requirements in areas where problems existed in the past.

Mr Speaker, I close by saying that the government rates staffing of schools as a top priority and, through head leasing, accommodation for teachers will be made available in communities outside of Darwin. I hope that the member for MacDonnell accepts what I am saying in relation to accommodation. We realise that it is a problem. It is something that the department is addressing and I believe that the understanding of the federation and the department will make sure that the problem is addressed.

Mr LEO (Nhulunbuy): Mr Speaker, this debate is generating quite some interest. Some comments were made by various ministers that I do not think should be ignored. I think that it was appropriate that the Attorney-General defended his minister. If the legal head of the Northern Territory cannot defend his minister, then I doubt that anybody else can. Quite frankly, he had a fairly poor case to defend.

Mr Speaker, I was interested in the contributions made by the Minister for Education because he introduced some of the paradoxes which are involved in the latest proposals for public servant accommodation. It would seem that the minister feels that married public servants will not have to go on a waiting list for accommodation but, if they are single, they will not even have the opportunity to go on any waiting list. If, indeed, there is to be equity across the board, why doesn't the minister come out and say that public servants who come up here, be they married or single, will have to go on a waiting list for Housing Commission accommodation. That has not been said. Just as an interested observer, it seems to me that the minister is indeed playing politics in saying that we really do not need the single people but we really cannot afford to lose mum and dad and the 3 kids out in suburbia. If that is what the minister is saying, then I suggest that she get on her feet and make that clear because there is discrimination in what she is proposing. If the Housing Commission offers single people in the public sector precisely what it offers people in the private sector, that is fine. However, the Housing Commission must also say that it will offer married people in the public sector precisely what it will offer people in the private sector. That is not what is happening. There is no such thing as a housing list for a public servant. If a married public servant comes to the Northern Territory, he is guaranteed accommodation. There is no such thing as sitting on the housing list for 12 months. If he does sit on the housing list for 12 months, his rent is subsidised at the expense of the department in which he is employed. Everybody knows that that is what happens. If that is what the minister wants to happen, then she should say so. If indeed there is an answer to that problem, I would be very interested to hear it.

The Minister for Education spoke about staff turnover being a problem for the Department of Education. I appreciate that. I come from a very remote electorate and, fortunately, my electorate will not be affected by this policy change. However, I do know there is a grave problem and the minister has sheeted home the blame to those teachers who choose to resign and leave the Northern Territory. I would suggest that, if he wants to examine where the blame may lie, he should question his representative in Nhulunbuy Primary School who, last week, was laughed out of a staff meeting. The Department of Education

is rapidly developing a very poor reputation amongst its employees. While housing may be a problem, the minister needs to look very hard and long at his department because it is rapidly getting a very poor reputation amongst its employees and amongst the electorate generally.

Mr FINCH (Wagaman): Mr Speaker, what is the opposition trying to tell us? I am sure I am not the only one here who is confused. Is it advocating to us that we should be discriminating in favour of public servants? If so, why don't we have a clear statement from it that it believes that public servants are to be favoured ahead of the general public? Is it advocating that this government should be providing single accommodation for all Territorians, both in the public and private sector? If so, let us have a clear statement on it.

Mr Bell: I tried.

Mr FINCH: I listened carefully. We are not talking about providing single public servants with accommodation under canvas, as advocated by the Leader of the Opposition.

Mr Bell: That is what is happening.

Mr FINCH: They were probably better times in those days anyway. We are not talking about them having to live in the old Esplanade Hostel as they did 10 years ago. In fact, members of the opposition would only be too clear on just how far we have come since those days. These days we have many more options for accommodating people in both the private and public sector. You have only to ask any person in private enterprise about the options that are open to him because, for quite some time, members of the general public and the private sector have had to find their own accommodation, with the exception of what was a restricted Housing Commission list. This scheme will go a long way towards removing those discriminatory conditions of the previous scheme.

The only argument put forward so far by the members of the opposition concerned the public service being brought into line with the private sector. Any suggestion that public servants will be disadvantaged by this particular scheme can only be wrong. For example, single employees in the public service are already housed. I understand there are only about 200 on the current waiting list. I am certain that, with the sunset period that is available to them, by the end of 1986 they will all be accommodated. They all have an option to enter into a subsidised purchase scheme to an extent which is unavailable anywhere else in Australia. Compared to purchase schemes available throughout Australia, we see that our local public servants as well as the private sector are greatly advantaged. As a result of positive action taken by this government in encouraging the building and construction industry, particularly in the single housing area, there is a great deal of accommodation available through the private sector market.

By the time the transition period is over, we will have complied with the full rental requirements of the Commonwealth States Housing Agreement in that rentals will match full market rates. We are talking about an interim period in which all existing public servants are already catered for. Future employees will be made fully aware of the housing potential within the Northern Territory before they are engaged. They will be able to do as the private sector already does in the Territory and public servants elsewhere in Australia do: they will have to go out and seek their accommodation on the open market.

The Leader of the Opposition and his deputy cannot see through their previously clouded public service minds that, if anyone is disadvantaged in the

Northern Territory, it is the private sector. I would advocate that the public service sector is well advantaged over the private sector. Perhaps the opposition is advocating that single public servants should be given priority over private sector married couples by extending a system that is already over-generous.

Members of the opposition made much of de facto relationships. It just goes to show that, when faced with a policy which is extremely sound and working well towards providing adequate accommodation in the Northern Territory, the opposition needs to clutch at straws to find divisive arguments. I find it almost incredible that the Leader of the Opposition not only admitted to knowledge of people abusing the system but, as mentioned by the honourable Attorney-General, he does not think it necessary to bring to the notice of the authorities such illegal and improper actions. I find it almost unbelievable to think that he is advocating that perhaps these people have a right to accommodation over and above those other legitimate families who are still waiting on the Housing Commission's list.

Mr Speaker, the basic policy put forward by this government is not only about providing roofs over heads. Certainly, we do that well when you look at the Northern Territory track record compared to that of the rest of Australia. We have the highest percentage of government-constructed houses per capita in Australia. We have the highest level of government participation in finance for housing compared to anywhere else in Australia. Certainly, we have the highest rate of construction. That is due somewhat to the progressive increase in population in the Northern Territory. People are drawn here by the vibrant economic situation and the work that is being completed in the Northern Territory where - and rightfully so - their economic aspirations are higher than they might be elsewhere. That all leads to this continuing, strong development of the Northern Territory.

In addition to providing roofs over their heads, the government is working quite sensibly towards providing a background for developing a viable and stable construction industry and it is doing it quite successfully. It has achieved it through the Housing Commission which is reflected in strong competition for all of the tenders which are called. At times, whilst there may be the odd concern regarding pricing within the industry, one can see that, through the Housing Commission's well-planned development program, particularly over the last few years, many contractors have been helped in balancing their workload over the fiscal year. Consequently, they have established long-term businesses. No doubt, given the vibrant economy compared to elsewhere, we have had from time to time an influx of interstate builders. Some have stayed and contributed to the long-term development of the Territory. Others have simply used the local construction market to fill holes in their own programs. We often see the emergence of new companies. It is fairly common for subcontractors, supervisors and other people involved in major companies to set up their own businesses and develop what we might hope are long-term viable housing construction firms.

This influx might cause minor problems from time to time, particularly during periods of financial difficulty. Also, there might be small problems in quality control. In perspective, given the benefits of what is seen to be a vibrant and free market, the disadvantages are relatively insignificant. We have now gained a significant solid core of competent and competitive housing firms. Undoubtedly, there will be stability in that area in years to come.

The new scheme itself is not a radical one. It is working towards a proper and sensible plan of development to provide people with housing and to support the local construction industry. It will provide subsidised interest rates to

all Territorians, regardless of their place of employment. It will provide an opportunity for young people to purchase a home earlier in their career than they normally would be able to. That is because the scheme will allow second mortgages in conjunction with Housing Commission loans. People will be able to carry the heavier burden of repayments later in their working careers as their natural progression through job opportunities improves.

Mr Speaker, we have a scheme which has been very well presented by the Minister for Housing and which, undoubtedly, will be of benefit to all Territorians regardless of their place of employment. That is something that the private sector would endorse wholeheartedly. I am quite certain that, despite the small snipes and sniggerings from the opposition, this will prove to be a great contribution to the ongoing development of the Northern Territory.

Mr EDE (Stuart): Mr Speaker, I was not going to rise to speak in this debate. It is not really something that affects my electorate too deeply but I could not let the member for Wagaman get away with that one.

Mr Everingham: Which one was he going to get away with?

Mr EDE: The one about the enormous increase and the great job the government is doing in providing housing around the Northern Territory. I think he has been struck by a pretty bad case of the Berrimah line.

Mr Everingham: You have only 20 minutes to sum it up.

Mr EDE: It will only take 5.

I just want to point out the number of houses that have been built in my electorate in the last financial year. I am not talking about glorified humpies, the so-called temporary shelters; I am talking about those things called houses. We do not see many in my electorate. There are a couple there. We know that a house is supposed to have running water inside the house. Some of them have a bit of electricity or something like that. A couple of them even have bedrooms and floors. But in my electorate last year only 4 were built. There is a possibility that this year we will get 5. The government will talk about a 25% increase and we will all get up and say: 'Hoorah, we have done it. A 25% increase in one year'.

Mr Everingham: That is the way the federal government talks.

Mr EDE: It must have learnt it from you mob because the way you people selectively use numbers or percentage increases leaves me and my mob in my electorate scratching our heads. I am still scratching mine from those figures that were put up over there.

Mr HANRAHAN (Flynn): Mr Speaker, I find it a little difficult to address this subject this afternoon because the debate has digressed to the point where we are talking about education, the home assistance scheme that has just been introduced, single accommodation or, as the honourable member for MacDonnell said, pompous hypocrisy. As a result of his saying that, and in relation to the comments that he made on single accommodation, I would like to address a few of the honourable member's comments, particularly as they related to the housing and accommodation situation in Alice Springs.

The honourable member for MacDonnell chose to intimate to this Assembly that everybody who comes to Alice Springs, whether as a single person working for the Department of Education or any other public servant, lives in a caravan.

He has also endeavoured to suggest that the last 5 out of 5 geography teachers left Alice Springs because they could not obtain accommodation and the last 7 out of 7 biology teachers left Alice Springs because they could not obtain accommodation. Mr Speaker, to suggest that is pompous hypocrisy. It is not a true statement of the facts and it is not a true recognition of the circumstances in our society today. I think it is largely due to his upbringing in Labor Party philosophy because he lives in a fairytale world with Tinker Bell and Peter Pan. Some of us live in the real world and, in the past, that real world has had an inflationary nature which has dictated rising costs. If he really wants to address himself to the truth behind rising costs, I suggest he have a few words to Cliff Dolan, the stand-in treasurer on the current Hawke hypocrisy. When the truth comes out about the federal government, we will really see the truth about inflation, employment and the absolute gamble that last night's federal budget was.

In Alice Springs at the moment, accommodation could be said to be not only a critical problem but, in some cases, an extreme one. But to lump every bit of responsibility for that onto the Northern Territory government is absurd. The Housing Commission waiting time in Alice Springs has gone from something like 12 months to 2 years. That is a waiting time for accommodation. That has happened because circumstances have dictated that people with a job stay in a job; people who have a house stay in a house. They are not moving on. Those figures are freely available from the Northern Territory Housing Commission. Circumstances have changed. To say that the national trend of people staying put is not because of the economic situation in Australia is ridiculous.

Alice Springs has had an outstanding growth rate not for the last 12 months but for the last 5 years. It is in the vicinity of 5%. To suggest that does not create problems is equally absurd. The growth has occurred because Alice Springs is such a great place. People go there because it is an environment that promotes not only employment but has a lifestyle that is unique in Australia. It is a free choice by those people.

To suggest that the Northern Territory government does not provide a larger proportion of actual dollars per capita for accommodation, home loan schemes and everything else that goes with welfare is an untruth and an absurdity. The Northern Territory government spends more money than any other state or government in Australia to accommodate people. We have problems because of the growth rate that is being experienced in the Northern Territory. The growth rate is largely due to the environment that this very government creates through economic growth. Those are the facts.

To suggest that public servants or, as the honourable member for MacDonnell has chosen to speak of, teachers do not receive any form of priority treatment in the private market is also an untruth. I know what I am talking about because I worked in the industry for 9 years. The Minister for Education spoke of head leases. They exist in Alice Springs. I can assure the opposition that every real estate agent in Alice Springs positively discriminates in favour of teachers, nurses, doctors and public servants of all descriptions who are important to our lifestyle. It is a fact.

Mr Smith: Shame!

Mr HANRAHAN: It is shame now is it? That is interesting coming from the member for Millner. Maybe he will make up his mind one day.

The other fact that needs clarifying is that the housing agreement with the Commonwealth relates back to rentals on a cost-related basis. Let me tell

members a few facts about building flats for accommodation in Alice Springs. Economically, they are just not viable. When you charge a market rent in Alice Springs of $140 for a 2-bedroom furnished flat, you are really reaping a net return of about 12.4%. In reality, that is about the interest rate, so you are gaining nothing and only hoping to make a buck in the future in capital gains.

The Housing Commission has budget limitations. Those budget limitations are not the sole responsibility of the Northern Territory government. After all, we do have a Memorandum of Understanding that we are very proud of. Heaven knows what would have happened last night if we did not have it. We have an allocation for housing and we spend it in a way that benefits all Territorians. The Housing Commission is able to bulk buy land and bulk build houses and flats. In the past, it has been able to offer accommodation at reduced rentals and sell accommodation at reduced prices. If it had not been able to do that, we would be completely lost. If we go back to a cost-related system by way of rent subsidies and the Commonwealth States Housing Agreement, Housing Commission rents would be expected to realise somewhere in the vicinity of rents charged by private enterprise.

Mr Speaker, I think that the member for MacDonnell, not only today but over the last month, has demonstrated to the people of Alice Springs his totally inadequate understanding in relation to housing. I would suggest that he take the time to walk around Alice Springs and talk to some people in the industry and gain some knowledge of the true situation. It is a situation where the government is doing its utmost to create an environment for people to stay and to enjoy the quality of life that the Northern Territory offers.

Mr HATTON (Nightcliff): Mr Deputy Speaker, I also had not intended to speak on this particular motion. However, I feel that I must because of some of the rather confusing and contradictory arguments that have been put by the opposition during the course of this debate. One can really summarise it by saying that the opposition thinks this is a good scheme but it is scrabbling around in the dust trying to find something it can throw around because it would be unacceptable for it to say this is a good scheme because, before it received all the facts, it had run to the press to try to gain a few lines of front page publicity. It is now trying to justify the position it adopted then.

Mr Deputy Speaker, in this debate, the first speaker for the opposition was the member for Millner. He said quite clearly that he did not have any objections to the major thrust of this scheme. He had no problem with the concept of easing back from the up-front role of the government in housing. He was quite right there and I must give credit where credit is due. The member for Millner quite clearly must recognise that, with the growth that has been achieved in the Northern Territory and the extent to which housing has been a major part of the government's budget, if that growth is to continue, one cannot expect that the government can continually keep increasing the percentage of its budget that is being allocated to housing. The problem is that our scheme has been so good that it has reached the point where the Northern Territory government is providing 75% of home loans in the Northern Territory. That is a phenomenally high proportion of loans. In combination with the restricted banking regulations, it has frozen out the banks and the other major financial institutions from effectively increasing their proportional share of the home loans market in the Northern Territory.

The minister has quite clearly shown that this is a package proposal which provides a vehicle to bring the traditional financial institutions into the home lending market in a way which does not adversely affect Territorians' ability to borrow to purchase homes. It still provides a mechanism where a Territorian can

borrow and still repay no more than 20% of his gross salary. It is a combination of both government and private loans. The scheme will provide access to much larger fund sources which were very difficult to tap under the former scheme. It is an evolutionary process and I believe the member for Millner recognised that and he deserves to be congratulated for that.

Unfortunately, the honourable member for Millner decided that, having taken that particular step, he thought he should wander through a few other subjects in the course of his 20 minutes. He mentioned Housing Commission rentals. Of course, they were not raised in this particular statement at all. He said that the Northern Territory, under the Commonwealth States Housing Agreement, needs to move towards cost-related rents as distinct from the previously existing market-related rents and that we were 30% below cost in the then existing rentals. He noted that we have 5 years to achieve that goal. He noted that this year the rentals increased by 12%.

I would ask you to note, Mr Deputy Speaker, that 12% is slightly less than one-third of that amount. He recognised that a factor needs to be included in that rate to take account of inflation. I am sure the member for Millner - who is the shadow treasurer and who appeared on television last night espousing the virtues of the budget that was handed down by the federal government - must be aware that his counterpart, the federal Treasurer, has said the inflation rate for the last 12 months was 6.5% and the anticipated inflation rate for the next 12 months is 5%. I will accept that that figure may be a bit rubbery, to quote the late Sir Phillip Lynch. I am sure that the honourable member for Millner may have some difficulty simply accepting that; that is, if he has examined some of the facts behind those inflation figures. Regardless, 6.5% inflation occurred for the previous 12 months. If one takes that from the 12%, one is talking in the order of 6% real increase in rents, which is approximately one-fifth of the 30%. That is around about the sort of figure that the honourable member for Millner was recommending we should be bringing into place. In other words, if he had done his homework, he would not have criticised the 12% but supported it.

He also raised a problem that needs to be explained. It is associated with the fact that this scheme is very generous to people, particularly in the early years through the subsidisation of interest rates. There could be a problem if people wish to sell their homes. I think he quoted 7, 8, 9 and 10 years time. They may find that, because of the mechanics of the scheme, they have not in fact eaten into any of the capital value of the loan over that period. That may be quite true. I would ask him to note, however, that over that period of time, even accepting a generous 5% per annum inflation rate, there would be a capital gain. Unless the federal government gets hold of that, that would in fact be a tax free capital gain. Of course, who is to know what will happen with this particular federal government?

We then had a long tirade from a range of people in respect to public servants. I think it would be appropriate if I addressed myself to what is the situation. I just cannot comprehend why the honourable member for Nhulunbuy rose to his feet. I can only assume that he spoke honestly and he suffers from what could be termed tunnel vision - living in splendid isolation in Nhulunbuy, emerging for a sittings in this Assembly for a few days a year and then returning to Nhulunbuy. The fact is that the housing lists for public servants and the private sector have been amalgamated since 1 January 1982; that is, except for those public servants who had pre-existing housing rights. I can appreciate that there may have been public servants with existing housing rights who transferred to Nhulunbuy and consequently received preferential treatment. But that does not change the fact that there is now one housing list. There is

no discrimination between the public service and the private sector. In that sense, and on those facts, I must say that the honourable member for Nhulunbuy must be supporting what we are doing. His argument after all was that, if public sector single people are treated exactly the same as private sector single people, then we should do the same for the married people. Therefore, since we are doing the same for the married people, he must be supporting what we are doing for the single people.

Mr Deputy Speaker, we are talking about the Housing Commission providing accommodation for Territorian families and not Territorian single people. I submit that that is in fact a separate question to the question of the provision of housing for families, which is what this particular statement deals with. I accept that the statement does mention that the situation of single people is being reviewed. It is not outside the ambit of this debate to bring it into play but, for a change, we have had a barrage of opposition contributions on the subject. I accept that it is a problem. However, I submit that it is not the Housing Commission's problem. I think the honourable member for MacDonnell, in one of his rare accurate statements, said that he accepted that it was not a Housing Commission problem but an employer-employee problem. That is where that matter really should lie. This particular debate is on a home purchase scheme which, in terms of home purchases, does not discriminate between single and married people. In fact, it provides an opportunity for single and married people to purchase a home.

I take up a point made by the honourable member for Millner. He said the interest basis of public service loans has changed. That is what could best be described as half-accurate. In fact, I have no doubt in my mind that the honourable member is well aware that, under the regulations governing the government employees home loans scheme, there is and has been since its inception a provision for variation of interest rates from time to time. That particular regulation has been the subject of considerable discussion. Included in all housing contracts issued to public servants is a provision for adjustment from time to time. I say half-right because the difference now is that that regular review is now documented and outlined prospectively for those persons in the scheme. They know where they are going in respect of interest rates and it will not be done on an ad hoc basis. Those schemes will be brought gradually into line so there will be a single housing scheme operating in the Northern Territory. Therefore, private sector people will not feel discriminated against in the manner that the honourable Leader of the Opposition so passionately pleaded about this morning.

The honourable member for Millner offered a strange interpretation of figures. He tends to be rather rubbery or uncertain as to where he is going in the future. Unfortunately, he does not have the glib tongue of the federal Treasurer in fiddling figures. He does not get his act straight with the federal Treasurer either. He claims that it is unlikely that we will get a 5% increase over the next year. He is probably right. He should have a talk to the federal Treasurer and the Prime Minister who are indicating that the average weekly earnings increase will be in the order of 7% over the next 12 months. That is on an inflation rate of 5%, which they quoted. The example that the honourable member for Millner used is in complete contradiction to the Treasurer. I think he is probably right in contradicting the Treasurer, but in the wrong direction.

Mr Deputy Speaker, I am not going to address myself to the comments made by the honourable member for MacDonnell. This honourable member seems to have a desperate urge to get on his feet and speak at every opportunity irrespective of whether he knows the subject. I think he just likes to practice his classroom

technique and to try and demonstrate his linguistic abilities. He certainly does not seek to stand up and demonstrate his logic. His argument is relatively imcomprehensible. In trying to demonstrate that this housing scheme will affect adversely the recruitment of single teachers, he quoted examples that exist at the moment of 5 teachers in one course and 7 teachers in another course. Can he tell me how this scheme will make that worse? Are we going to have 20 teachers a year? What is the number he is suggesting? It is obviously bad. On his evidence, he has the wrong reasons. I believe the honourable Minister for Education stated the reason: there is a shortage of teachers in specialist areas in Australia and, as a consequence of that shortage, there is competition for recruitment. They are being recruited out of the Northern Territory to go into the southern states. There is a high movement and there is a lot more evidence to support that contention than to say that housing is the issue causing teachers to leave the Northern Territory. In saying that, I am not denying that housing is an issue for young, single, relatively-inexperienced secondary teachers, and again I quote the member for MacDonnell in making that reference.

Mr Deputy Speaker, this is a good home loans scheme and we should be proud of it. I believe the opposition is running around trying to drum up some sort of problem simply for the sake of talking. Its arguments have no substance whatsoever.

Mr PERRON (Treasurer): Mr Deputy Speaker, I wish to touch on a few points raised by honourable members during the debate. The honourable member for Nhulunbuy missed the boat altogether. For his information, about 2 years ago, a separate public service housing list was closed off. If he had referred to any number of debates in this Assembly over the past couple of years, he would have been aware of that.

The honourable member for Millner made a number of points that I would like to comment on. He spoke of how the recent Housing Commission rent increases would cause untold hardship across the Northern Territory and the only possible relief for these people is the very generous moves announced last night by the federal government. He failed to admit that we have a rental rebate scheme in the Northern Territory. Indeed, I think one exists throughout Australia under the Commonwealth States Housing Agreement. The rental rebate scheme is designed to assist those persons who are genuinely unable to meet their weekly Housing Commission rents.

Concerning the much-acclaimed budget with its initiatives in housing that he was talking about, I accept that the actual expenditure on housing has increased a great deal under the current federal government. That is certainly welcomed. However, there were not only ups; there were some downs as well. One of these was the changes to the first-home buyers scheme which one needs to read fairly carefully to understand it. I am not sure I understand it completely myself. However, I will quote from a press report put out by the federal government on the changes to the first-home buyers scheme. People fulfilling certain criteria were able to apply for $5000 by way of a grant to buy a home. The report says:

> *The changes announced last night will mean that no family, joint applicant or sole applicant with a dependent child who is currently eligible will be excluded from assistance but, for sole applicants without dependants, income limits will be half those for other applicants. The upper limit of $27 900 will remain unchanged for families, joint applicants and sole applicants with dependent children. A new threshold of $20 000 will apply for maximum assistance.*

Mr Deputy Speaker, if we look at this carefully, we will find that there has been a downgrading of that entitlement which was so popular when it was announced by the federal government previously.

The honourable member also suggested that the home purchase assistance scheme was okay but he was concerned about the people on the lowest level of income who are entitled to a loan. Honourable members will recall that they are entitled to the full $50 000 loan from the government. Their income is so low that they are unable to afford any funds from private sources but the government has still left them in its scheme. These people are in the $220 or $230 per week bracket. In today's community, that is a fairly low income for a person with a permanent job. He said that it was a real problem that, if such a person chose to sell his house after owning it for several years, he would find that, because of the level of subsidy involved - he does not have to pay more than 20% of his income in repayments - very little of the mortgage would have been paid off. Of course such people who are allowed to borrow $50 000 and not exceed 20% of their income in repayments will not have paid much off their mortgage. But at least it will be theirs. It is their home and any capital improvements over the years will be theirs.

According to the honourable member for Millner, this is a real problem. The scheme was announced 4 days ago and, all of a sudden, a real problem has emerged concerning this category of people who might sell in 10 years time but might find that they have not paid very much of their house off. They may not have paid any of it off; their repayments may have all gone towards interest payments. At least they will have the capital appreciation and, at least during those few years that they stay in the home, they will have the satisfaction of saying: 'I am an Australian and I own a piece of Australia'. They will be able to capitalise on that home. The appreciation of real estate in Australia has always been fairly good, unless you are a South Australian. Of course, that will only be the case if the federal government resists its obvious leanings towards introducing a capital gains tax. The very group which the member for Millner says has a real problem will have a real problem if the federal government decides to dip into its pockets over capital gains. In raising that issue, he was clutching at straws.

He also said that public servants, who will face some additional interest costs and an escalating interest base, are very concerned to see this change because they entered into their current arrangements on the understanding that it would not change. They should not have entered into their existing arrangements on that understanding. The loan documents that they signed had clauses in them about interest rates which are variable. Virtually any loan document that anyone signs with any financial institution in this country has a similar clause that interest rates may be varied. Usually, public servants are fairly astute and educated people and they should understand documents that they sign. In addition to that, about 2 years ago the interest rate was increased by 1%. Public servants expressed great concern about having additional charges thrust upon them. I can understand that; we are all concerned about any additional charges put upon us. To say that there was an expectation that these interest rates would never move is a nonsense.

He also suggested an answer to the problem of public servants whose loan repayments might grow to a stage where they cannot afford it. He said that perhaps an answer would be to put a ceiling of 25% of their salary as their repayments. I am led to believe - and I am seeking more figures on this - that there could be public servants who signed their original loan document with a commitment to pay much in excess of 25% of their income in repayments. Indeed, it is possibly even more than 30% of their income, in which case setting a

ceiling of 25% would indeed relieve them of burdens that they are voluntarily entering into at the present time. However, as I said, I have asked for further figures on that matter so that we can have a look at it.

The Leader of the Opposition spoke about single people. I would have thought that most people in this Assembly, having been around the Territory for a long time, some of them having been in the public service, would support the principle that we should not be treating Territory public servants differently to other citizens of the Northern Territory. Indeed, prior to self-government, there was a fair bit of animosity in the Territory towards public servants because of the deal they received which was not available to the Territorian who had to make his own way as best he could. After self-government, we embarked on an express policy of lessening the difference between the public service and the private sector. We have no shame about that policy. We have openly advocated it and it is being done in a series of steps. The latest announcement by the minister during the past week was another step in the final stages of reducing those differences, those more favourable conditions for public servants compared to other citizens whom we desperately need in the Territory for their productive efforts. We need them as much as we need public servants.

The Leader of the Opposition said something which is easy to say when you have no responsibility for any executive functions. He said we should house the lot; we should house all single people. That is not really the philosophy of this government. We do not believe that government should be obliged to subsidise housing at taxpayers' expense for every citizen in the community. We do not believe that, every time a person reaches the age of 17 or 18, he should be encouraged to say: 'See you later Mum and Dad. I am leaving the comforts of home. I am going to join a government waiting list so that I can get myself a neat little 2-bedroom flat somewhere around town'. He then joins a list and waits a period of time until the furious building activity catches up with all the other people like him who have left home. We think there is a degree of responsibility on individuals to look after themselves and to make their own way in the world. Indeed, that is one of the reasons why single people have access to the new home purchase assistance scheme and had access to the previous home loans scheme. Single people are able to obtain the same levels of finance as married people to have their own home built or to buy a home of their own choice. Indeed, the very concessional repayments under that scheme, based on the income, will favour young people. When you first go out in the workforce is when you are earning the least in your life. When you first leave school and are fortunate enough to find a job, you are eligible for the maximum amount under the government's loan schemes. To that degree, a single person has a slight advantage over a family who move to the Territory and who are assessed on their income for the amount of money they can borrow at concessional rates.

The Leader of the Opposition also implied that all single accommodation that was available in the Northern Territory for non-public servants was in hostels and that they were hovels of hostels at that. Of course, that is a nonsense. By far the majority of single people in the Northern Territory would not be living in hostels. To many of them, hostels would not be an acceptable standard of accommodation and they get better accommodation for themselves.

Mr Deputy Speaker, I think that the minister summed the matter up when she said in her statement that the housing policy is being reviewed continually. Indeed it is, and it has been for some time. When the government decides, as it no doubt will from time to time in the future, that there is just reason for change, then the policy will change. The message we are trying to get across is that, when change is made for single people, it will not be on the basis of whom you work for.

Mrs PADGHAM-PURICH (Housing): Mr Speaker, I must start by thanking all honourable members for their contributions to this quite comprehensive debate. Feeling kindly disposed towards members of the opposition this afternoon, regarding their comprehension of this housing policy, about the kindest thing I can say is that they are bewitched, bothered and bewildered. They cannot even get their act into gear and agree on one line to take. Their descending to personal denigration in this debate on the serious matter of housing indicates that they really have not grasped it.

The honourable member for Millner started out by saying that he could live with this scheme of not housing public servants. Then we had the honourable Leader of the Opposition saying that he regretted the scheme because of the line taken with single person housing. He had no regard for the review that we are going to carry out. Those 2 remarks in the early part of the debate indicate that they did not get their act into gear and present one line on this housing statement.

The honourable member for Millner spoke about inefficiencies in the Housing Commission. I reject that completely. If anything, the Housing Commission is one of the most efficient organisations in the Northern Territory, especially with regard to keeping building costs down. It has encouraged a solid base in the building industry by stimulating competition amongst small builders. We are not talking about the big builders who build houses for Housing Commissions in other parts of Australia. A solid base in our building industry is in what we would call the small builder. If he has any facts and figures on inefficiency in the Housing Commission, I would like to have them. But I am not going to act on these airy fairy statements that there are inefficiencies and he wants an inquiry.

So far as cost rents are concerned, it has been acknowledged that it is necessary for these to be achieved under the Commonwealth States Housing Agreement. But the question has been asked as to why an average increment of 12.2% has been imposed. As the honourable Treasurer said, and other speakers said before him, in considering current rentals and future calculated rentals, and using the Commonwealth States Housing Agreement expected figures, we considered it sound government procedure to do what we did.

I would like to note the support given to the new scheme by the honourable member for Millner. I regret that he has not been able as yet to fully acquaint himself with this scheme. I feel that, when he does, he will see that it is advantageous. It is advantageous to all members in the community. When people really consider the scheme, they will surely say that it is advantageous. To assist all members at the early stage, I will provide an advisory note on the matter. I believe some members have already received it.

The honourable Treasurer mentioned the usual practice of mortgage documents containing clauses that interest rates may be varied. The member for Millner was unaware of this but, then again, he seemed to be unaware of quite a few things in the statement. Suffice it to say that it is necessary to bring all home loans into an equitable situation as regards everybody in the community.

The member for Millner used a figure of 5% per annum salary increases whereas the Commonwealth States Housing Agreement, prepared by a federal Labor government, used a higher figure which effectively doubles incomes over the period of repayment on the loan referred to. Again, his talent for mathematics, as was demonstrated earlier today, is not very high. Mathematics is obviously not his bent.

Mr Speaker, we heard a long diatribe from the Leader of the Opposition concerning a faithful government employee who worked for the government for 45 years, the last 20 of which he existed in a single room in a hostel. I am not certain whether he used the word 'existed' but, if he did not, he implied it. Some people may like to live like that and that is their prerogative. Under the scheme, no long-term and faithful government employee will suffer any loss of rights whatsoever under the current tenure. I cannot understand why the Leader of the Opposition brought this case up in the first place because the particular government employee he was referring to will not have any of his rights eroded if he wishes to take up his options on accommodation, whatever they may be.

Mr Speaker, I will be kind to the member for MacDonnell and just say that he delivered a load of rubbish about the housing situation in Alice Springs. He spoke about the intolerable situation with housing in Alice Springs. Perhaps mathematics is not his strong point either. He may like to go to the Housing Commission and get the exact figures. The Housing Commission undertook an exercise recently in Alice Springs using the criterion that anybody who has lived in Alice Springs for over a year is a permanent resident of Alice Springs. That is a very conservative estimate. Going on those figures, 70% of the people in Alice Springs who apply for Housing Commission accommodation are what you might call immigrants to the Northern Territory. The members of the opposition appear to forget about housing in other parts of Australia. They seem to think that everybody who sets foot over the border of the Northern Territory has some divine right to immediate housing on the spot. I would like to tell the member for MacDonnell that it came to my attention recently that one of the Labor states, Western Australia, builds the same number of houses for its population as we do in the Northern Territory. That is not a relative figure but an absolute figure. I think that everybody would agree that there is a slight difference between the population in the Northern Territory and that in Western Australia.

Regarding the remarks passed by the honourable members opposite denigrating us for our supposed lack of consideration for single people, I would like to point out to them that 47% of all loans extended by the Housing Commission now are taken out by single people. This includes single people in the private sector who form a large part of this 47%.

Reference has been made in previous debates to the honourable member for MacDonnell having similarities to a sparrow. I would like to take the ornithological comparison a bit further and say he is a wee bit like an ostrich with his head in the sand, leaving other parts of his anatomy exposed. He certainly has his head in the sand regarding the real life consideration of de factos. I live in a real world and his holier-than-thou approach to de factos is completely out of touch with reality. I get a little tired of his mealy-mouthed homilies.

I will be kind to the member for Nhulunbuy also. I do not think that he really read or listened to my statement. If he had, he would not have delivered such a confused contribution to the debate. He went on about the position of single people in the Northern Territory. He certainly implied that we were treating single public servants unfairly. If he would refer to the statement that I delivered this morning - I do not know whether he was listening or not - he would see that, in Victoria, South Australia, New South Wales, Western Australia - Queensland was not added but is included - there is no accommodation provided for public servants in any of the metropolitan areas. I will not go over that part of the statement again. However, in considering the non-metropolitan areas of those states, people there get a pretty rough trot by comparison to what is offered in the Territory.

Finally, Mr Speaker, reference was made to the housing of single people. As pointed out by other honourable members, we must do away with discrimination between single people, and that has been our object. I said in the statement that the Housing Commission has this situation under review. Any sensible policy is always under review to adjust to changing situations. In this review, work will be carried out to develop a fair and equitable policy for all single people. In carrying out this review, it is necessary to realise that the potential cost of housing about 30 000 single people in the Northern Territory mitigates against full provision of this service. Therefore, the allocation of funds available for housing must be based on the perceived needs of the community. All facets of the whole question of housing, including housing of singles, will be considered by the Housing Commission in its review. I do not know how many times I have said that already.

Motion agreed to.

REPORT
Subordinate Legislation and Tabled Papers Committee - Fourth Report

Mr HATTON (Nightcliff): Mr Speaker, I present the fourth report of the Subordinate Legislation and Tabled Papers Committee.

MOTION
Broadcasting and Televising of Assembly Proceedings

Mr ROBERTSON (Attorney-General)(by leave): Mr Speaker, I move that the sessional order relating to the broadcasting of proceedings passed by this Assembly on 28 February 1984 be varied to read as follows:

> *That this Assembly, for the purposes of section 24 of the Legislative Assembly (Powers and Privileges) Act authorises: (1) the direct broadcasting and rebroadcasting of the whole or part of the proceedings of the Assembly; and (2) the direct television or retransmission of the whole or part of the proceedings of the Assembly during the present session of the Assembly on such occasions and under such rules as the Speaker may from time to time determine.*

The reason, Mr Speaker, is that the budget speech is coming up. We have always had a broadcast of the budget speech but there is no sessional order in place at the moment to allow for that to happen. This motion, Mr Speaker, subject to your directions as to how it should be conducted, will allow for such a broadcast.

Motion agreed to.

MOTION
Release of Committees' Evidence

Mr ROBERTSON (Attorney-General) (by leave): Mr Speaker, I move that: (1) the Legislative Assembly authorises the Speaker of the Legislative Assembly to permit any person to examine and take extracts from evidence submitted to, or documents and records of, committees of the Legislative Council, and the Legislative Assembly, which are in the custody of the Legislative Assembly, and which have been in its custody for at least 5 years, provided that such evidence was not taken in camera or that such documents and records are not of a confidential or restricted nature; and provided further that the Speaker

report to the Legislative Assembly each disclosure of evidence and or documents and records permitted pursuant to this resolution and the person or persons to whom disclosure has been made; and (2) the foregoing resolution has effect nothwithstanding anything contained in Standing Orders.

Mr Speaker, by way of explanation, unless committee evidence and documents have been tabled in the Assembly or unless a specific motion has been agreed to by the Assembly or by the committee pursuant to its resolution of appointment, the evidence taken by any select committee and documents presented to it or produced by it may not be disclosed or published. Mr Speaker, an Anthony G. Markidis of Surry Hills, New South Wales has communicated with the parliamentary librarian for the purposes of examining documents which were presented to the Select Committee on Social Welfare in about 1964. The purpose of his inquiry was to obtain material for a script relating to the life of the late, and I must say great, Albert Namatjira. The information contained by way of submission to that select committee was never tabled in such a manner and no motion was obtained in such a manner as to allow for its release.

I think we would all agree that evidence which is taken by committees in such a manner that the general public would have access to that evidence if they merely attended the committees' meetings ought, in the normal course of events, to be available to researchers and perhaps anyone with a legitimate reason to have it. Rather than having a motion to deal with each specific request, Mr Speaker, I think it appropriate, through you, to put to the Assembly that we have a general motion whereby the Speaker, subject to those reporting provisions, be authorised to release evidentiary matters - that is, not matters in camera - which are given to committees subject to those directions.

There are a number of precedents for it, Mr Speaker. There is certainly a similar provision in the House of Representatives for the release of committee evidence. I understand that it was introduced in both the House of Representatives and the Senate on 22 May 1980. I see no reason why this Assembly should not follow suit. As I recall it, the House of Representatives has a rule of 20 years between the delivery of that evidence and the ability of the Speaker to disclose it to interested researchers and interested parties. I would submit to this Assembly that 5 years is a far more appropriate time. Indeed, I have no problem about there being no time limit at all but I am advised that it is standard throughout all parliaments of the Commonwealth that a period is set by the parliament itself as to what it thinks is a fair and proper time. However, I submit to the Assembly that 5 years would be appropriate in our circumstances for the simple reason that 5 years will guarantee that the release of that evidence will be beyond the period of a single session between elections of this Assembly. That is to prevent the Speaker - not that he would do it - releasing information which has not yet been tabled or which is still current before a committee. In other words, prorogation would have quashed it anyway.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Transport and Works)(by leave): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the Control of Waters Amendment Bill (Serial 58) and the Public Health Amendment Bill (Serial 59) - (a) being presented and read a first time together, and one motion being put in regard to, respectively, the second readings, the committee's report stages and the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

CONTROL OF WATERS AMENDMENT BILL
(Serial 58)

PUBLIC HEALTH AMENDMENT BILL
(Serial 59)

Bills presented and read a first time.

Mr ROBERTSON (Transport and Works): Mr Speaker, I move that the bills be now read a second time.

Mr Speaker, the Public Health Amendment Bill and the Control of Waters Amendment Bill both seek to ensure general compliance with new standards for safe water supply and effluent disposal practices. Honourable members will be aware of the problems with the aquifer in the outer Darwin area, the so-called Darwin rural area. The geological structure is such that groundwater frequently passes through a considerable distance without encountering what can be described as normal filtering. This, of course, creates a potential health risk where septic systems, wells and bores are located close together. The necessary distance between septic systems and a water bore is, consequently, beyond that which would be required in other areas. In fact, reports prepared for the government show that the normal septic system is often inadequate, particularly in situations of high wet season groundwater levels.

This government is seeking to assist residents of this area by checking their water bores and, where necessary, advising on remedial action. As well, the government seeks to upgrade construction standards for water supply bores and wells and to develop new standards for effluent disposal which will prevent contamination of groundwater. Future bores and septic systems must comply with the new standards. Of course, these are not necessary throughout the Territory. Consequently, the government will specify standards only in respect of a specified area. Where there is no problem with the aquifer, more relaxed requirements will apply.

Mr Speaker, to enable this to be done, amendments to the Public Health Regulations have been prepared. The amendments will allow the Chief Medical Officer to require plans showing locations of bores, wells and proposed septic systems before approving the installation of those systems. This is not provided currently. As well, the new regulation provides for an area to be declared as an area for the disposal of effluent waters and, in such an area, only approved septic systems will be permitted. Of course, these systems will be approved by the Chief Medical Officer on current technical advice. Furthermore, it should be stressed that the declaration of an area for the disposal of effluent will be declared on the advice of the Controller of Water Resources. That is the reason why these are cognate bills. Where a bore or well is constructed, it shall meet the standards set by the Controller of Water Resources and minimum separation distances will apply between the waste water effluent trench and the bore or well.

The government is seeking to avert potential health hazards arising out of this problem and has considered the current deficiencies in both the Public Health Act and the Control of Waters Act. These 2 amending bills will give the Controller of Water Resources and the Chief Medical Officer respectively the power to rectify a potential health hazard where the owner or occupier of the property has not taken the required action.

Honourable members will be aware of the difficulties which arose after Cyclone Tracy with absentee owners of blocks whose properties constituted a health hazard. Of course, these powers will only be used in an emergency. However, to prevent owners from abrogating their responsibilities, there is provision for the cost of this rectification to be charged to them. This will overcome the problem of the person who is served with a notice and who deliberately chooses to pay the fine rather than rectify the fault. The penalties for offences under the Public Health Act are proposed to be increased from a maximum of $100 to a maximum of $1000. I commend the bills to honourable members.

Debate adjourned.

FILM CLASSIFICATION AMENDMENT BILL
(Serial 62)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill is designed mainly to allow for the changing of the NRC, 'Not Recommended for Children', classification for films, to PG, 'Parental Guidance'. It is considered that this new classification would more accurately reflect the Film Censorship Board's reasons for placing a film in that category; that is, the film contains some material considered unsuitable for unsupervised viewing by young children. Such a film is not necessarily unsuitable viewing for all children, irrespective of age. This could be implied by an NRC classification. Some films in the NRC classification are very suitable for viewing by children of certain ages. An example would be the award winning 'Chariots of Fire'. The PG classification emphasises the parental role in supervising children's viewing. This initiative is being introduced on an Australia-wide basis and it is hoped that, on 1 January 1985, the PG classification can be recommended for films in all jurisdictions.

Turning to the bill itself, clause 4 of the bill replaces the 'Not Recommended for Children' classification with the 'Parental Guidance' classification. A movie given this category would be recommended as being suitable for exhibition to children under 12 years of age under parental guidance. Clause 5 of the bill replaces the NRC symbol with the PG. Clause 6 of the bill makes some drafting amendments but, more importantly, increases the penalties under the act for exhibiting a film in contravention of the act, publishing or advertising matter about a film without indicating its classification and admitting young persons to restricted films to $600. This is a significant increase as the previous penalties were $100 or $50.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

LAND AND BUSINESS AGENTS AMENDMENT BILL
(Serial 63)

Mr ROBERTSON (Attorney-General): Mr Speaker, I seek leave of the Assembly to withdraw this notice. By way of explanation, the bill sought basically to simplify the process whereby trust accounts held by real estate agents were governed. In the form it is drafted, and on further late consultation with people in the industry, we decided that the real estate industry would need a

High Court judge to interpret the amended section. I apologise to the Assembly. I think it would be wise simply to withdraw the notice by leave and present it again once we have addressed ourselves to the difficulties which it contains.

Leave granted.

JUSTICES AMENDMENT BILL
(Serial 66)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to allow for the introduction of improved procedures for the appointment of justices of the peace and for the update and maintenance of records pertaining to those justices of the peace. Clause 5 deals with ex officio justices of the peace. In keeping with the approach adopted in Victoria and Queensland, it is considered that certain persons - in the Territory's case, judges, magistrates, clerks or assistant clerks of courts of summary jurisdiction or local courts - should be ex officio justices of the peace.

The advantage of such a provision can be seen by the fact that, as part of their general responsibilities, clerks of court are required to witness a wide variety of court processes including police complaints and information as justices of the peace. The procedure whereby they automatically become justices of the peace on their appointment as clerks of court is considered desirable. It would avoid further delays if clerks carried out their full duties pending appointment as justices of the peace. The appointment as justices of the peace would also cease upon their ceasing to be clerks of the court.

As an aside, for the information of honourable members, I am looking at the general question of people who assume the function of a justice because of their geographic location. A very good example is teachers or nursing sisters in remote and isolated communities. It is clear in some cases that it is necessary to have a justice in those locations. Of course, we should not expect them to remain justices where their geographic location would no longer require it. So a further amendment will be introduced at a later date.

Mr Speaker, the clerks of courts are checked before appointment as justices of the peace. In fact, in effect they must also be of a standard which would allow their appointment as clerks of courts. Clause 6 allows for the introduction of approved procedures for the taking of an oath of office as a justice of the peace. Mr Speaker, you would appreciate that justices of the peace are required in smaller settlements as well as the major towns. Previously, if the appointee resided more than 32 km out of Darwin, an oath of office could be taken before a commissioner for affidavits. These commissioners are now increasingly a rare breed. The bill seeks to amend the act to allow a person who resides within 30 km of the post office of Darwin or Alice Springs to take the oath before a judge or a magistrate. Appointees residing outside of these areas may take the oath before a commissioner for affidavits or a commissioner for oaths as well. There are many more commissioners for oaths in the Territory so the existing problem would be considerably alleviated.

Mr Speaker, also contained in clause 6 is an amendment which results in records of justices of the peace being held by the departmental head of the department responsible for the administration of the act. Previously, this was

done by the Crown Solicitor. In reality, it will now be the Secretary of the Department of Law. This is more in tune with the administrative structure of the department and I think perfectly proper as he is the officer responsible for the justice system through the Attorney-General.

Mr Speaker, we have also chosen to delete the reference to 'Her Majesty's Commission' in subsection 10(4) of the principal act and restructure that subsection in more appropriate terms. Clause 7 amends section 18 of the Justices Act so that, where a person becomes bankrupt, enters into an arrangement with his creditors or is found to be mentally defective, he shall automatically cease to be a justice. It is considered inappropriate that such persons should continue as justices. As the act stood, they could continue to act until such time as they are removed by the Administrator, which necessarily resulted in some delays. The power for the Administrator to remove a person from the roll of justices for a criminal act if he considers it appropriate is retained. The Administrator can of course determine any justice of the peace's appointment at his pleasure.

Subclause (2) of clause 7 provides that the departmental head - who, for the present, is the Secretary of the Department of Law - shall remove from the roll of justices the name of a justice who has died or otherwise ceases to hold office and can publish the same in the Gazette. He could of course otherwise publish this information, such as in a newspaper.

Clause 8 provides that the bill will apply to appointments made after the commencement of the act or where the person has been appointed but has not taken the required oaths.

Mr Speaker, passage of these provisions should enable the much smoother administration of the justice of the peace system. Justices of the peace do a fine job in the Territory. I commend them for it and I commend this bill to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 36)

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 the bill is to amend the Police Administration Act to provide that charges for police services may be made by the regulations to the principal act. It follows that, if charges are to be set by regulation, then the regulations must also nominate the type of services available, the fees for those services and the method of recovery of those fees. The police services I refer to are those provided to private persons and organisations such as traffic escorts, the provision of reports, statements and photographs relating to accidents and the provison of members who are required as witnesses in civil court cases. Such services and the charges or fees for those services have been previously listed in police general orders.

Although the Commissioner of Police has the power to issue general orders under section 75 of the Police Administration Act, it is considered doubtful if police general orders provide a sound basis for legal enforcement of such charges. To obviate any future problems, it is considered appropriate to amend

the act in accordance with the proposed bill. The regulations to the principal act listing the services and the fees to be charged for those services and the method for the recovery of those fees will be prepared in the near future. I commend the bill to honourable members.

Debate adjourned.

ENERGY PIPELINES AMENDMENT BILL
(Serial 45)

Continued from 12 June 1984.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the bill by and large covers some mechanical problems which exist within the present Energy Pipelines Act. However, it also provides for broader powers for inspectors to allow them to ensure certain safe working and operating conditions over the corridor through which a pipeline runs. It also provides for penalties for people who insist upon sinking bores, starting excavation work or driving vehicles other than in the gazetted areas.

I have very little to say about the bill except that the opposition certainly supports it. It is necessary. It is one of those motherhood bills: nobody could possibly disagree with it. However, I would ask the minister to conduct a very wide public awareness campaign prior to its implementation. People should not feel that it is only there to protect the pipeline. The area where it will be most immediately applicable is where Aboriginal people have lived for quite some time. They need to be made aware of why the law was enacted. It is not only to protect the pipeline although that is its immediate aim. It is also there to protect those people's lives. Certain actions can be very dangerous in the vicinity of a gas pipeline. I would ask the minister to provide for a very wide public awareness campaign. The opposition supports the bill.

Mr VALE (Braitling): Mr Deputy Speaker, I also support the bill and would like to take up some of the points that the honourable member for Nhulunbuy made concerning the safety factor and the need for a public relations exercise. I venture this comment: if anyone ignores the safety signs between Palm Valley and Alice Springs, they will know all about it if they hit the pipeline. The signs are there simply for the safety of the public. However, I support some of the remarks that the honourable member for Nhulunbuy made. Possibly, some additional publicity may be needed when these lines are first laid.

I wish to speak in support of this legislation which in effect gives pipeline inspectors appointed under the act more power to order work to cease which the inspector believes could endanger the operation of high pressure natural gas or the crude oil pipeline. Quite apart from the dangerous situation which could occur if such a line is damaged, such damage could also disrupt the supply of natural gas to a Territory powerhouse or, in the future, additional powerhouses.

Whilst I support this legislation, I am concerned that an exemption is made for vehicles or equipment on public or private roads even if they are in close proximity to a licensed pipeline. I believe that the inspectors should have the power or the authority to shut down any work regardless of whose land the pipeline is located on if, in the opinion of the inspector, danger exists. I would appreciate the minister's comments on this point.

Mr Deputy Speaker, confusion often exists in the public mind concerning the distinction between 3 petroleum products: LPG, LNG and natural gas. By way of

brief explanation, LPG, liquefied petroleum gas or bottled gas as it is commonly referred to, occurs in all crude oil and is relatively inexpensive to refine out. It occurs also in many but not all natural gas fields in Australia. This LPG is used throughout the Territory mainly for heating and cooking and, in a number of cases - too few unfortunately - for vehicles which have been converted from petrol to LPG. It is a product which, I believe, should be included in the petroleum freight equalisation scheme because it would result in a considerable reduction to Territorians.

LNG or liquefied natural gas is just that: natural gas in liquid form. The practice is that, when you transport natural gas across a continent, it is pipelined as natural gas. When this product is transported from one continent to another, the natural gas is liquefied and frozen and loaded onto tankers. On reaching its destination, it is unfrozen and deliquefied and piped ashore to its final destination. The infrastructure costs for this operation are enormous. However, it should be noted that the liquefication-freezing process reduces the gas to approximately 1/600 of its original mass. Hence 600 cubic feet of natural gas on point of treatment and loading becomes 1 cubic foot of liquefied natural gas in transportation and 600 cubic feet again on arrival and deliquefication at its destination.

In his second-reading speech, the minister mentioned a gas explosion in Spain several years ago involving a semi-trailer loaded with LPG. It is this point that I wish to close on. Many years ago in America, a ship carrying natural gas exploded resulting in many deaths. This was years prior to the liquefication-freezing process being invented or adopted. It resulted in natural gas discoveries in the Middle East being regarded for many years as a waste product which, on discovery, was burnt off resulting in this now valuable fuel having been wasted for many years and billions of dollars worth of fuel literally having gone up in smoke.

In conclusion, let me say that there is one area of concern I have in relation to our only natural gas pipeline in the Northern Territory. I hope there will be many more pipelines and, indeed, the Van Poolen report released by the Palm Valley consortium in recent days would tend to indicate that this will occur sooner rather than later. The one area of concern with the existing pipeline is the number of times that this line crisscrosses the Stuart Highway south of Alice Springs. I am aware of the reasons for this and it is related to sacred sites. I would hope that, in the future, any further pipelining is done a basis of the most direct route possible. I support the legislation.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to make some comments on this particular bill because the pipeline to which the honourable member for Braitling referred does pass through my electorate. I am somewhat nonplussed by his concluding comments about the pipeline crisscrossing the Stuart Highway south of Alice Springs. That is certainly news to me and I would be very interested to chase that up.

The only other comment I wish to make is to reinforce comments which other speakers have made. Certainly, it is not a contentious piece of legislation. It is about the safety of the public and the appropriate control of human activities in the vicinity of pipelines. I imagine that the pipeline planned to be constructed from the Mereenie oilfields into Alice Springs and carrying crude oil would be somewhat less dangerous. In all these matters, I am quite prepared to bow to greater technological knowledge. The member for Braitling provided a very interesting contribution to this debate because it seems to me that a natural gas pipeline could be extraordinarily dangerous.

I would like to draw to the attention of honourable members and the honourable minister a copy of a letter that was sent to me shortly before last year's Legislative Assembly election. It was sent to me by the Deputy Mayor of Alice Springs through the then member for Gillen, now the member for Araluen. In this particular letter, the Alice Springs Town Council quite obviously expressed considerable concern. The reason I raise it in this debate is that I would like to have some sort of answer from the minister about the difficulty that is referred to and the action that was taken by the Department of Mines and Energy in this regard.

The letter refers to the Alice Springs Town Council's works committee considering a report regarding the Palm Valley to Alice Springs natural gas pipeline. It refers to a perceived urgency in this matter which occasioned the committee to contact the minister. The works committee was concerned because it was understood that the pipeline was recently damaged within the boundaries of the power-station and that this damage led to the replacement of a section of the pipe, but would have had much more serious consequences had the line fractured. The works committee noted that, within the municipal boundaries, work carried out by other authorities had been observed in progress and were described as being uncomfortably close to the pipeline.

Mr Deputy Speaker, considering the comments by the member for Braitling concerning the dangers of a natural gas pipeline, and the fact that work occurring in the vicinity of such a pipeline may perhaps use equipment that might ignite such fuel fairly quickly, I would very much appreciate the minister giving some elucidation about his response or his predecessor's response to concerns in this regard. I had no idea that there had been dangers in this regard. I was aware that, because of the relatively light use in the initial stages of the Palm Valley gas pipeline, there had been problems of condensation inside the pipeline and that had caused some teething problems with the pipeline arrangements. I would very much like some explanation of of that particular incident and the concerns that were raised and whether the concerns raised by the Alice Springs Town Council's works committee had been explained to its satisfaction.

I close by lending my support to the bill. I appreciate the importance of giving inspectors the sorts of powers that are envisaged within it.

Mr FINCH (Wagaman): Mr Deputy Speaker, I will speak very briefly in support of the Energy Pipelines Amendment Bill. In so doing, I think it is worth commending the Minister for Mines and Energy on what I see as a very important piece of legislation which, for a change, provides preventative action to potential problems rather than trying to fix something after it has happened. In that regard, I am sure we will all appreciate as time goes by the importance that energy pipelines in general and the protection thereof will be to the Territory. The Northern Territory's economy and future development greatly depend on the successful utilisation of a great variety of our natural resources, and not the least important amongst these is the development of our oil and gas reserves. It is particularly important not just from the economic viewpoint but also in providing a reliable energy source which will reduce our dependency on liquid fuel imported from interstate and overseas over which we have no control on pricing or on reliability of supply.

The development of gas in particular in the Northern Territory is a most exciting one from our future development point of view and from the energy viewpoint. We have already the Palm Valley gas pipeline which feeds currently into Alice Springs Power-station and is reducing Alice Springs dependence on rather costly road transportation of liquid fuel. We have heard mention of Mereenie oil. I understand that, very shortly, if not already, transportation

of Mereenie oil by road in the interim at least will be proceeding. Whilst that is a very expensive exercise, undoubtedly it is only a forerunner of what will be within a short time, I am assured, the transportation by the far more economic means of pipeline. Despite the long distances through fairly harsh and rugged terrain, it has been shown quite clearly that the most economic means of transporting not just oil and gas but many other natural resources is extremely important to the viability of utilising some of our natural deposits.

Pipeline technology in recent years, particularly in Australia, has developed to such an extent that we are now considering moving a great variety of minerals by this means. Coal, iron ore and other materials are transported by slurry pipeline systems. Savage River, Tasmania, approximately 15 years ago was the first major exercise of this kind and enabled Australian technologists and engineers, both on the design, operation and construction side, to develop skills that have been used in pipeline technology throughout the Pacific area. In fact, it has enabled them to export their services overseas as well. This has been extremely important to the engineering fraternity in itself. As time goes by, buried pipelines will play an increasing role in our nation's future development. Pipelines have already played quite a role. As we are all well aware, the various types of service mains and pipelines that we have throughout our communities could be considered to be the lifeline of those communities. They have been in existence in different forms for centuries, particularly in relation to the disposal of waters and to the carriage of domestic water supply. I guess most of my experience has been in this area of hydraulic services.

In regard to the matter at hand and protecting the energy pipeline, I guess it is of value to reflect on some of those problems that were and still are encountered in the hydraulic services game because of excavation or interference of another means. I can recall a number of breakages in sewerage lines where other authorities interfered with what were then fairly sensitive and fragile pipes. They were clay pipelines and they were very sensitive to disturbance of any kind at all. I would need to resort to fairly descriptive language to describe the rather colourful occurrence of broken sewerage pipes. The nuisance and pollution that can come from undersirable breakages is a burden on the community and something that we should insure against. It is not related just to sewerage mains but water mains too. I am sure we have all seen both the wastage, the nuisance scouring and the tearing up of roads and other services that are caused by breakages in water mains and underground power systems.

Of course, it is not just a nuisance to consumers, industry and the general public but there is also danger in breakage of some of these service mains. Underground powerlines is one of them. I can recall some rather drastic and catastrophic excavations that resulted in the deaths of plant operators or assisting labourers. Other more subtle problems have resulted from unwarranted and unwanted disturbance. For example, a coaxial cable was only slightly disturbed and its outside coating just scratched but, over a period of time, the infiltration of water caused the protection around that coaxial cable to give way and the entire coax between Melbourne and Sydney disintegrated into a fused mess. So we need to address ourselves not just to the immediate and obvious dangers but also to some of those other subtle, long-term influences of undesirable works. Redirection of groundwater might not only provide scouring of trenches but disturbance of bedding materials could in fact set up corrosive electrolysis that, in the long term, could break down connections or joints in piping. Some of these things, whilst they are not very obvious at the time, have rather dire results.

Therefore, it is quite sensible for the act to address itself to providing a protected area and not just the pipeline itself but a reserve that will prohibit people from entering without authority. That would prevent people from accidently disturbing either the pipeline itself or its surrounds.

Mr Deputy Speaker, the bill is fairly simple. With the development of energy pipelines throughout the Territory and the anticipation of fairly extensive gas pipeline supplies together with the associated spur lines to small communities, there is no doubt that this legislation will become very important as a protective measure to ensure that our supplies and our energy systems remain intact.

In regard to the mention made by the member for MacDonnell regarding alignment of pipes south of Alice Springs on the Stuart Highway, I am quite sure that he would be surprised to learn that the designers would not be looking at crisscrossing major highways just for the sake of it. I am sure that he will find that it is a direct result of avoiding sacred sites. I am most surprised to learn that he was not aware of the situation in his own electorate. Mr Deputy Speaker, I commend the bill to members.

Mr TUXWORTH (Mines and Energy): Mr Deputy Speaker, I thank honourable members for their contributions. Just to recap, I think it is fair to say that the legislation is very important in light of the pipeline that we have built and those we are building at the moment between Mereenie and Palm Valley and Alice Springs. However, it would be my contention that, before this decade is out, we will have a pipeline from Alice to Darwin, from Mataranka to Gove, from the Amadeus Basin to the Cooper Basin and from the Amadeus Basin to the Jackson field. That might sound a little high flying at the moment but, as the days go by, it will become obvious to members that these sorts of things are going to happen. There is an old saying in the oil and gas industry that pipelines beget oil and gas. The moment you put the infrastructure down and exploration increases along the route, invariably people keep on finding the product. I do not think the Northern Territory will be any different from anywhere else in Australia or the world.

Mr Deputy Speaker, the honourable member for Nhulunbuy raised a pretty valid point about a public awareness campaign. I will take that on board and see that we do something positive about that because really there is little point in passing legislation if we do not go to the trouble and the additional cost of bringing it to the attention of those people who should be aware of it because of their duty and their work.

The honourable member for MacDonnell raised his concern about safety aspects. I am not aware of the particular incident in Alice Springs to which the honourable member refers. I would say though that safety is a matter of perspective and, the more removed you are from an industry or a technology, the less safe it seems. Perhaps council members were quite alarmed about something that is quite acceptable within the industry and would be regarded as a normal risk within the industry. But if he has any need for further information on the specific facts relating to that incident so that his own fears can be allayed, I would be happy to get it for him.

I would also be the first to contend that the safety of the pipelines is foremost in our minds. I do not think it matters whether it is oil or gas. When it goes up, it goes up. The bang is all relative and the fewer people there or anywhere near it, the better. That is exactly what the legislation is about. People have a responsibility in relation to this matter. If people transgress, then there is a penalty for it. This came out of an earlier

incident in central Australia when a person was digging pretty close to a line. He said: 'Well, it has nothing to do with me. It is someone else's problem'. That is very simplistic because it would very much have been his problem if it had gone up while he was sitting over it with a digger. In that event, there should be a similar mechanism to the Telecom policy. When you transgress with Telecom, it sends you a big fat bill. It is very sobering.

We need to pursue this awareness program with all the people in the industry who are likely to have any impact on the pipelines by way of digging, trenching, drilling or whatever so that they are made aware of their responsibilities and where the pipelines are.

Mr Deputy Speaker, I do thank honourable members again for their contributions. I am grateful for the support the bill has. I am sure it will serve its purpose and I foreshadow that there are no amendments and I will be seeking the leave of the Assembly to move a motion in relation to the third reading.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

EVIDENCE (BUSINESS RECORDS) INTERIM ARRANGEMENTS BILL
(Serial 41)

Continued from 6 June 1984.

Mr BELL (MacDonnell): Mr Deputy Speaker, at one level, this is a commonplace bill and, at another level, I certainly found it to be quite an interesting piece of legislation. I thought that I might share the fruits of some of my investigations with honourable members today. Being a layman in these matters and quite unschooled in the legal principles of evidence, a highly technical area within the law, I felt it incumbent upon me to develop some understanding of the principles involved in this.

Looking at it from the first principles, evidence of a fact, an action, activity or event in a court of law has to be considered according to certain canons. Within this context, there are at least 2 canons that are in conflict with each other. Firstly, we have the principle of the admissibility of relevant evidence. Obviously, it is important in any legal proceedings to admit any relevant evidence - any evidence that may have bearing on the matter before the court. The other principle that conditions the admissibility of relevant evidence, as the Attorney-General mentioned in his second-reading speech, is the principle against hearsay. This means that evidence of a fact during a legal proceeding has to be direct evidence of the fact. This means, for example, that, during a legal proceeding, a document tendered to the court has to be an original document. Quite obviously, as a result of the rapid technological change that has affected business operations, the tendering of original documents is much more difficult than it might have been in the age of Charles Dickens when records were kept by hand and direct attestation could be made of their accuracy. Where the original document may be merely some electronic impulses within an IBM computer, there is quite clearly considerable difficulty in presenting the original document to attest to a particular fact.

The question that occurred to me at this point was under what circumstances and in which particular cases had this been a problem. I was very interested to

hear of a case in the United Kingdom that had been taken through a number of courts of appeal right up to the House of Lords. A man had been charged and found guilty of being aware that stolen cars were being provided to him and buying wrecked cars of the same make and model and changing registration plates across from the wrecked cars to the stolen cars. That is what the Crown alleged. The gentleman concerned maintained that he was rebuilding the wrecked cars and he had no knowledge of the stolen cars whatsoever. The only way the Crown was able to show that stolen cars had been used was with manufacturers' records. In this particular case, an attempt was made by the defence counsel to ensure that that particular evidence was disregarded by the court. Although the appeal was not upheld and the man involved was found guilty, I think it provides a clear illustration of the problems of particular records not being able to be attested in a court of law.

There have been a number of similar cases that have caused amendments to evidence acts in various jurisdictions. The legislation that is before us, as the Attorney-General noted, is the result of the New South Wales Law Reform Commission's report on the evidence (business records) brief that it presented to the parliament of New South Wales in August 1973. It is from there that this bill is taken. I certainly found it interesting that there were these problems within court operations. I have no hesitation in offering the opposition's support for the bill. I found considerable interest in the principles involved in this legislation.

Mr FIRMIN (Ludmilla): Mr Speaker, in supporting this bill, I reiterate 2 points: firstly, the bill is an interim measure to provide greater admissibility as evidence of electronic and computer business records and, secondly, the bill has followed very closely the New South Wales business law provisions.

In relation to the interim measure, one might well ask about the need for this temporary legislation. The answer is that the Northern Territory government has for some time been awaiting with interest the results of the Australian Law Reform Commission's findings and its proposed model for a uniform evidence bill. Unfortunately, we have been waiting for several years and, on recent advice, it would appear that we might have to wait for several more years before the model is complete. In the meantime, we investigated various states' provisions and found that New South Wales, following the findings of its state Law Reform Commission, enacted legislation which appears to be working well and has been reported favourably in law journals.

Mr Speaker, having said that, I will now turn to the thrust of the bill. This bill applies its principles to both civil and criminal proceedings and provides for the admission of business records as evidence provided that the provisions within the bill are met. Up until recent times, English law based on the twin principles of onus of proof - that is, whoever alleges shall prove according to some onus or other depending on the type of case - and what is required to be proved has to be proved has been the benchmark for the admissibility of evidence which was adopted in our community to ensure that the ingredients of the offence alleged against the defendant are proved and proved in a fair way. In assisting with the achievement of these principles, the English legal system adopted what is called the hearsay rule of evidence; that is, evidence given in court will be excluded if it is evidence not given of a witness's own knowledge but only what he has heard. That evidence is rejected because it is not a witness's own knowledge and cross-examination cannot test it.

This bill provides for the hearsay rule to be set aside provided the court is satisfied with the production of that record and that a qualified person has

made the statement, produced the document or caused the record to be made. Clause 5, which covers the concept of admissibility, is the keystone to this bill. In other words, the general purpose of clause 5 - indeed the central purpose of the bill - is to provide an exception to the rule against hearsay evidence by specifying that, subject to other provisions of the bill, if the requirements of paragraphs (a), (b) and (c) of subclause (1) are satisfied, a statement in a document of relevant fact or opinion is admissible as evidence of that fact or opinion. Paragraph (c) is concerned with the nature of the facts of which a statement of fact admissible may be evidence. The effect of paragraphs (c)(i) and (c)(ii)(A) is that such facts must be, or be derived from, facts of which one or more persons engaged in the business had, or might reasonably be supposed to have had, personal knowledge. Paragraph (c)(ii)(B) is directed to facts in statements produced by automatic recording devices of various kinds; that is, machine information and hence not information based on information supplied by a person. The provision is designed to cover information produced by machines used to measure or count goods sold which transmit the information directly to, say, a computer and automatically print out an invoice, including the information which is dispatched with the goods. In such situations, there is no 'qualified person' in making the relevant statement and hence the necessity for the provision. For example, some modern petrol pumps are linked to computers which measure the number of litres supplied, the date and the price and print the information on a receipt.

Having said all that, one might feel uncomfortable at a major change in the thrust of the law which protects individuals in the area of hearsay evidence. Let me set people's minds at rest. Quite clearly, clauses 7 and 19 have safety mechanisms built into them, particularly in the area of criminal offences, to protect the rights of individuals which have been built up over centuries and are part of the foundations of our law and to protect the civil liberties of the litigants. These clauses give the court power to reject evidence which would otherwise be unfair to the defendant. Evidence may also be rejected or excluded if its weight is too slight to justify the court acting on it or, in the case where there is a jury, if it could mislead the jury. Additionally, if a jury is empanelled, the court, where it believes a document containing the statement might be given undue weight by the jury, may direct that it be withheld from the jury during its deliberations. In its findings, the New South Wales Law Reform Commission felt that the vesting of the discretion in the presiding judge to apply these controls over evidence before a jury is the best way to ensure that the conduct of trials is fair to both prosecution and the accused. So far as it applies to documents, the bill adopts the principle that justice is better done by admission of evidence and consideration of its weight than by refusing to admit evidence on technical grounds. I commend this approach and I commend the bill.

Motion agreed to; bill read a second time.

Mr ROBERTSON (Attorney-General)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MOTION

Rescision of Resolution - Energy Pipelines Amendment Bill (Serial 45)

Mr TUXWORTH (Mines and Energy)(by leave): Mr Speaker, I move that the resolution of the Assembly for the third reading of the Energy Pipelines Amendment Bill 1984 (Serial 45) be rescinded and that consideration of the bill in committee of the whole Assembly be made an order of the day for Thursday 23 August 1984.

Motion agreed to.

ADJOURNMENT

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

Mr PALMER (Leanyer): Mr Speaker, I rise to talk about an article which appeared in the Northern Territory News of Saturday 18 August concerning our federal member, John... John...

Mr Bell: Who? Reeves?

Mr PALMER: Yes.

Mr Robertson: A very forgettable character.

Mr PALMER: I thank the honourable member and compliment him on his retentive memory and his obvious attention to political detail.

The article I refer to covered an exchange of correspondence between 2 senior officers in the Department of Employment and Industrial Relations. It is a copy of internal minutes from R.L. Marshman, First Assistant Secretary, Job Creation and Youth Programs Division, and I am sure that any former member of the Commonwealth Public Service in the Assembly will realise just how heavy an FAS is in the Australian Public Service structure and therefore the weight that can be attached to this minute. It is a minute to Mr John Wilson, Regional Director, Northern Territory. It reads as follows:

At the request of the minister's office, I met recently with John Reeves MP for general discussions on his concerns about the way the CEP is operating in the Northern Territory. His basic concern is that the Chief Minister is winning the publicity stakes and that he is not in a position to benefit, in a publicity sense, from the expenditure of Commonwealth money in the Territory. We discussed a number of measures that might help him to obtain greater participation in the program and a higher profile in the announcement and publicity process. They included regular meetings with you to ensure that he is aware of what is happening and can provide input to the decision-making processes through the consultative committee. Wherever possible, we should make arrangements for him to officiate at the opening of projects. The agreement of individual sponsors would be required. However, I feel sure that this could be arranged with your help: that projects be signposted in accordance with my recent minute on publicity; and that we arrange an early discussion with Mr Reeves to allow him to see the new video and the associated publicity material. He indicated that he would like a personal copy of the video. I will arrange this; perhaps he could be asked to launch the video in the Northern Territory.

I would be grateful if you could arrange an early discussion with Mr Reeves to thrash out a process whereby he will feel that he can be more significantly involved and obtain more benefit from the approval and announcements of CEP projects in the Territory. I would be grateful if you could give this matter your personal attention. If you have any problems, please do not hesitate to give me a call.

Yours sincerely,

R.L. Marshman

First Assistant Secretary - Job Creation and Youth Programs Division.

Mr Wilson obviously respected the authority of Marshman's minute. It was dated 13 June 1984 and, allowing for the usual postal delays, it could not have reached Wilson much before 15 June. Yet, by 18 June, he had met with our Mr Reeves, discussed his paranoia and, by 22 June, had prepared and dispatched a reply to Mr Marshman. It is in Mr Wilson's reply that we get an insight into how Reeves is tormented by the increasingly threatening spectre of the Chief Minister and of the depths to which he is prepared to sink in an attempt to improve his image. It seems that, not only does our rather smelly John have no regard for his own moral conduct...

Mr BELL: A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr BELL: I think that the language used by the honourable member for Leanyer is decidedly unparliamentary and I would ask that he withdraw it. There are certain epithets that can and cannot be used and I suggest that they are rather beyond the bounds of what is acceptable.

Mr SPEAKER: The honourable member for MacDonnell has asked me for a ruling in respect of the language used by the honourable member for Leanyer. I believe that the language was, in some way, probably a little off. I would appreciate it if the honourable member would moderate his language.

Mr PALMER: It seems not only does our not-so-sweetly-scented John have no regard for his own moral conduct, if in any small way that can help his cause, not only does our John have no moral values, but he expects others to prostitute themselves in his cause. Let me read Wilson's reply to Marshman, which I have no reason to believe is other than a fair and accurate summary of what occurred at his meeting with Reeves and a Mr Curran on 18 June 1984:

Mr R.L. Marshman
First Assistant Secretary
Job Creation and Youth Programs Division

I met with Mr John Reeves on Monday 18 June 1984, accompanied by Mr J. Curran of your office, to discuss in detail Mr Reeves' concerns regarding the operation of CEP in the Northern Territory. Basically, Mr Reeves' concern is that the Commonwealth, Mr Reeves in particular, is not getting sufficient publicity and mileage out of the program. In fact, Mr Reeves feels that the Chief Minister is gaining most credit for the program and is, in fact, promoting it as a Northern Territory government initiative. I have no evidence to support such an assertion and my own judgment, from listening to the radio, reading the newspapers, watching television and talking to many people in the Northern Territory, leads me to conclude that the Chief Minister has shown very little interest in CEP.

Mr Reeves points to a number of events where a newspaper article appeared without reference to Mr Willis but mentioning Mr Everingham and a press release that was issued prior to an agreed embargo time. Territory officials claim that there was a slip-up in the press area of the Chief Minister's office which resulted in an early release.

And I might add there, also a slip-up by the ABC.

It is also understood that the newspaper deleted Mr Willis' name and not as a result of any action on behalf of Mr Everingham. Mr Reeves is aware of the above but still believes collusion has taken place. I have offered to reinvestigate any areas if you can give me additional information and would like to take the issue up at officer level with my counterparts in the Northern Territory if foul play has occurred.

Mr Reeves' other concern is for signposting. He highlighted both the lack of signs and was critical of a sign erected by the secretariat to publicise a project sponsored by the Northern Territory Department of Transport and Works. Mr Reeves' criticism lay with too much writing and that, under the title 'CEP', it stated 'a joint Commonwealth-NT project' - which it was. Also, it indicated that all the moneys had been provided by the Commonwealth. This is so as the project was a base grant. I have attached a photo of the sign so you may make your own judgment as to its appropriateness. I will arrange for any alterations you feel are desirable.

Mr Reeves would like a standard sign of posters developed that could be displayed in projects that do not have a facility for external signs. Both are reasonable suggestions which could be considered by central office. Mr Reeves would also like to see TV and radio advertisements on a paid basis. I am in agreement with this idea and would suggest the region be allowed to design a number of simple messages to accompany a TV ad or that could be broadcast. I envisage a title 'CEP is Working' then showing a project with participants with the message in the background explaining that the CEP is a Commonwealth initiative to assist the long-term unemployed and the disadvantaged job-seekers to gain employment and training skills with the prospects of general community benefit.

Mr Reeves wants to gain publicity from officiating at the opening of projects. I suggested to him he could possibly arrange with the minister's office to announce and open all Commonwealth CEP projects. As most of these projects involve Aboriginal communities, he did not see any mileage and, also, Senator Ted Robertson oversights the Department of Aboriginal Affairs. Mr Reeves wants to officiate at the community groups projects. I agreed to approach sponsors of suitable projects and suggest that they have an official opening and invite the minister. The minister may then nominate Mr Reeves to officiate for him. However, as the NT considers the program to be a joint venture, the moment they realise what is happening I suspect that the minister will receive a complaint from Mr Everingham. It would also make working relationships with Northern Territory officials more difficult.

I have arranged to meet Mr Reeves prior to consultative meetings to discuss projects being considered and any other issues. However, I have concerns that any information I provide to Mr Reeves prior to a consultative meeting will be used by him prior to the meeting or after the meeting before the official process is complete. Mr Reeves is going to take up with the minister the issue of gaining the recommendations of the consultative committee prior to the approval of the Chief Minister. This would be contrary to the agreement between the Northern Territory and the Commonwealth, as it exists, and I feel any changes would or should be discussed with the Northern Territory government. However, their attitude has been made clear in previous correspondence with the minister. Quite frankly, I see no

way of resolving Mr Reeves' difficulties with the announcement process while the program is jointly administered and whilst Mr Reeves and Mr Everingham are both candidates for the NT seat in the House of Representatives at the next election.

It is evident that all that dishonourable John sees in the CEP program is a chance to upstage the Chief Minister to gain political points. I am sure that he is going to be only too willing to go public and let the Northern Territory electorate know that, in last night's budget, he achieved an increase in CEP funding for the Territory of 13.4%. He might also tell Territorians that New South Wales received a 45.2% increase, Victoria a 47.5% increase, with an average increase for the 6 states of 44%. That can mean only 1 of 2 things: the Territory is in a far healthier economic condition than the rest of Australia or John Reeves has been derelict in his duty.

Let us return to Wilson's second last paragraph:

Mr Reeves is going to take up with the minister the issue of gaining recommendations of the consultative committee prior to the approval of the Chief Minister. This would be contrary to the agreement between the NT and the Commonwealth, as it exists, and I feel that any changes would or should be discussed with the Northern Territory government.

Reeves has a strangely different public attitude. This is a press release issued from the member's office dated 17 May 1984:

In the wake of last week's startling unemployment figures, Territory MHR, John Reeves, has proposed a joint Territory-federal government task force to tackle the serious problems facing the Territory. Mr Reeves sent a telex to Employment and Industrial Relations Minister, Mr Ralph Willis, and the Territory Minister for Employment and Industrial Relations, Mr Everingham, with his proposal: 'It is no good trying to score political points. It is too serious. We should put aside our political differences and work together to find the best solution for the Territory's sake'.

That is Reeves: 'It is no good trying to score political points. It is too serious. We should put aside our political differences'. That is Reeves talking about unemployment, suggesting the setting up of the joint Territory-Commonwealth task force - a task force, I suppose, working in an atmosphere of mutual trust...

Mr LEO: A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr LEO: I would suggest that the honourable member opposite at least address the person of another place with his correct and due title.

Mr PALMER: What is his correct and due title?

This task force, I suppose, would work in an atmosphere of mutual trust - trusting each other not to get involved in the game of political point scoring. I agree it is a serious subject, but it is not serious enough to prevent Mr Reeves, through minister Willis, trying to bludgeon public servants into deliberately breaking the Commonwealth-Territory agreement on the state component of community employment projects. It is not serious enough to prevent

him wrecking the good working relationships of Territory and Commonwealth public servants. What is serious enough? I will tell you what is: John Reeves cares about John Reeves and John Reeves alone. That is the only serious issue he has seen in all this. Mr Wilson suggested that Reeves could open all Commonwealth-funded CEP projects provided, of course, there was to be an opening. That was not good enough for Reeves; most Commonwealth projects are on Aboriginal communities. What use is that to Reeves? Unless Reeves is prepared to call...

Mr LEO: A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr LEO: Mr Speaker, the point of order is that there is an MHR for the Northern Territory whose name is John Reeves. This Assembly should at least recognise that person's position and address him in a proper manner. He is a person of similar stature to ours in another place and he should be addressed as such. Mr Speaker, I would suggest that you direct the honourable member opposite.

Mr PALMER: Mr Speaker, unless the honourable John Reeves is prepared to call Mr Wilson a liar - and he would not do it outside the parliament - the honourable John Reeves sees no mileage in Aboriginal communities. I will quote Wilson again:

> *I suggested to him he could possibly arrange with the minister's office to announce and open all Commonwealth CEP projects. As most of these projects involve Aboriginal communities, he did not see any mileage.*

There is no mileage, Wesley; no mileage there, mate. Next time he is in your electorate, rest assured he sees no mileage in you. If I were you, I would...

Mr BELL: A point of order, Mr Speaker!

Mr SPEAKER: There is no point of order.

Mr BELL: There is a point of order, Mr Speaker. The honourable member for Leanyer should be addressing his comments through the Chair.

Mr Robertson: You do not have to do that. Take no notice.

Mr Bell: That is under Standing Orders.

Mr Leo: Come on, James, you have more respect for Standing Orders than that.

Mr PALMER: The next time Mr Reeves visited the electorate, I would ask him most impolitely to leave and to go somewhere else where he does find mileage. The honourable John Reeves owes the Aboriginal population an apology. Not only does he owe it an apology, he should admit he has no right to seek their vote ever again. His actions in trying to subvert existing successful Territory-Commonwealth arrangements and his statements as accurately reported by the Regional Director of the Department of Employment and Industrial Relations stand condemned as shameful and despicable.

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

Mr SMITH (Millner): Mr Speaker, I think the honourable member for Leanyer has shown his naivety and his lack of knowledge of the practices of this Assembly in that quite disgraceful performance.

Mr Tuxworth: And lack of compassion for the federal member.

Mr SMITH: And lack of compassion for the federal member, not that he deserves any compassion or needs any after ensuring, through his own efforts since he has been elected, the most successful federal budget for the Territory that we have had since self-government. I think that there is no doubt, Mr Speaker, that the budget we had last night is the best budget that we have had in the Northern Territory. It is due in no little part to the efforts of the federal MHR, John Reeves. I will give you one example, Mr Speaker, and that is the 25% increase in zone rebate. People on both sides of this Assembly have been arguing for a considerable number of years for an increase in the zone rebate. It is John Reeves, by his own efforts, who has delivered to the people of the Northern Territory that increase and I think he deserves the congratulations of this Assembly.

Mr Speaker, it is an interesting story to look at what happened last night in the federal budget and to determine its impact on the Northern Territory. We had the situation where the federal government, by its own efforts over the last 15 months, was able to put the economy in such a shape that it was able both to deliver significant tax cuts to people in Australia and to decrease significantly the size of the deficit. The deficit this year has decreased from $9600m under Fraser to $6745m this year. That is a decrease of $2855m. To put it another way, the deficit is now 3.3% of the gross domestic product. In the previous financial year, at the time of the last budget, it was 4.3% of the gross domestic product. That, of course, is quite a significant decrease.

Inflation, as we have heard in another debate today, has been reduced to 5% and, by June 1985, over 400 000 new jobs will have been generated as part of the recovery. Of course, a significant number of those new jobs have already been generated. That is a significant reason why there has been quite a dramatic increase in income tax revenue collection. Not that individual people's salaries have increased dramatically. We all know that that is because of the wages accord. What has happened is that a significant number of people have been added to the workforce, which is the primary reason for the significant increase of about 14% in income tax revenue collection.

Mr Speaker, it is significant that the economic management policies of the Hawke government have led this country back on the road to prosperity. Inflation is down, interest rates are down and unemployment is down. They are all healthy signs that the economy is back on the road. At this stage, it would be remiss of me if I did not pay sufficient weight to the contribution of the wages accord to that process. It is quite clear that the wages accord has played an important part in the recovery of this economy. The Labor Party, even before it was in government, was able to do something that the Fraser government could not do and that was reach accord with the unions on a procedure and a method for the economy to be put into shape again. That accord was struck. That accord has held and it has brought benefits to all Australians. I know that it is fashionable in some quarters to criticise the ACTU and individual unions, but certainly they have stuck to that accord and we have all reaped the benefits.

Turning to a specific Territory viewpoint of the budget, we have had a tax cut of $7.60 for most wage earners in the Northern Territory and in Australia. That is, of course, for all but the silver tails like ourselves. We have had a

zone rebate increase of 25%, which we have all been after for some time. Pensioners and the unemployed have had their third significant increase since the Hawke government was elected. We have had a 12.5% increase in the allocation to the Territory government and, as the Treasurer has pointed out, the Memorandum of Understanding has been fulfilled. Of course, it has been fulfilled, Mr Speaker. The Hawke government is an honourable government and fulfills its commitments. When it wants to consider changing those commitments, it gives due notice and takes into consideration the views of the other governments, unlike this government's attitude to Federal Hotels, as we outlined yesterday.

As well, we have had specific commitments to the Darwin airport, to Tindal and to Rum Jungle rehabilitation. We have continuing money for both the operating subsidy for NTEC and about $6m for capital works on Channel Island as part of the federal government agreement to give $120m. Most significantly, we have a 25.6% increase in funds for roads in the next financial year. Consider that, Mr Speaker: a 25.6% increase in money for roads this financial year - a sum of about $43m.

For the benefit of my colleague, the member for Nhulunbuy, I will mention a couple of small Nhulunbuy projects. One is that money has been allocated for a control tower for Nhulunbuy and, secondly, money has been allocated for at least a start on the meteorological station there. I pay tribute to the member for Nhulunbuy for his efforts in that regard. Together with the federal member, he has worked extremely hard to make sure it happened. The result of the budget is that there has been guaranteed to the construction industry in the Northern Territory a steady flow of work for the next decade through all those projects that I have listed.

Mr Speaker, a couple of other things were not immediately clear in the budget until you read it very closely. One of them is that the rate of depreciation on new, non-residential, income-producing buildings will be increased from 2.5% to 4%. That, in itself, is a significant boost to the construction industry and for the tourist industry in the Northern Territory as it allows tourist operators, who are going to establish new buildings, to write off their investments over 25 years, instead of the previous 40. I believe that will be a significant incentive to tourist operators in the Northern Territory. As well as that, we have the new government policy in the mining area and that is that money spent on general mining exploration will be deductible against income from any other source of that company. I am sure that we will find that to be very acceptable to the mining industry indeed.

Mr Perron: What about Kakadu?

Mr SMITH: What about Kakadu? That is a good question; I am glad he reminded me. Of course, I am not aware of any government that commits money to projects until it has carried out initial surveys and held the initial meetings. As you are aware, Mr Speaker, there will be a major meeting between the 2 governments on Kakadu in September and I confidently expect that there will be some announcement after that date on the federal government's plans for Kakadu.

Mr Speaker, the budget provides the basis for the Northern Territory government to bring down a budget itself next week which will advance economic development in the Northern Territory. The federal budget has benefited the Northern Territory in 2 ways. First, the federal budget has increased the federal government's contribution to the Northern Territory by about 12.5% which, in itself, is considerably above the present rate of inflation and the rate that has prevailed over the last 12 months. Secondly, the Northern

Territory government and state governments throughout Australia have benefited from the success of the federal government in putting the economy on an even keel and helping both consumer and investor confidence. Certainly, that gives the Northern Territory government the opportunity to come down with a very good budget indeed next week.

I would urge the Northern Territory government not to squander the opportunity that has been given to it by the federal government with the resources that it has supplied and to make sure that, in fact, we do get a good budget next week. I would urge the Northern Territory government not to assume that, because tax relief has been given to taxpayers in the Northern Territory, in that the zone rebate has been increased, that provides a great opportunity to increase its own taxes and charges. I know it must be a considerable temptation because we are 3 years away from an election. The government has already signalled the temptation by what has happened in the housing area. I would hope the Northern Territory government will bring down a responsible budget next week which will not in any way inhibit the growth that the federal government, by its allocations to the Northern Territory this year, has set up.

Mr McCARTHY (Victoria River): Mr Speaker, yesterday in the Assembly the member for Berrimah touched on a subject that will strike a chord of acceptance with every reasonable person in the Territory and indeed Australia: the subject of Asian immigration. As the honourable member for Berrimah intimated, the Country Liberal Party at our annual conference last weekend supported wholeheartedly continued close links with our Asian neighbours and full acceptance of a platform already in place for the acknowledgement of the Territory's place in Asia and an acceptance of Asian people in our midst.

It will not have escaped the notice of the honourable members that only this morning here in this Chamber there was a group of young Asian students in attendance. I for one took special note of those people and watched them for a fair bit of the time that they were here. I assume they were from the English language course although I do not have facts to back that up. But I took special note of the attention and interest that they paid in this Assembly. Their behaviour and attention to the Assembly were exemplary.

In recent times a lot of attention has been given to differing views on Asian immigration to Australia. It would be futile to say that there is not a difference of opinion on that question. However, it is quite safe to say that the vast majority of Australians accept and acknowledge the place Australia has in Asia and the same majority accept that Asians have a place in Australia. I draw attention to the fact that the Northern Territory is unique. I should not have to draw attention to that but it is unique in Australia. I quote from a recent newsletter from Bernie Kilgariff, our one active senator for the NT:

> *Here more than anywhere else in Australia can be seen the successful mingling of more than 70 races, many from the South-east Asian region. These people are an inherent and vital part of our community and we are all proud of the cosmopolitan spirit of our Territory. The NT can do much to foster even closer links between the people of South-east Asia and all Australians, links which will be vital to our country's future security and development.*

I wholeheartedly endorse those comments from our senior senator. Having spoken to Senator Kilgariff at some length following his recent visit to refugee camps throughout Indo-China as part of a parliamentary delegation, I am of the opinion that we in this lucky country and this potentially luckier Northern Territory should be widening the crack in the partly-opened door of Asian immigration to Australia.

I refer also to a press release of the Chief Minister with regard to Asian immigration:

> *In the view of the Northern Territory, any immigration policy should be based on people and not on their nationality...*
>
> *In the Northern Territory, we regard people as people, irrespective of their origins. We need as many good people as we can get to help develop the region for the sake of the whole community. An even-handed approach should be the only criterion for Australia's immigration policy. That is the only policy that will be supported by Territorians who already make up Australia's most successful multi-racial society.*

I number among my friends many Asians, and I have done so for a long time. I for one have no fears of Asian immigration to Australia. I call on all members of this Assembly to acknowledge the place of Australia in Asia and of Asians in Australia, and to lay to rest any fears in this regard.

Mr LEO (Nhulunbuy): Mr Speaker, I cannot let the opportunity pass to make some comment on the speech of the honourable member for Leanyer who seems to be creating a bit of a reputation for himself in this place for...

Mr Perron: More than you've done in about 3 terms.

Mr LEO: It is a hell of a lot less than what you have done Marshall. You have created a reputation for yourself, and believe you me, it is not all that flash, son. It is not all that flash.

Mr Perron: Is that right?

Mr LEO: Mr Speaker, the member for Leanyer seems hell bent on creating a reputation for himself. I am quite sure that his electorate will appreciate it and they will express their support and indeed their acknowledgement of his reputation at the next election. I think that is probably enough to say on the matter.

The honourable member for Victoria River made some very worthwhile comments about immigration generally into this country. I wholeheartedly endorse those comments. I think Australia is a land of people. The belief that I was brought up with is that this is certainly a land that accepts people for what they are. It is unfortunate that his federal colleagues do not see it quite that way. It is also unfortunate that those same sentiments are not expressed when it comes to Aboriginal people in the Northern Territory. That was a digression and I do apologise for it.

There is a matter that I do want to raise in the Assembly this afternoon which is of some personal concern to me and, I believe, of personal concern to a number of policemen in the Northern Territory. It has been put to me that a junior police officer has received 12 months leave without pay to attend to some private business within the Northern Territory. I will not go into the details of this. I am not about the business of creating innuendo. If I wanted to do that, I could have done it in question time. Indeed, I could have done it when there were press people in the gallery. It certainly is not done in that manner. I wish only to get immediate answers from the Chief Minister. If I had thought that I could get those answers more quickly by mail, I would have put them to the Chief Minister in a letter. It is of personal concern to me because I am concerned about the reputation of police in the Northern Territory and, indeed, the service of the police officer.

It has been put to me that there is a junior policeman in the Northern Territory who has been given extended unpaid leave to pursue some private business activity. It has also been put to me that the same junior policeman is currently resident in the commissioner's domicile that is provided as part of his conditions of employment. I would ask the Chief Minister - and I am quite sure that his officers are presently taking note of my comments - to reply to those allegations which I have heard. I would ask the Chief Minister to reply as soon as possible to me and indeed to the police force generally because it is a very serious matter which has been put to me. I do think that it requires an immediate and complete rebuttal of the allegations or an explanation that is acceptable to myself, this Assembly and the police force generally.

Mr HANRAHAN (Flynn): Mr Speaker, honourable members may or may not recall that, in the June sittings this year, I advised the Assembly that I had corresponded with the management of the ABC both here in Darwin and in Sydney. That was more than 2 months ago. To this date, I have not received a reply. Honourable members may recall that I read into Hansard some 23 questions. I have had by way of a courtesy an acknowledgement of my letter from both ABC headquarters in Sydney and the local Darwin office. They told me that, in due course, when the time is found to attend to the matter, I will be advised accordingly. I reiterate that the questions I asked were monetary based and related to procedures adopted under the CEP employment criteria and in particular to certain travelling and living allowances that were paid to temporary and acting staff posted to Darwin. I have had no reply although word has it that a reply is in the pipeline. I have been told verbally by a third party that the reply has gone to a higher authority for approval before transmission to myself.

I believe that the questions I asked were certainly significant, not only to all of the Territory, and more particularly the people of Darwin, but also the Australian taxpayer because it is a Commonwealth-funded organisation; it is responsible to the Commonwealth government and the federal minister. I stated previously that there does appear to be an imbalance of funding within the ABC Darwin office, and that imbalance of funding appears between the current affairs and the ABC news service. It is the ABC news service that, I have been subsequently advised, is in rather a predicament because of the very poor equipment available to it. If that truly is the case, I certainly do feel for it because, if you look at the budget allocation to other cities around Australia by the ABC, it is an absolute shame that the ABC news service here in Darwin is forced to operate with what could only be called substandard equipment. We note from the federal budget last night that some 14% increase has been allocated to ABC funding this year. I certainly would hope that the current problem that exists with the equipment in the ABC news service here in Darwin will be rectified. They certainly have my sympathy.

Mr Speaker, I would also like to take the opportunity to say a few words about the honourable Leader of the Opposition who, in replying to my maiden speech in this Assembly, took a lot of trouble to stand up and make a rather huffing-and-puffing statement about taking things out of context. In fact, he said he would do everything possible not to take my maiden speech out of context. I would challenge anybody to read it and draw the conclusions that the honourable Leader of the Opposition drew. For someone who is not taking it out of context, he read one line, missed out 3, read another, missed out 5 paragraphs, read a paragraph, and then missed out another 3 paragraphs. Of course, that could not possibly be out of context.

The honourable Leader of the Opposition said at a later date that, apart from 2 paragraphs of my original address, he agreed with me totally. So I would

like to ask the honourable Leader of the Opposition just how he feels about local employees of the ABC current affairs program taking time out to demonstrate in the anti-uranium blockade here at the Darwin wharf. It was an event that was purported to be of major standing and therefore deserved major news coverage. I would remind honourable members that the ABC in Darwin does not have a local content news service on weekends but still found time for some reason to go out of its way to cover an event for local television and nationally. Working on past procedures of the ABC here in Darwin, it was far from the norm. I would also remind honourable members, and particularly the residents of Darwin, that the ABC reacted, I am told, to phone calls from Sydney on behalf of a minority group and subsequently filmed and covered what would have to be a minor event but still could not cover such events as the local government elections in Darwin. The question I would ask is: who told them to cover the event and does it help to have friends in the ABC current affairs program? Apart from that, I would certainly like a reply to transmit to this Assembly because, as I have stated, the questions are of interest to all Territorians and Australians.

Mr Speaker, I would like to relate my experiences during the last 8½ months in coming to Darwin. Honourable members may also have had some trouble. I am talking about the taxi service here in Darwin. I have used taxis frequently but the problems I have had are incredible. The phone rings out, not once but 3 times. When you finally get through, you are told to hold for 10 minutes. Getting a taxi late in the evening is virtually an impossibility. Bookings, pre-made, pre-arranged and pre-checked anything up to 2 hours prior, are not kept. It is an amazing situation to arrive at the airport expecting a taxi after confirming a booking. Taxi drivers just take the first available person and really do not care whether you have a booking. All they are interested in is the fare.

The attitude of some taxi drivers is amazing, as I experienced this morning. I took a taxi from a certain accommodation house in the centre of Darwin. It was 15 minutes late. As I jumped in, I said: 'I will fill out the paperwork for you and help you on your way'. He said: 'Look, do not bother. That is an absolute waste of time. It is not even worth the trip and it is not even worth the fare'. That was his attitude and I thought: 'Well, you should not be driving taxis, mate'. Consequently, I had a free taxi ride. For that I should probably be happy, but it was the Legislative Assembly's money that he was refusing.

The taxi situation in any capital city is certainly far superior to anything offered in Darwin. Of course, I do not think that the taxi service in Alice Springs should be exonerated in any way either. Bear in mind that I am not directing these comments to all taxi drivers but certainly some. There have been appalling instances. I believe that the taxi drivers of the various companies involved should take themselves aside and have a serious talk among themselves because every day of the week they are dealing with tourists in the Northern Territory. Let us face it, tourism is an integral part of the economy of the Territory and we need all the support we can get.

Mr HATTON (Nightcliff): Mr Speaker, I rise tonight to make some comments on some aspects of the federal budget handed down last night. I say that I address myself to some aspects of the budget because it is a very complex issue. I do not believe it is a matter that can be adequately dealt with in the 15 minutes allowed in an adjournment debate.

I wish to draw attention to 2 aspects: the general thrust of the federal budget and, in particular, the aspect of taxation in the budget. I will deal

with the latter first. This budget has been fairly heavily pumped up by what could best be described as the Labor machine.

Mr Bell: You had better enjoy it because your mob do not have one.

Mr HATTON: We do not want a Labor machine. Mr Speaker, this budget has been pumped up and pumped up. On any analysis, it is quite clearly a budget prepared with 1½ of the Treasurer's 2 eyes firmly fixed on elections in the very near future. It is structured in a very clever way. I compliment the Treasurer on the very clever way in which he structured this budget and the very clever way in which he manipulated the use of statistics and comparisons. I was surprised not to hear the honourable member for Stuart jump up and down and scream abuse at the honourable federal Treasurer as he did at the honourable Minister for Health in the last sittings of the Assembly in regard to our Department of Health annual report. Obviously, he has quite a fixation about the possibility that statistics may be varied or used to paint a picture which presents the best image possible.

I think that is very much the case in this budget. Some comparisons are made on an 18 months basis, others on an annual basis, others use average annual figures, others use a quarterly figure projected as an annual figure and it is very difficult to get a clear line on the actual comparisons that have been drawn. One can naturally assume that the comparisons being drawn are those which are most beneficial to the interests of the federal government. I cannot imagine it would try to do otherwise.

In respect to taxation - and this has been trumpeted loud and long - what has occurred in this particular case is that the federal government has announced tax cuts and per se tax cuts have been granted. I say that for this reason. In its press release, there is a very interesting scale which shows that persons will receive a percentage tax reduction which varies from 16.7% down to 0.7%. Of course, that is assuming one's income is static. I believe that is very significant because, in this particular restructuring of the tax scale, what the federal government has done is to change a simple and lauded 3-step tax scale into one which has 6 steps. It has injected into that additional steps so that the ranges before one moves from one tax bracket to the next will be much narrower than they are today. In doing that, for people on $12 500 per annum or less, the tax goes from 30% marginal to 25% marginal. For those earning $12 500 to $19 500, they remain at 30 cents in the dollar tax. Those in the $19 500 to $28 000 bracket remain the same as they were before - 46 cents in the dollar. But, for those in the $28 000 to $35 000 bracket, their tax increases from 46% to 48% in that particular marginal tax. Of course, people earning $35 000 or more move to the pre-existing 60 cents in the dollar tax bracket. It is by reducing taxes at the bottom of the scale and increasing taxes in the middle of the scale that it has achieved what it sought to achieve and that was to provide tax cuts to the low income earners with virtually none to the higher income earners. It has achieved that on this scale.

Mr Bell: That is unjust?

Mr HATTON: Mr Speaker, I do not believe I used the word 'unjust' in any comment. I was simply describing the method by which that tax scale operates. Having introduced that scale, if the level of income is static, then that result will be achieved. But when one looks further at the budget figures, one finds that net PAYE tax - pay as you earn income tax - is going to increase this year by 14%. This has been the subject of some considerable public debate since the budget came out. So far the Treasurer and the Prime Minister have accounted for 10.7% extra taxation. That leaves a gap of 3.3% and represents something in the

order of $4000m unaccounted. Where is that coming from? Some of that will apply as a result of the wage increases which, as budget paper number 1 states, occurred earlier this year. There is an acceleration occurring in wage movements according to the budget papers. The only way that $4000m can really be accounted for must be by wage increases which move people into new tax brackets.

That becomes very significant in the Northern Territory. I have simply extracted figures out of these papers. I have not developed my own figures. I have used the figures provided by the federal government. The latest figures that were available were for 1982-83. The figures for 1983-84 were not available. In 1982-83, the average taxable income in Australia was $15 582. The average tax paid was $3417. That represents an effective tax of 21.9%. The budget also indicates that wage rates last year, just on award movements, increased by 8.4% plus. There was a 4.3% national wage rise and a 4.1% national wage rise. So it was at least 8.4%, although, if I could dig the figures out, there was an estimate there of increases in income of some 9.1% overall. So there had been a wage increase over that 12-month period which these figures I am quoting do not take into account. In the same period, 1982-83, in the Northern Territory, the average wage was in fact $18 104, significantly higher than the Australian average. The tax paid on average was $3985 or 22%. In percentage terms, it was about equal. When that national wage movement, the average movement in wages, is applied in the Northern Territory, it puts the average wage earner in the Northern Territory right on that $19 500 threshold level of 46¢ in the dollar for every wage increase. When the figures are spread out further, they show quite distinctly that significant proportions of the Northern Territory population will be moving into new tax brackets on every wage increase.

There has been no indexing of the thresholds. It has injected into the wage tax scale different gradients. As a consequence of that, with no indexation to take account of the real wages, I believe it is a major factor in that missing 3.3%. People will move into higher tax brackets which will more than wipe out the gains that they have been getting in relation to taxation.

Of course, I have not yet mentioned the offsetting factors in this budget which will counter-balance the taxation effects, such as the Medicare levy. If we talk real wages, there has been a fiddle with the consumer price index to achieve lower wages. Whilst I laud the tactics of the government in effectively controlling wages, because we must do that if we are to have economic recovery, the fact is that it has also served its purposes in reducing the amount of payments to social security beneficiaries. What it has provided in this budget only offsets that. It is nothing special. That is not to mention the offsetting of the costs of introducing assets testing on pensioners and the behind-the-scenes method of levying death duties on the assets of pensioners. Those offsetting factors make the budget look good.

However, in taxation revenue alone, there is 3.3% unexplained money. The only legitimate explanation I can find is the fact that people are going to be moving from one tax bracket to another and their marginal tax is going to increase - just by maintaining real wages. A major factor in that is the introduction of more tax brackets into the system. It will remove incentive on people to work longer.

Mr Bell: What about the zone rebate?

Mr HATTON: Just on the question of zone tax rebates, I must say to quote zone tax rebates as a 25% increase is really a distortion of the full facts. In fact, the base figure of $200-odd is increased by 25%. That is fine for a

single person. But for married people with dependants, that 25% is not 25% but something significantly less. I can see no evidence that it has moved the dependant's component of the zone tax rebate. 25% is not an accurate description of the increase the average Territorian will receive in zone tax rebate. He will receive a fixed dollar amount of some $76 per annum, which I welcome. I still maintain that that will soon be absorbed by the other factors that are endemic in our system of wages in the Northern Territory, the structure of wages in the Northern Territory and the structuring of this tax scale. Any benefits we have already achieved, even on a static basis, will be attacked and wiped out further by the introduction of the 20% sales tax on very light beer, which is proving very popular in the Northern Territory, and by the introduction of a 10% excise on wines and ciders, which are also very popular in the Northern Territory. I must say, however, that I welcome the reduction in the excise on the light beer.

Mr COULTER (Berrimah): Mr Speaker, yesterday I concluded in the adjournment debate by saying that it was my intention to outline potential growth industries within the Asian Pacific basin and the spinoff to the Northern Territory if business enterprises actively seek South-east Asian venture capital, investment and partnership to achieve economic growth and benefit to all people in the region. Tonight I would like to speak on the potential of aquaculture in the Top End, in particular prawn farming.

Mr Speaker, the coastal areas of the Northern Territory of Australia are situated in an ideal latitude with an annual mean temperature of 25°C. This tropical climate in general would be most suitable for prawn farming as it is similar to that of many other coastal countries within the tropical zone, such as Ecuador, the Philippines, Malaysia and Indonesia. Most of the world's prawn farming technology has been developed in relatively high latitudes such as Taiwan, Japan and the gulf states of the United States of America. This technique has gradually been introduced to other tropical countries which are ideal for prawn farming all year round. To date, northern Australia has not gained the advantages of the transfer of prawn farm technology from these technically-advanced countries.

Mr Speaker, I would like to draw the Assembly's attention to this book, 'National Technology Strategy', which has been put out by the Department of Science and Technology. I would like to quote from page 1 which says: 'Creating stronger and more appropriate economic structures capable of identifying market niches producing goods and services which can be placed on a world market will prove a more sophisticated approach to marketing, raising adequate capital, attracting talent and exploring joint ventures from overseas outlets'. The Department of Science and Technology is to be highly commended for its efforts in this area because it is by entering into joint ventures that the Northern Territory will truly gain and benefit.

A lot of people refer to Asian countries as third world countries. Recently, I had the privilege of accompanying the honourable Minister for Primary Production to Thailand. I can assure you, Mr Speaker, that, if it is a third world country, I think we would be flat out to make 15 here in the Northern Territory. We have to enter into joint ventures to appreciate the technology which these people have gained.

It is with a great deal of excitement, therefore, that I note a joint venture has been formed in the Territory to exploit the potential of this particular sunrise industry. The objectives of this venture will be to introduce the well-developed prawn farming technique from Taiwan to northern Australia, which will take advantage of the warm tropical climate in the

Northern Territory, and to develop eventually northern Australia into one of the most important prawn producing countries in the world for both domestic and export markets. That also has the potential to make Australia a leading research centre on prawn culture. It will create employment, not the 6-month CEP-type Mickey Mouse programs that we have heard about in tonight's adjournment debate but meaningful full-time employment. It will establish prawn production as a viable industry and one of the leading foreign exchange earners for the Northern Territory.

The directors and shareholders of this company are not finalised at this particular stage but it is pleasing to note that there is a 50% Australian content in this particular venture and the Australian content of this particular venture could amount to 80% within the next 3 years. This company would employ about 6 full-time and 5 part-time people during the pilot stages. Further intake of staff would depend on extensions of more ponds. With the establishment of a feedstock mill and processing plant, it is expected to increase the employees to 30 or more people. There is over $1m to be spent in the initial stages to develop the hatchery and it is a commendable first step in the development of this aquaculture project in the Northern Territory.

The technology developed in Taiwan for the artificial propogation of leader prawns has been selected as the best and the most suitable for adoption in the Northern Territory project. In due course, other species such as Japanese king prawns and banana prawns will also be tried out through extensive experiments to see if they are suitable for large-scale farming in the Territory as these 2 species have a well-developed market and a promising future for prawn farming.

The prawn hatchery is a facility of considerable complexity and high technology. Basically, it includes a series of ponds in which a large number of locally-caught, brood stock prawns are kept in special containers to hold females and males just prior to and during the egg fertilisation and hatching period. Parallel to this work in the hatchery will be the facility to raise various kinds of plankton used to feed the prawn larvae during their first 30 days. Both the prawn larvae and plankton operations and the actual care of the larger prawns themselves are monitored by a fairly complex and well-run laboratory to be located at the hatchery. Once the prawns have achieved their length of about half an inch, they are to be moved into ponds averaging about one hectare in size and varying in depths from 1 m to 1.5 m. It is interesting to note that each pond can raise around 3.5 t of prawns and that the harvest capabilities of those ponds is about 4 harvests a year.

Prawns are fed several times a day during this period. They would probably multiply by more than 10 times at the end of 90 days in the pond and would weigh about 30 g and be ready for market. The prawns are harvested by lowering the water slowly and allowing them to migrate to the deeper outlets within the ponds. Another interesting aspect of this is the need for a feedstock mill itself to feed the prawns. A very important factor is the manufacture of 2 or more grades of feedstock. Generally, it consists of about 40% finely ground corn and soya bean and 60% fishmeal and various vitamins and minerals to balance the diet with a gluten binder.

Mr Speaker, the ADMA scheme at the Douglas-Daly would provide the basic feedstock for this project, in particular the soya bean and the corn and the fishmeal. The Australian-Thai venture, which has been well-publicised recently, would allow us to go on with the second stage of this particular feedstock mill and provide it with the fishmeal which is required to ensure the success of the project. The pelletising machine extrudes the material to produce large pellets of varying sizes and grades to feed the small and large prawns respectively. It

is anticipated that, where possible, the corn and soya bean for the feedstock are to be obtained locally. Australia is not a major producer of fishmeal Therefore, initially, we will have to depend on imports. Should no one be keen to produce the fishmeal, we will promote and develop such an industry for our own needs and also to supply others. Some of the recent criticism that has been levied on the trash fish is a shame because we desperately need that type of material to help this type of project to get on its feet.

The processing and freezing of prawns from the harvest would also be done locally and is another industry. Mr Norgaard, who has recently been employed as a consultant to the Northern Territory government, has expounded on his theory that, if you have 1 fisherman, you need 9 people on shore to process the different types of product which can be developed from the industry. It is the same for this industry.

Mr Speaker, there are many other meaningful, full-time jobs to be offered within this industry. The development of Northern Territory prawn farming in general would follow the route of other countries such as the Philippines, Malaysia and Indonesia. Maximum effort will be used to follow the successful practice of Taiwanese technology which has been developed over the last 2 decades. This is technology which the Northern Territory does not have and we can only have access to it if we enter into joint ventures such as the ones that we have been talking about with both Thailand and Taiwan.

In Taiwan, the history of prawn farming has developed over a period from traditional polyculture, mainly with milk fish, which the Treasurer would know about because he has a few of them around his way, to the present intensive monoculture of specific types of prawns and fish. In 1983, there were more than 200 private prawn hatcheries and 100 fish hatcheries, mainly in the southern part of the island. Although both the Japanese and the Taiwanese have been working on various techniques of propagation of prawns, it has been only in the past 10 years that this technology has been perfected for large-scale applications. Jumbo tiger prawns or leader prawns have been the type of prawns most successfully grown in Taiwan. It is the seawater prawn that requires tropical conditions. Taiwan is on the Tropic of Cancer. During the winter period, the weather is not conducive to prawn farming and hence 2 crops of prawns are being raised in Taiwan annually. Sometimes the southern tip of Taiwan raises 3 crops because it has a climate similar to that of northern Australia. Prawn culture has been greatly encouraged and spurred on in Taiwan because of the rapidly declining supply of prawns caught by the commercial fishing vessels.

Have you heard this story before, Mr Speaker?

Mr SPEAKER: Probably not.

Mr COULTER: This decline has been due to several causes: the pollution of coastal water due to the industrial development; considerably over-fishing; and the cost of diesel. Fuel price has skyrocketed to a point where it is not economically feasible to catch prawns offshore without a government subsidy for fuel. Members know the success that this government has had in trying to get subsidies on fuel. Lastly, there are the high interest rates to amortise fishing trawlers and other facilities needed by prawn boat operations. These 4 deterrents for prawn fishing in the ocean apply not only to Taiwan but also on a world-wide basis. Whereas a few years ago prawn fishing by trawlers definitely had an economic edge on prawns raised in ponds with artificial feeding, today it is the reverse. The change, however, enables the prawn farming industry to have more control of the market. It can raise prawns and

determine the desirable size. It simply stops the feed when it reckons they are big enough. Also, the quantity is not dependent on the weather. Another interesting fact is that they have no natural predators in the ponds. The success rate in some of the prawn farms, therefore, is very high indeed - 80% to 90% - whereas, in the ocean, it is lucky to be 5%.

During a recent visit to the Northern Territory by 2 of the principals of this company that I am talking about, they had the chance to meet with many of the captains or owners of prawn trawlers who are concerned about the future of the prawn industry. The problem Taiwan faced many years ago is now being faced by the Australian trawlers. Most of Taiwan's hatcheries are privately owned. They supply the prawn larvae not only to their ponds but also to others. Some of the larger hatcheries can produce as many as 1 million larvae a day.

The period of artificial propagation of one batch from eggs to saleable larvae - half an inch long - is about 30 days. A typical hatchery must keep and maintain brood stock for a considerable number of prawns. These prawns are specially cared for and generally larger than those sold in the market. A single female may produce 200 000 to 1 million eggs at any one time. The next stage over the succeeding 30-day period is to feed the microscopic prawn larvae and develop them at optimum growth levels. In this early stage of development, larvae eat various kinds of live plankton. In order to have this larvae food available, the hatchery personnel must simultaneously run a plankton production program so that supplies will be available at all times. Duplication and triplication of production of plankton is generally required to ensure the required supply. At the end of about 30 days, the larvae are ready to be transported to a nearby pond. After 90 days, they are raised to a marketable size of approximately 20 cm.

Mr Speaker, this is the state of the art at the moment. It is the goal that this particular government should be moving towards to ensure that the Northern Territory becomes the leader in yet another industry, and that is aquaculture.

Mr VALE (Braitling): Mr Speaker, this afternoon, there are a couple of points I would like to raise in the adjournment debate. The first one concerns the ABC. Following on from the remarks of the member for Flynn at the last sittings, the local manager of the ABC, Mr Ian Hardy, said, amongst other things: 'Judge us not on our staff but rather on our performance'. It is that issue that I wish to take up very briefly this afternoon. Several weeks ago, a young lass from the ABC conducted some interviews in Alice Springs. One of them concerned Pine Gap and the other concerned the teachers' strike. On the Pine Gap one, she conducted a street interview and asked people a question and then recorded their response. The question was: 'How do you feel about living at the doorstep of a first strike nuclear target?' She was referring to Pine Gap. Now there were no ifs, buts or maybes; there was just a bland statement: 'How do you feel about living at the doorstep of a first strike nuclear target?' Whether it is or not, no one knows. Some people claim to know. Other experts elaborate at large about what the heck it is. However, as a result of that biased question, 8 out of 10 people of course said: 'No way'. They did not like living there. I would put it to members here tonight that the question was biased because of the questioner's obvious bias and prejudice concerning her attitude to Pine Gap, and her relationship to certain members of the community in Alice Springs.

Later in the interview, the same After Eight program went on to talk about the teachers' strike throughout the Territory. I quote: 'All Territory teachers are on strike today'. I have 3 schools in my electorate: the School of the Air,

Braitling Primary School and Teppa Hill Pre-school. I know that none of the teachers at the School of the Air were out on strike. I believe 2 of the teachers in Braitling Primary School attended a stop-work meeting and later returned to school and none of the teachers from Teppa Hill Pre-school went out on strike that day. Even if every other teacher throughout the Territory went out on strike, it would be inaccurate for the ABC to report, as it did in Alice Springs: 'All Territory teachers are on strike today'.

Mr Speaker, while I am speaking about teachers, I would like to take this opportunity to pay tribute to primary schoolteachers in central Australia, at the least the ones I know. A great number of them perform a service which is well above and beyond the normal call of duty. On Saturday mornings, a large number of them are involved with various sporting functions around town which they supervise. From my observations of a community oval near my office, I know that these primary schoolteachers perform a lot of duties after normal school hours. I wish a number of secondary schoolteachers had that attitude. There is obviously the good and the bad, but a number of secondary teachers in Alice Springs have a very militant attitude towards the community. Their work and their attitude leave a lot to be desired.

Mr Speaker, during recent years in Alice Springs, 3 people have been employed by the ABC for its After Eight program and each one of them has obviously shown a bias in the topics that they cover. It would be interesting, particularly in view of the latest lass who is working there now, to get a resume of the subjects that she has covered since she took up duty with the ABC. I would bet that the vast majority of those issues that she has covered concern Pine Gap, uranium protests or Aboriginal demonstrations and land rights issues. Before that we had Duncan Graham, a gentleman in Alice Springs who went on to work for the Australian Labor Party. We had a girl called Meredith Campbell, who came out of the ALP's office in Alice Springs and then went to work for the ABC. It is quite obvious that, despite what Mr Ian Hardy says about judging the ABC on its performance, the After Eight program, which is now called 'Territory Extra', is well and truly a biased program which lacks credibility throughout the general community.

Mr Speaker, I wish now to talk about the honourable member for the Northern Territory, Mr John Reeves, and some of his recent press releases. The first one I turn to is an announcement that he made on 3 August on the ABC news. I will read exactly what he said: 'Mr Reeves announced today that the microwave link between Ayers Rock and Alice Springs would be on stream in a few days and would link isolated communities and settlements between Ayers Rock and Alice Springs with STD dialling'. Well there are 2 things that the honourable federal member for the Northern Territory, Mr Reeves, is claiming credit for even though he had nothing to do with them. As the honourable Minister for Mines and Energy said, the lion's share of that funding was provided by the Northern Territory government.

This is the second member of the Australian Labor Party in the Northern Territory who obviously needs geography lessons. Earlier today it was the honourable member for MacDonnell's electorate I was referring to when I said: 'The Palm Valley gas pipeline crisscrossed the Stuart Highway several times'. When that construction was done, the line and that part of the road was in the honourable member's electorate and he was not aware that the pipeline crossed the road several times. Mr Reeves says in his press release that it will link isolated communities and settlements. Mr Speaker, as the crow flies between Alice Springs and Ayers Rock, to my knowledge there are no Aboriginal communities; as the crow flies Hermannsburg is certainly not, Areyonga is not, Papunya is not, Haasts Bluff is not and Yuendumu is to the north-west. As the

crow flies, there are no Aboriginal communities between Alice Springs and Ayers Rock. The closest 2 would be Hermannsburg and Mt Ebenezer.

Mr Speaker, the second press release that the federal member has put out in recent times is this one from several months back. He said he was 'hopeful of obtaining approximately $25m for the upgrading of the Stuart Highway in the Northern Territory'. He went on to say at a later date that he presented a fairly detailed shopping list to his federal mates and he was hopeful of most of it being fulfilled. I can only say that his shopping list must have been written in invisible ink because last night the federal Treasurer announced that the Northern Territory will receive a miserable increase of $2.8m in funding to speed up the upgrading of the Stuart Highway. After the delaying tactics of the federal Minister for Transport and the federal member last year in stopping our payments for road construction work, that $2.8m will barely catch up with inflationary factors and other cost factors in the construction on the highway, let alone 'speed up the reconstruction'.

It is quite obvious that the federal member is continually trying to confuse the general public in the Northern Territory concerning the proposed Alice to Darwin rail link by his continual talk about accelerated programs of reconstructing the Stuart Highway. The $2.8m that we were given last night is a measly sum of money compared to the huge amounts of money that the federal government has raised from the bicentennial road levy program.

Mr Speaker, the last point that I wish to raise tonight is one that I raised during the last sittings. It concerns the price of newspapers in the Northern Territory. I said then that I thought the Northern Territory was being ripped off. I still believe that to be a fact. Look at the prices in Alice Springs and in Perth. Perth is 2708 km from Melbourne. Alice Springs is 1900 km from Melbourne. Keep in mind that Perth is nearly 800 km further from Melbourne than Alice Springs. Perth pays 70¢ for the Advertiser and Alice Springs pays 80¢. Perth pays 45¢ for the Melbourne Sun and Alice Springs pays $1.25.

Mr Speaker, according to letters I received from newspapers in recent weeks, the newspapers are subsidising all of the other capital cities but do not believe the Territory's market or population is large enough to consider. It must be pointed out that the Northern Territory receives its newspapers by TNT courier. A check with newspaper outlets in the Territory indicates that, since the huge increase in prices, their sales have dropped dramatically. I believe it is now time for the newspaper people to go to the airline companies to request that these papers be consigned as normal commercial freight. I believe that the newspapers should now start to subsidise the Territory as they do other remote areas of Australia. I also believe the airlines have a duty, because it is virtually an essential service, to provide regular freight of newspapers into the Northern Territory, Western Australia, Queensland or wherever and not, at the last moment, for some reason or other, to offload those newspapers as they have done constantly in the past. Over a long period of time, it must have provided a massive amount of income for the airlines. I believe that they should negotiate a much more attractive freight rate with the newspaper publishers and that they should agree to provide services on a daily basis into the Northern Territory and other areas of Australia.

Mr BELL (MacDonnell): Mr Speaker, I am not going to miss this opportunity to carry out a little bit of marketing of my own. I have spent a bit of time as a primary teacher and a secondary teacher and I am not too sure whether the member for Braitling will approve or disapprove of me. Anyway, I am giving the member for Braitling about 2 out of 10 for that little effort. I heartily agree

with him about the newspapers but what both he and the honourable member for Flynn had to say about the ABC continues to be really quite outrageous. I noticed that, in what the member for Braitling had to say, not once did he actually raise any suggestion that there had been inaccurate reporting. I heard him mention a question that was asked in what I think they refer to in the radio journalist's trade as vox pop - getting the voice of the people in the main street. I think it is short for vox populi or pronounced 'wox' populi, depending on which school you went to. I heard the member for Braitling refer to a question in which the interviewer asked how the people felt about living on the doorstep of a nuclear target. I believe that that was the particular question to which the honourable member for Braitling took exception. I really find a question like that quite unexceptional. Regardless of his point of view on issues of international defence, I do not think that anybody here doubts that the Pine Gap Joint Defence Space Research Facility is, in fact, a nuclear target. I do not think that has ever been in doubt at all. I really fail to see how the honourable member for Braitling can take any sort of exception to questions like that being asked. It is quite a reasonable question to ask of people. The honourable member will recall that was a subject that was taken up. There have been a number of comments by authorities who do not doubt that those installations are nuclear targets.

Mr D.W. Collins: Come On! Where and when?

Mr BELL: I hear the honourable member for Sadadeen bleating again. Off the top of my head, I am unable to quote chapter and verse but I will present to him, during the course of these sittings, evidence that I am sure will convince him that Pine Gap is a nuclear target. There are a number of nuclear targets in Australia and that is not really an issue. As far as I am concerned, the honourable member for Braitling has compounded the errors of his colleague, the member for Flynn, by making these unsubstantiated attacks on the ABC.

It would be easy for me to stand here and produce a dossier of what I regard as a consistent bias against the Australian Labor Party in the Northern Territory News coverage of current events in the Territory. That would be an easy thing to do. However, I just regard it as something one has to cope with. Particularly in Alice Springs, and I am sure the honourable member for Braitling is acutely aware of this, the Northern Territory News is more justifiably referred to as the 'North of Berrimah News' because the coverage it offers of events at the other end of the Territory certainly does not justify its carrying the title it does.

I really find the comments that have been made by the member for Braitling particularly painful. I will not even bother to comment on the comments in that regard by the member for Flynn, except to point out to him perhaps that, if he behaved in this Assembly and elsewhere in a slightly more responsible fashion as far as criticism of people is concerned, he might get replies to his letters. Given the fact that he has behaved in the way he has, it is little wonder that he has received no reply.

My word, isn't the honourable member for Flynn acquiring friends at a rapid rate? He has just written off the taxi industry in the Northern Territory. I am glad he raised this. It is a matter that I intended raising during the course of this sittings. It is of concern to me as a Labor spokesman for transport and works that there may not be a sufficient number of taxi plates being issued to provide an adequate service. Having spent a couple of years of my life driving cabs in Melbourne, I have a certain amount of sympathy for taxi drivers - certainly a greater degree of sympathy than the honourable member for Flynn has for these people. I would like to hear from the

Minister for Transport and Works about the proportion of taxi licences that are available, particularly in Darwin, by comparison with the population, and how that has changed over recent years. I believe that, within the taxi industry itself, that is a matter of some concern. I had intended to follow that matter up during these sittings but, since the honourable member for Flynn decided to calumniate in such a vile fashion, both taxi drivers and everybody else involved in the industry, I thought it might be apposite to raise the matter in the context of the grievance debate this evening.

My instinct, Mr Deputy Speaker, is to pass on to one other subject. I had not intended to make any comment on the fairly absurd offerings and the contradictions of Standing Orders that the honourable member for Leanyer was responsible for a little earlier tonight. Obviously, as with the 'North of Berrimah News', he received off the back of a truck some correspondence in an attempt to denigrate the member for the Northern Territory, Mr John Reeves. It is a fairly grubby little tactic, and we see it used day after day by members of the Northern Territory government - and who can blame them for using the efforts of the public service to bolster their political image? We are always receiving publications that have spread across them, from front cover to back cover, photographs of the Chief Minister and Northern Territory ministers. Of course, that is part of the game. You know that, Mr Deputy Speaker, and I know that. I think that, as a result of the offences the honourable member for Leanyer carried out in this Assembly tonight in regard to Standing Orders, a few of his mates might draw him aside and suggest that the particular correspondence in question did not really justify the contribution that the honourable member gave tonight. Not only did it not deserve that, I am certainly quite sure that it did not justify the absurd article the 'North of Berrimah News' carried over the weekend using the same material. That was parochialism of quite an absurd order.

Perhaps, since he is taking such an interest and clearly getting something of an education as far as political judgment is concerned, the member for Leanyer might turn his attention to the efforts of the Chief Minister. If I were the honourable member for Leanyer, I would be deeply concerned about my tenure as member for Leanyer while the Chief Minister continues to behave in the way he does with regard to the Northern Territory electorate. The fact of the matter is that all government members in this Assembly owe their seats to having the dial of the Chief Minister placed beside each of them on posters all round the Northern Territory. It is not even 12 months ago that that election was held and it will be very interesting to see if they can get such a cogent visage to accompany them when the next election falls due. I venture to say that there will be a number of problems, not only for the member for Leanyer but for some of his backbench colleagues. I suggest that, instead of turning his attention to the member for the Northern Territory, Mr Reeves, if he is particularly interested in his own political future, he should have a good look at the extent to which the Chief Minister continues to use and abuse his position for short-term political advantages in his candidature for the House of Representatives seat.

One further matter I wish to refer to in closing is the offering from the member for Victoria River. I heartily agree with him. I think that his contribution to this evening's adjournment debate would well and truly pass in my book, unlike that of the honourable member for Braitling who received a meagre 2 out of 10 and his other colleagues who tailed off from there. I would give a good 9 out of 10 to the member for Victoria River.

Mr Everingham: You sound like a schoolteacher.

Mr BELL: Yes, a schoolteacher indeed. It is a shame I have such recalcitrant pupils, Mr Deputy Speaker. The honourable member for Victoria River gave a very cogent, articulate defence of Asian immigration. While he has joined the honourable Chief Minister and Senator Bernie Kilgariff in criticising his federal colleagues in that regard, it is a dreadful shame that there is no longer a bipartisan approach to immigration policy within this country. It is a dreadful shame that the federal conservative parties have decided that they can score cheap political points in this regards. I commend the member for Victoria River, the Chief Minister and Senator Kilgariff for their good sense in this regard.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

MINISTERIAL STATEMENT
Trade Development Zones in the Northern Territory

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I table for the information of honourable members the report of the task force established by the government to formulate detailed proposals on the establishment of a trade development zone at Darwin. Honourable members will recall that, just on 10 years ago, a group representing Darwin commercial interests first presented a proposal for establishing Darwin as a free port. In various guises, the idea has cropped up from time to time ever since. Over the last 2 years, it has been possible for this government to have a close look at some of the successful free trade zones and enterprise zones abroad and a small task force was asked to see what could be achieved in Darwin.

The task force report shows that it is feasible within the existing Australian Constitution and under existing Commonwealth law for the Northern Territory government to create a special industrial area for the sorts of activities that are eligible for relief from high tariffs under several existing provisions of customs legislation. Business would be attracted to that area by a package of incentives, some new and some old, thereby marrying valuable customs exemptions with an array of financial and administrative benefits designed to make the most of Darwin's strategic location and to offset the otherwise high costs of establishing and operating a business here. The government has approved the report and has decided to establish Australia's first trade development zone.

Mr Speaker, the concept is a novel one and I want to make sure that everyone understands exactly what the zone is all about. We are definitely not talking about a collection of duty free shops or the importation of duty free finished products for retail sale. What we are aiming for is new industry of the types that we cannot otherwise attract and with access to broader markets than existing industry is able to tap. It is all about new investment and new jobs with a new demand for the goods produced by existing Territory businesses and services giving widespread economic benefits throughout the business sector and the general community. An area of land on the East Arm peninsula will be earmarked and vested in the trade development zone authority. This authority is to be established under a bill to be submitted to this Assembly in the near future. The East Arm area enjoys proximity to existing transport links as well as the residential and service industry areas and is well situated to take advantage in the future of proximity to future port developments, the railway and the university.

An initial development area will be constructed by the government in due course for the trade development zone authority. The works involved will include improved road access, new sewerage, electricity and water supply headworks, attractive industrial subdivison, a headquarters building and 2 warehousing facilities together with security fencing and ancillary services. The sorts of industries to be attracted to the zone will be those which use imported components for the manufacture or assembly of final products for export or for Australian markets. A number of smaller importing and warehousing operations would also be suitable but the focus of what will be a very active promotional effort will be on the manufacturing or assembly of relatively high-technology, electronic products for export. Some Asian commercial firms have already indicated interest. Now that we know what we can offer, we will proceed with confidence to promote the zone and negotiate with interested parties.

The sorts of activities I have briefly described would normally qualify for tariff exemptions under a variety of customs provisions, such as manufacturing under bond, duty drawback and numerous other arrangements. These avenues for relief from Australia's crippling tariff structure are little known and little used. Never have they been promoted and never have they been matched to other incentives in a coordinated effort to attract new industry. Discussions with the Commonwealth are proceeding on the way in which the available avenues of relief from customs duties will be used. In those discussions, the Commonwealth's attention is also being drawn to areas where changes should be made to allow the greatest benefits to be gained.

Mr Speaker, I have mentioned that customs relief is to be matched to other incentives. The task force had the benefit of comments by an American expert on free trade and enterprise zones - and there are several successful ones in the USA - as well as 2 Australian customs consultants. All made the point that customs relief alone was not enough. The location and timing had to be right and also the Territory government would have to do a lot itself. The government is intending to do this. Nothing deters business more than red tape. In a competitive world, administrative delay can lose an industry and numerous, individually-small governmental charges and fees can drain away cash flow. Indeed, the federal Minister for Tourism told us at the last Tourist Ministers' Conference that some of the biggest disincentives to the establishment of additional tourist infrastructure were town planning laws and regulations which were slowing up projects in southern states by as much as 2 to 3 years. The minister, Mr John Brown, made an appeal to state governments at the time to cut back the red tape in town planning.

Businesses in our trade development zone will not have those problems. They will enjoy priority processing and, in all NT government jurisdictions, they will enjoy exemption from stamp duty and payroll tax under amending legislation to be introduced soon. They will enjoy access through the zone authority to the best of advice on customs, corporate and marketing affairs. They will pay a single charge to the zone authority and very few other payments to any other government agency. They will also have access to a wide range of advisory and financial services of the NTDC. Those exemptions, of course, will be negotiated and will relate to particular periods.

In addition to those benefits, in promoting Darwin's trade development zone, the attention of interested firms will be drawn to an array of other benefits that could apply, depending on the nature of the business. Bounties and export incentives are 2 examples. In return for the incentives provided, the Territory can expect substantial long-term benefits via totally new industries and employment which the Territory would not otherwise have; for example, the zones in the USA employ over 12 000 people with a multiplier effect upon the local economy through an increased demand for the wide range of goods and services required by those new businesses and new households. With the turnover of goods and services in the Territory, the whole national income should, therefore, grow significantly. In addition, the income from zone fees and lease income is expected, over time, to exceed the establishment and running costs of the authority and provide a direct benefit to public revenue.

Mr Speaker, there has been much interest in the trade zone idea and I am sure this interest will intensify as we proceed further with its establishment. Honourable members may, therefore, like to study not only the tabled document but also the small display arranged outside this Chamber. In a few weeks, there will be a public launch of the campaign to attract businesses to the zone.

I have taken advantage of the fact that the Leader of the Opposition is going overseas on a CPA visit to the Isle of Man shortly. I have invited him

to amend his program perhaps to include a visit to the Free Trade Zones Authority in Washington DC. I hope to be able to make those arrangements for the Leader of the Opposition because I am sure that, in a project such as this, the government would welcome total and bipartisan support.

Mr Speaker, the government regards the trade development zone as one of the most innovative and exciting concepts it has introduced and one which will make a major long-term contribution to the Territory's economic development. I commend the report to the Assembly. Obviously, it has been tabled to gain as much public input as possible from other interested groups. I am sure that seminars and so on will be held in due course. Briefings have already been arranged for some groups and a briefing was provided last week to federal officials of the various interested departments. We are anxious to get as much feedback as possible from within the Northern Territory community on this proposal.

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

Mr SMITH (Millner): Mr Speaker, this is one of those occasions where there is complete unanimity between the various parties in this Assembly. Hopefully, the occasion of the tabling of this report will become a quite significant day in the history of the Northern Territory. The opposition is as excited as the government is by the potential and the opportunities of a free trade zone. Certainly, it has our wholehearted support.

Darwin began life as a commercial centre boosted by its status as a free port. Unfortunately, it lost that. Later, in the 1880s, when inland Northern Territory was being opened up by pastoralists, Borroloola was suggested as a likely location for a free port to allow the duty free import of barbed wire, corrugated iron and other essentials for life in the outback. More recently, as we have heard, Darwin business people have been closely associated with calls for the establishment of a free port or free trade zone in Darwin. There is a very interesting article in the Northern Territory Times of 11 December 1928 headed 'The Empty North' by somebody called ALW. There is a reprint of ALW's article in the Sydney Morning Herald. It has a number of different points of view but it talks about Darwin as a free port. It says:

> *The declaration of Darwin as a free port would lead to an increase in the number of ships using the port as vessels would be relieved from customs duties on stores, fuel etc consumed between the last port of call in Queensland and Darwin. A free port would reduce the cost of living and would have an immediate reaction upon the development generally. Labour costs in Darwin are at present a byword throughout the Commonwealth. Furthermore, a free port would lead to a reduction in the cost of running secondary industries and would also lead to their establishment much earlier than under present conditions. In fact, it is difficult to put a bound upon estimates as to what developments might take place when private enterprise feels the attraction to freedom from tariff restrictions.*

Mr Speaker, those are worthy aims indeed. Hopefully, in our lifetime, we will see some of the sentiments expressed there come to fruition in the Darwin area through this free port proposal.

Obviously, a primary benefit would be in generating economic activity in Darwin where previously none existed. Revenue will be derived from the lease of storage space, fees from participants in the free trade zone and the job

opportunities that would be created by the establishment of these industries in the particular zone. Not only will employment be created in the zone itself, but downstream activities such as wharf and waterside work, freight forwarding and marketing opportunities will also be markedly increased and opportunities will be opened up by the establishment of such a free trade zone. As I said, we strongly support the concept that has been put forward.

I would ask the honourable Chief Minister to comment at some stage on whether it is a feasible proposition to allow some public involvement by way of issue of shares in the actual zone authority itself. That is the concept that the government mentioned in terms of the casino development and one or two other developments. I put it forward as a suggestion. I am not sure how feasible it is. Certainly, I would appreciate a comment from the honourable Chief Minister on that particular matter.

Mr Speaker, I congratulate the authors of the document. I think it is a good starting point for what will be very detailed discussions on the development of this concept. I thank the government for the opportunity for input both from the opposition and from the public in general. I would hope that, before we make a formal approach to the Commonwealth, we are very careful indeed that we have all the loose ends tied up. In the past, there have been a couple of occasions when the loose ends have not been tied up and we have gone to the Commonwealth with proposals and the Commonwealth government, of whatever political ilk, has been able to say that we have not done our homework. Certainly, all the work that has been done so far is most encouraging and I would hope that that work will continue and that, very shortly indeed, we will have a very firm proposal to put to the Commonwealth government. The people of the Northern Territory can be assured that, at that time, it will have the full support of the Labor opposition.

Mr B. COLLINS (Opposition Leader): Mr Speaker, my office began work on this concept several years ago. An economist on my staff at the time put a great deal of work into it. We also received some extremely professional and very useful information on this concept from the Commonwealth Parliamentary Library Research Service. I have said this in here before but I do not hesitate to say again that it would be absolutely marvellous if the Legislative Assembly - and I know it certainly is not feasible - could have the support services of an organisation that turns out the quality of work that that service does for the federal parliament.

The opposition has supported this concept from the very beginning and we continue to do so. I hope that there will be no constitutional problems attached to the concept. I certainly wish to advise the Chief Minister that I will do the utmost with my federal colleagues to ensure that this concept becomes a reality. I fear that most of the opposition to it may come from other states rather than from the federal government. I have some grounds for thinking that. I recall the attitude of the Queensland government in respect of the funding of the Alice Springs to Darwin rail link where the Queensland government said very trenchantly and very clearly that, if the federal government dared advance 1¢ to the Northern Territory to build the Alice Springs to Darwin rail link, under the constitution, it would take the federal government to the High Court. I hope that we can work our way through this proposition without that happening and with the cooperation of the states.

Mr Speaker, I received quite an interesting informal approach a few months ago on this very matter from some Hong Kong businessmen. Some of the business community in Hong Kong are obviously looking a little ahead. Some of them have indicated their interest in investing elsewhere. Through a friend of mine in

Darwin, an approach was made to me, to my great interest, from a Hong Kong firm as to what prospects there were for Darwin becoming a free port. I quite happily provided those Hong Kong businessmen with all the material that we had put together on the free port and advised them that the government was putting together a detailed proposal, which is why we did not continue our work on it, and that the opposition would support to the utmost the efforts of the Northern Territory government in making this a reality.

I do thank the Chief Minister for offering to assist my meeting with officers of the Free Trade Zone Authority in Washington. I take the opportunity also of thanking the Chief Minister for arranging meetings between myself and officers of the Pratt Hotel group in Atlantic City and Aspinalls in London when I go on this CPA visit to the Isle of Man. Having read the transcript of a Four Corners program on Atlantic City 2 years ago, where it was described as being 'a slum with beaches', I must say I am not all that enthused about that particular part of the visit. I thank the Chief Minister for facilitating those meetings.

Mr Speaker, I join the honourable member for Millner in assuring the Chief Minister that, for some years, we have been following this particular proposal with a great deal of interest too. I know that there are some other very exciting possibilities for the Northern Territory in the pipeline at the moment. I must say that I have always considered the Northern Territory to be the great hope of Australia in the next decade. The Territory offers the greatest promise of any area in Australia for further development. I believe that, if we can make this prospect a reality, with the probability of other very exciting developments in the Northern Territory, we will make not just Australians but the world sit up and take notice of the Northern Territory.

Motion agreed to.

TABLED PAPER
Remuneration Tribunal Report and Recommendation

Mr EVERINGHAM (Chief Minister): Mr Speaker, I table the Remuneration Tribunal Report and Recommendation No 3.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Alice Springs Planning

Mr SPEAKER: Honourable members, I have received the following letter from the honourable member for MacDonnell dated 23 August:

> *I wish to propose, under Standing Order 81, that the Assembly consider this morning, as a matter of definite public importance, the government's failure to adequately plan for the future shape of Alice Springs.*

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

Mr BELL (MacDonnell): Mr Speaker, as all honourable members would be aware, this Assembly debated in its last sittings a matter of definite public importance, namely, the government's failure to adequately plan for the future housing needs of Alice Springs. At this sittings, it is necessary to debate a similar motion, despite the assertion of the Minister for Lands that there is plenty of land available in Alice Springs, despite his assertion that planning is under control, despite his attempts to set the council straight, as he put it, on planning issues, despite his address to the Confederation of Industry and

Commerce, despite his press releases and despite his correspondence. The fact is that the minister has been able to convince nobody that planning in Alice Springs is under control. Nevertheless, I shall discuss today in some detail his quite inadequate attempts to do so. In fact, it is because of his inadequate and contradictory statements that this debate is necessary. Planning issues are topical in Alice Springs, and quite rightly so. I have no doubt that they will remain topical and a big concern to the citizens of central Australia.

Last week, I received a letter from the minister in relation to planning issues in Alice Springs. It is that letter that I propose to spend some time talking about this morning. In that letter, the minister said:

> *Since 1975, there have been both a development concept and development strategy for Alice Springs. In all that time, the concept has been adhered to whilst the strategy has been amended to reflect changing standards and requirements. This of course reflects the nature of planning in changing circumstances. You will be well aware of those changes and will agree, after studying the relevant reports, that they are in accord with the strategy.*

It is important to note the minister's assertion that, 'in all that time, the concept has been adhered to whilst the strategy has been amended to reflect changing standards and requirements'. I am quite curious about the minister's statement. I invite him, in the context of this debate, to define 'development concept' and 'development strategy' and to demonstrate that the concept of 1975 has been adhered to. I wonder how many times it is reasonable to amend a strategy, to reverse decisions, to make new decisions and still talk about adherence to the original concept. I would point out that some of the planning decisions have been major and represent dramatic reversals of intention on the part of the government. Claims that the concept or strategy has been followed are demonstrably nonsense. The minister went on to say in this letter:

> *I point out also that a review of the concept and strategy was commenced in 1981 and that public input was sought at the time. There have been few responses received to date.*

Mr Speaker, those 2 sentences are significant. A review was commenced in 1981. Obviously, it has not finished yet because of the reference to the responses 'to date'. How long does a review take? I suspect that it is only recently that a feverish amount of work has been generated. No doubt, the minister will find that suggestion somewhat unsettling, and deservedly so.

Mr Speaker, what evidence do I have for that assertion? First, the review to which the minister referred commenced in 1981 and it has not been completed. Secondly, the minister is hopeful, according to his letter, that a new concept and strategy will be available early in 1985. While I dispute that this plan has been followed to date, I am pleased to agree with the minister that one is needed. Thirdly, in the June sittings, the minister indicated that the Larapinta estate could provide, in stages 1, 2 and 3, about 556 blocks. He said that somewhere between 500 and 1000 additional blocks could be provided by simply continuing further along the drive. That makes a total of about 1500 blocks. The most recent estimate is 2500 blocks - a difference of about 1000 blocks in a single development. The estimates vary simply because the planning has not been done, and the minister has admitted this. Recently, during one of his visits to Alice Springs, when he was asked by Alderman Bob Kennedy whether an overall plan had been made of the Larapinta estate, the minister said there had not been an overall plan because of the late decision on the Mount John subdivision. Mr Speaker, I am sure you will agree that that makes nonsense of his claim about forward planning.

I have dealt so far only with the minister's letter to me and would now like to refer to his address to the Confederation of Industry and Commerce in Alice Springs, which I understand was similar to his secret and supposedly comprehensive briefing to the Alice Springs Town Council. In his speech to the Confederation of Industry and Commerce in Alice Springs earlier this month, the minister made reference to the Alice Springs Urban Development Study. This particular study was prepared by consultants. It is dated December 1975. The minister asserts: 'In a broad sense, Alice Springs urban expansion since this major study could be said to have followed its recommendations'. The operative words are 'broad' and 'could'. From my perspective, it would be a very generous assessment which supported the minister's assertion. It would be in a very broad sense only that one could argue that the recommendations have been followed. Certainly, some of the recommendations have been followed but, equally certainly, some have not. I would agree with the minister that urban development was proposed and has taken place on the east side of Araluen, Larapinta, the old racecourse area, Mount Nancy and the abattoir valley.

However, the minister went on to say that the study also indicated that Mount John valley was suitable for either future urban or tourist resort purposes. The opposition has never denied that Mount John could have been used for tourism or for residential purposes. What we have said and what we maintain is that it is bad planning to define an area for a particular purpose and to change that purpose at the last moment after lengthy preparatory works have been done. This is particularly so when alternatives have not been planned and, as the minister said, no overall plan exists for Larapinta. He said that studies for Undoolya are about to be commissioned. By his own admission, planning is inadequate. The minister went on to say that urban development is governed by a statutory town plan and not by the study of 1975 - a further contradiction.

Mr Speaker, in referring to the Alice Springs Town Plan, the minister asserts that the town plan, gazetted in April 1981, is as valid today as it was then. I will refer to some comments made on the Todd Mall study commissioned by the Alice Springs Town Council. In sum, this particular study claims that orderly development of the town is impossible under the town plan. The study says: 'It is difficult to forecast long-term trends. Development is ad hoc. Car-parking facilities inhibit development, and the plan lacks support strategies and explanatory documents... Town planning appears to be the crux of many problems now facing the overall development of a central business district'. To rectify this, the study advises that a carefully devised urban strategy plan be introduced as soon as possible. It says: 'Property developers find it difficult to forecast trends without a strategy plan on which to base their projections. As a consequence, new projects occur only on an ad hoc basis rather than in conformation with a blueprint for overall town development'. Further on it says: 'The only long-term future development study of Alice Springs, carried out by Hansen and Todd in 1974, was not adopted, even though the authors believed much of it is relevant today and in future'. That is the town council's study into the mall. Nevertheless, the minister is able to say that planning is under control and the town plan is today as it was then. The obvious question is: how valid was the town plan in 1981?

After references to the Alice Springs Urban Development Study and the Alice Springs Town Plan, the minister referred to 'Alice Springs - Planning the Future'. This particular document is dated May 1981. As honourable members will recall, the opposition used this document at the last sittings to demonstrate quite clearly that, on the government's own figures, planning was inadequate to meet future needs. The minister asserted that this 1981 report, and these are the minister's words, 'restated the urban expansion strategy reflected in the town plan and the preference for Undoolya for long-term growth

as was recommended in the Hansen and Todd study'. So it restated the preference for Undoolya for long-term growth, according to the minister. Mr Speaker, it did no such thing. The 1981 study indicated there were options for long-term growth. Larapinta was listed as an option and Undoolya was listed as an option. Quite clearly, the minister has misled the Confederation of Industry and Commerce. I will of course verify my assertions with quotations from the 1981 report. I would hasten to add that I agree that the 1975 study stated a preference for Undoolya but I repeat it was not restated in 1981. In 1981, the preferred option was Mount John and we know what the fate of Mount John was. The government has now opted for Larapinta, for which no overall plan exists, to be followed by Undoolya, for which studies are about to be commissioned. In June, for good measure, the minister mentioned the possibility of the Temple Bar-White Gums area where up to 3000 blocks could be turned off.

Mr Speaker, I will now return to the 1981 study which did not state a preference for Undoolya. On page 12, on the section on future development options under the heading 'New Directions', the report reads: 'There are 2 important options for expansion in the next 8 to 20-year period: Larapinta valley to the west and Undoolya to the east of the present town'. The same page carries a photo of Undoolya with the caption: 'a potential future development area'. It continues on page 14: 'If it is decided to proceed with the development of Undoolya...'. It then says: 'If Undoolya is chosen, it will be important that it be developed rapidly so that it soon achieves a socially and economically viable size and can support an attractive range of community facilities and services'. Further, it says: 'If Undoolya is chosen, then Larapinta may not be required for at least 20 years and possibly not at all'. There are many contingencies. Quite clearly, the 1981 report, to which I have referred, does not express any sort of preference for Undoolya. Quite clearly, it presents Undoolya and Larapinta as development options. The report actually did say that a choice had to be made within 2 or 3 years. Of course, this was on the basis that Mount John would produce 1000 blocks starting in 1983.

Quite clearly, the minister has been making misleading statements. Either he has not read the report or he was misled himself. I do not believe there is any excuse for his ignorance. While the 1975 study indicated a preference for Undoolya, the government had not made a decision in favour of Undoolya in 1981. That is unequivocally clear.

Let us turn to the Larapinta development. Another aspect to the proposed development of Larapinta has not been publicised and I am just wondering why it has not. I would point out for the benefit of honourable members that, in the Alice Springs Urban Development Study of 1975 and in the document 'Planning the Future' of 1981, proposed development along Larapinta Drive is south of Larapinta Drive. That is where the study said it should be, south of Larapinta Drive, while the current and the proposed developments that the minister and his department are talking about are north of the drive - hardly long-term planning.

In relation to the Larapinta area, the minister has said that, because of various factors, developments had to be advanced and that, in recent action to rezone land north of Larapinta Drive, they had specifically not looked at subdivisions south of the road at this stage in order to preserve the views of the range. Several questions arise, Mr Speaker. Firstly, is the minister aware that, in both of the studies to which I have referred, development along Larapinta Drive is predominantly south of the road and not north? Secondly, is the variation from south to north a change in the development concept or a change in the development strategy? I would draw honourable members' attention to the fact that the honourable minister is not even here to listen, which I

find quite surprising. Thirdly, when he says 'at this stage', does that mean that, in future, the government might subdivide north and south of Larapinta Drive out as far as the start of the Simpsons Gap National Park?

It seems to me that a decision to proceed in exactly the opposite direction from that which was originally proposed is significant. However, for the Minister for Lands, it may be that the difference is just one side of the road instead of the other and, accordingly, he chose not to mention it. That would probably fit in with the sort of attitudes to central Australia that he has adopted so frequently in this Assembly. In his address to the Confederation of Industry and Commerce, the minister said it may be that changes to the development strategy for Alice Springs have caused concern, more so than the suggestion that we do not have a strategy. That is gobbledegook. How often can you alter radically a strategy and still call it the same strategy? At least the minister acknowledges that there have been major and unexpected changes, and we should be thankful for that.

Mr Speaker, I will conclude my remarks by once again referring to Mount John. The minister said to the Confederation of Industry and Commerce in relation to Mount John that one major decision taken was entirely initiated by the government - that was to preserve the Mount John valley for tourist development. He noted the 1975 study which identified the Mount John area as good potential for tourists resorts and activities. He then went on to reject the suggestion made that Alice Springs would be better off with major hotels and resorts dotted in valleys around the town and separate from each other. I ask the minister who made that suggestion. It certainly was not the opposition. The government could have accepted from 1975 on that Mount John could be reserved for tourism and it could have planned alternative residential developments but it did not. The government nominated Mount John for residential development, changed its mind far too late, and was caught without adequate plans for alternative residential development.

Mr Perron: Not a word about the sacred sites.

Mr BELL: No, I thought I would leave that to you, Marshall.

Mr HANRAHAN (Flynn): I find it a little unfortunate that the honourable member for MacDonnell has sought to waste the time of the Assembly this morning. He really is rehashing a very poor argument that can be very simply disputed: the government's failure to plan adequately for the future shape of Alice Springs. It is rubbish to suggest that adequate plans are not in place.

I will start with a little history of the development of Alice Springs between 1962 and 1972. I wonder if the honourable member for MacDonnell was there at that time when land availability was not a problem in Alice Springs. There were some very specific reasons for that. The major reason was that self-government had not occurred at that stage and the people of the Northern Territory had not received the full benefits of the excellent government which they have today. It is that government that has made the Northern Territory one of the fastest-growing population centres in Australia, if not the world.

From 1962 up until about 1974, the land tenure system was quite different. It was leasehold. Conversion to freehold occurred about 1978 and land was sold through an auction system or over the counter. It remained unsold for many years - such was the demand for land in Alice Springs. However, major changes occurred which resulted in the planned development of Morris Soak, Kurrajong Drive, Braitling and the Lackman Terrace areas. We also saw, in 1981, the first development of land by private developers.

Before I come to that, I would like to rehash how studies dealing with the urban development study of Alice Springs have come to fruition. In 1973, the Minister for the Northern Territory in the Commonwealth government instigated a report. In fact, there are something like 6 draft reports and a final summary report. In that report, which the honourable member for MacDonnell has spoken of, there were areas designated for future urban development in Alice Springs. I have mentioned some of them. They included: Morris Soak, Kurrajong Drive, Braitling and Lackman Terrace, East Side Valley, Sadadeen East Valley, Sadadeen stages 1, 2, 3 and 4, Larapinta stages 1, 2, 3, 4 and 5, Undoolya and Mount John.

Mr Speaker, the member for MacDonnell is saying that there is no planning strategy for Alice Springs. There is a planning strategy for Alice Springs. The member for MacDonnell quite readily agrees that changes have occurred. Let us look at the areas which were designated in that 1974-75 report and which have not been developed: Larapinta, Mount John, Undoolya, Dixon Road and Sadadeen east. Those areas have changed. The government made a decision this year dealing with Mount John. I will come back to that in a little while.

What I would like to stress firstly is land availability in Alice Springs. The honourable member for MacDonnell has chosen to say that there is no land now available in Alice Springs, that insufficient land has been produced in Alice Springs and that the public is poorly treated by that very fact. That is quite untrue. He is endeavouring to say that the decision not to go ahead with Mount John has created a complete undersupply. Let me run through a few of the things that are in hand at the moment and which are designated in the 1974-75 report on the future development plans for Alice Springs. They may seem like small developments at the start but they add up, and they certainly match the requirements for land availability in Alice Springs.

In Burke Street recently, some 16 lots have come on stream. In Dixon Road, there is a total of 8 lots. Another 104 will come on stream in the Dixon valley by May 1985. In fact, 80 will be coming on stream in December this year. Coupled with the land that is available in Desert Springs, which is also expected to be available in September or October, that is some 247 lots. It is fair to say that that development has taken place because of the government's decision not to proceed with Mount John, but I will deal with that later. The fact is that land availability has always been there and that land availability was designated in the 1974-75 report.

Land for urban development can come under many zones in a town plan. I would suggest that any make-believe spokesman on lands should interest himself in what those designations are. In the Alice Springs Town Plan, land is designated as R1, R2, R3, R4 and R5. That is residential development and tourist development. It can also show up on vacant land as FU - future urban development. I would suggest...

Mr Bell: What is going on with the town plan?

Mr HANRAHAN: I will have a few more words to say about the town plan shortly.

Mr Speaker, the member for MacDonnell dealt briefly with the supposed report and submission that were coming from the government. That was a major review of the Alice Springs Town Plan which is the legal document that really dictates future urban development around Alice Springs and specifically within the planning boundaries of Alice Springs, which are different to the boundaries of the municipality at this stage. That very document was available for long and lengthy public comment and discussion. The Northern Territory government

had discussions with the Alice Springs Town Council, architects and developers. It was there for general comment. I think the comments received in opposition amount to about 2 or 3 over some ridiculous period. But the important note I make is that Larapinta, the area that the government will now proceed to develop, with anywhere from 250 to 2000 blocks, is designated as an FU zone which is for future urban development. I would suggest to the honourable member for MacDonnell that, for him to suggest to this Assembly that that is poor planning, rezoning, or an area that has been dreamed up in the last 2 or 3 weeks is ridiculous.

The honourable member for MacDonnell has attempted to say that, apart from the fact that there is no developed planning strategy for Alice Springs, things have gone very wrong. But the reports are there. They deal with the east side valley, the Araluen subdivision, the Sadadeen subdivision and the Larapinta subdivision. Spencer Hill was a problem. It was withdrawn from the market because of public comment, and rightfully so. It is there now as an area permanently reserved for recreation and will be quite an asset to the people of Alice Springs. But that is just a small problem. That meant a change in the strategy for the development for Alice Springs. But it is unacceptable to have changes because of changing circumstances because the honourable member for MacDonnell chooses to say to us that changes do not happen and that growth does not occur. He does not want to address those topics. Tunnel vision is the best way to describe it. It is obvious from what the honourable member for MacDonnell has told us today that, once there is a plan, it is there forever; nothing changes. Well how would you like to all live in that sort of world? It would be downright ridiculous.

Sadadeen east is an area worth looking at because it is an area that the government designated for a large industrial subdivision of some 180 allotments with an option for a further 500 to 600 allotments. But development in that area has come to an absolute standstill. I will make this point to the honourable member. The Northern Territory government had sat down with the Aboriginal people in the area and had proceeded to the point with final draft reports of developing the area for an industrial subdivision, and rightly so. But when it moved onto the land with the surveyors etc, it was stopped. Now that is a change in the planned development strategy for Alice Springs. Things do change.

There are other areas that need addressing. One is the procedure that you adopt when you start looking at land for residential subdivisions. If you were looking at the objectives, you would identify constraints, including sacred sites. You would have a look at the implication and estimated cost of headworks and the impact on existing development with special reference to traffic, staging of the development and economics. Accordingly, you would prepare an outline of development plans for 2 scenarios: whether it is economically viable or whether the market demand is sufficient to enable the development to proceed.

I would like to address a few points that relate only to 1981. That is when Sadadeen stage 1 came on the market. That was in response to what was perceived to be a rapid growth rate occurring in the Alice Springs area. Sadadeen nearly sent a developer bankrupt in 1981 because the demand was not there. Araluen came on stream, which added a little to that, and then, all of a sudden, it took off. It took off because of the initiatives of this government. There is no doubt that this government will stand forever more behind its decision relating to Mount John. Future development and planning for Alice Springs will show in future years, be it a decade or 2, that that was one of the most responsible decisions taken on the future development of Alice Springs. There is no doubt about that and this government has amply

demonstrated that Larapinta is the area to go, that an area does exist at Undoolya and that there are other areas. But to say that things do not change and that things do not alter in any way, shape or form or that there are no existing problems at all which do not require further changes to your strategy is ridiculous. This government does have a planned strategy. There is no doubt about that. This government does make changes to its planned strategy. I have already talked about those changes and why they were necessary. It is as plain as day. This government will never be like the honourable member for MacDonnell who is gifted with tunnel vision. He looks in a straight line and is unable to see sideways. In fact, he reminds me of a guided missile. He spoke about it yesterday. He is a missile with a warhead and no guidance system - completely misdirected and making havoc unnecessarily. His planning forums in Alice Springs really show the concern and the problems in Alice Springs. Thirty people attended last Wednesday night out of a population approaching 24 000.

Mr Speaker, he has wasted the time of honourable members this morning. The discussion initiated by the honourable member for MacDonnell has been a complete farce because Alice Springs will proceed to develop in an orderly fashion and in a fashion capable of meeting the demands of people requiring housing. It will do so because of the guidance of the Department of Lands and the responsible decisions taken by the Minister for Lands for the development of Alice Springs and for the benefit of the people of Alice Springs.

Mr SMITH (Millner): Mr Speaker, I would like to begin by congratulating the honourable member for Flynn on his speech. It has taken him 4 months to break his studied silence on planning matters in Alice Springs. From his constituents' point of view, it is most unfortunate that he chose to break his silence 1000 miles from where the problem is.

Mr Perron: He waited until he had something to say that is useful.

Mr SMITH: Well, perhaps he should get started.

Mr Speaker, the basis on which we have put forward this debate is that, in the planning of Alice Springs, as in the planning of other areas, there is a necessity to develop a balance between sensible changes to established plans and blatant 'ad hocery'. What the opposition is saying in this debate is that the government, by its planning actions in Alice Springs over the last 12 months or so, has been guilty of blatant 'ad hocery'. We need look no further than the situation concerning Mount John. Mount John has quite rightly been designated by the government as a tourist area. That is a decision which we support. It is a decision that should have been taken years ago. The 1981 planning study said quite clearly that Mount John was to be a residential suburb. It was to have 1000 blocks and 200 blocks were to be turned off each year, starting in 1983. At the beginning of 1984, that decision was changed. If that is not an example of 'ad hocery' and bad planning, I do not know what is.

To have the member for Flynn saying that there is plenty of land around - 16 blocks here, 8 blocks there and 20 blocks somewhere else - proves the point. There has been a desperate search for alternative land in the Alice Springs area in the last 6 months. That search would have been completely unnecessary if there had been proper planning procedures in the Alice Springs area.

I will give another example. On a number of occasions, I have been to Alice Springs and have talked to government officials and people involved in real estate. As early as this year, those government officials were saying 'Undoolya is not on; the headworks are too expensive. We are going down Larapinta'. What we have now is a change in that decision too. Undoolya has

become a favoured option. I am not saying the decision to go to Undoolya is wrong. What I am saying is that the decision should have been made a long time ago, not now.

Mr Speaker, an unfortunate fact is that, if the member for Flynn is not concerned about the situation in Alice Springs, his former colleagues in the Alice Springs Town Council are concerned about the situation. The general public is concerned about the situation in Alice Springs, as I will proceed to demonstrate.

A wide range of people attended the Shape of Alice Springs forum on 19 July. Over 50 people were there and, as I understand it, 30 people attended the second meeting. Thirty people out of 24 000 people is not a great number but, when you consider who those 30 people are and what they do for a living, it is pretty significant. When the most important architects, builders and planners in the town go along to a meeting to discuss the shape of Alice Springs - a meeting called not by the government but by the opposition because the government is afraid to have a public debate on the matter - then I think there is something seriously wrong. Certainly, the people who attended that meeting thought there was something seriously wrong.

Some of the issues raised at that meeting were: the housing crisis in Alice Springs, as seen by the meeting; the future direction and development of Alice Springs; the need for more space in Alice Springs; Aboriginal needs in the development of Alice Springs; the Yipirinya School; car parking in the central business district; public transport; historical preservation; problems with the secrecy of the operations of the Planning Authority as perceived by the meeting; and the need for better social planning in the area. Mr Speaker, I would submit to you that that is a pretty comprehensive list of complaints. The motions that came out of that meeting included a request for the attendance, at a second forum, of authorised representatives from relevant departments to make themselves available for people to speak to and to answer queries on planning for Alice Springs, that a special forum be organised to discuss the housing crisis in Alice Springs and that consideration be given to the particular needs of Aboriginal people in plans for Alice Springs.

Following that first forum, invitations were sent to the Chief Minister, the Minister for Lands, the Minister for Housing and the Minister for Transport and Works to attend a second forum or nominate a representative from their respective departments. Needless to say, no one invited bothered to attend the meeting. However, the Minister for Lands forwarded a letter to the Chairman of the Shape of Alice Springs forum again stating that planning is under control and indicating that he saw no point in attending. My colleague has already addressed that correspondence.

At the second forum, held last week, the motions passed inlcuded one urging the Northern Territory government to stop development along Larapinta valley. There was also a motion passed criticising the Alice Springs Town Council for its failure to keep its promise of open local government. The Alice Springs Town Council in fact was bludgeoned into having a secret meeting with the Minister for Lands. It agreed, as I understand it, in the hope that he would have something significant to say. I am advised by those unfortunate people who had to attend the meeting that he had nothing significant to say at all and, what he said could well have been said in open company. It raises the question of why the minister has not had the guts to address a public meeting in Alice Springs on these particular planning issues.

Mr Perron: Because nobody turns up.

Mr SMITH: The issues have been going on for at least 3 or 4 months now. The minister has not had the guts to get out and talk to a public meeting and answer the very real concerns that exist in tht Alice Springs community.

Mr Speaker, I point out that several members of the town council have publicly spoken out about inadequate development plans. In fact, the town council voted 7 to 3 in objecting to the Town Planning Authority's rezoning proposals for the Larapinta estate on grounds of insufficient advertising of the development. Alderman Kennedy moved this motion and described the proposed 300-lot residential subdivisions in Larapinta estate as an 'ad hoc grabbing of land simply because the Northern Territory government has not planned ahead'. He said it was 'simply another stopgap decision'. I would like to quote the Centralian Advocate of 8 August in relation to this issue. Alderman Kennedy said he appreciated there were special planning problems in relation to geography, environment and sacred sites, but all of those factors have been around for a long time now. He is quoted as saying: 'We certainly do not want a repeat of what they did to the back fence of the Larapinta estate. It should have been possible to plan ahead in a better way...'. What concerned him most was that no one had seen a cohesive development plan for the Larapinta area. I would add that such a plan does not exist. He did not see how council could approve of 'bits and pieces being developed without seeing the overall picture'.

Alderman Herman Weber expressed concern at planning suggestions and was reported in the Centralian Advocate on 8 August as saying: 'Doubt should be cast on a development proposed to run up almost to the borders of a national park and nearly opposite Flynn's grave. Larapinta is a road every tourist travels along to all destinations west. It is about time we made the public fully aware of the development'.

I need not remind the Minister for Lands that he made arrangements to speak with the council members to set them straight. It appears from the minister's comments that, if you do not agree with him, you lack information or you have been given the wrong advice, as he suggested to Mr Kennedy. However, following the briefing the minister delivered to the council on 13 August, several council members continued their criticisms and concern at the obvious lack of planning. Either the Minister for Lands is a poor communicator, and that is probably true, or he had very little information to impart to the council, and that certainly is true, to dispel their anxiety over planning issues is Alice Springs. Following the briefing, Alderman Weber was interviewed for the ABC news and said he believed planning for Alice Springs is in disarray. He went on to say that blame for this lies with the minister.

Alderman King, who has lived in Alice Springs all his life, was reported in the Centralian Advocate on 15 August as saying he was worried about the apparent lack of planning in Alice Springs. This was after the briefing the minister gave to the town council. Alderman King went on to say: 'Decisions seem to be taken haphazardly and the proper preparation to back up these decisions was not being made'. He said: 'I just have a strong feeling that we are picking pieces of land here and there and we are not getting anywhere. I do not care where it goes; I would just like to know where it is going'.

I would also like to refer you, Mr Speaker, to editorials from the Centralian Advocate concerned with planning issues. I quote from an editorial on 27 July: 'The Todd Mall Study, commissioned by Alice Springs Town Council, has concluded that there is a need for a complete rethink about the town plan if Alice Springs is to develop in a way which will benefit everyone. It reinforces what a lot of people have been saying for some time that the town plan just does not plan for the future'. The editorial on 1 August had this to

say: 'Council's objection to the proposed 300-lot subdivision west along Larapinta Drive is understandable but hardly justifiable at this time. As has been highlighted recently, there just is not the town plan in existence that really plans into the future and the feeling of some aldermen that they should not support a stopgap decision would be shared by a lot of townspeople. However, figures given to Monday night's council meeting indicate that, right at this moment, there are around 2400 people waiting for a home. Not only is there not a plan for the future but it would seem we are way behind with the present. Since the Northern Territory government's surprising and still largely unexplained decision to reserve what was to be the Mount John residential subdivision for tourism purposes, planners have had to come to grips with the reality that Alice Springs has to expand somewhere'. Quite obviously, the government has failed to make the right decisions at the right time.

In the last debate and again in this debate, the opposition has attempted to be positive about the future planning needs for Alice Springs. We welcome the minister's statement that a new development concept and development strategy will be available early next year. They are certainly needed. I would ask the minister to provide details of the various studies he has commissioned. This should include: who is conducting the studies, details of terms of reference of each study, the estimated completed date, specific information on the opportunities for community input into each study and the cost of each study including estimates of the cost of producing and displaying material for public comment. It is only when that information is available to all people in Alice Springs that they will have an adequate chance to judge whether the planning of this government has the prospect of improving in the near future or whether the people of Alice Springs will have to live for an infinite time with the current ad hoc planning arrangements.

Mr Robertson: Who wrote that for you, Terry?

Mr SMITH: I wrote it myself.

Mr Robertson: I am not surprised but I am disappointed.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, we have a so-called matter of public importance before us. We have the opportunity here today to put the record straight on the planning of Alice Springs and get away from the nonsense that the members opposite have put forward.

The key to the whole debate, which was not mentioned by any of the members opposite - obviously very deliberately - is the constraints that sacred sites place on our planning. It is a fact of life unknown in Australia outside of the Northern Territory. In other town planning areas, the authorities respond to the pressures from various people within the community. They can heed or not heed the criticisms of the public and take the consequences of their decisions. However, we have the constraint of the sacred sites. The opposition conveniently ignored the power which the Sacred Sites Authority and Aboriginal people have to prevent development in Alice Springs.

The member for MacDonnell said he had a couple of problems with a paper which the minister wrote concerning development concept and development strategy. I would have thought that a man of his supposed intelligence would have had no real trouble with that. The development concept is simply the broad overview of the town: where Alice Springs should develop in order to house a certain population by a certain time given broad constraints such as hills etc. The strategy, however, is simply the plan of attack: how are you going to go about it. It would be nonsense to start building out on the corners and work in. The obvious move is to develop outwards from what you have already.

As I have said, we have other than economic constraints placed upon us. I can perceive the Marxist-style thinking of the member for MacDonnell. He would like to see everything planned as the Marxists do. They have a planned economy: 'You shall make so many motor cars. You shall not make more and you shall not make less'. He would like to have every area designed. This area will be done and then that area will be done. There is a total lack of flexibility. He is unable to respond to change and that is clear in his diatribe. The honourable member lives in a very fanciful world. To use a favourite phrase of his leader, he lives in cloud cuckoo land.

Obviously, his colleagues decided that the honourable member for MacDonnell was up a creek and he came up with the idea that it is not a matter of having no change but whether we have sensible change or blatant 'ad hocery'. The example he offered was Mount John. He supports the tourism idea. With the benefit of hindsight, he said it should have always remained an area for tourism. Of course, he conveniently forgets that the Sadadeen valley was not an option to us. Originally, the idea was to use it for industrial development. If there had not been a sacred sites constraint, I feel we would have used it for housing because we have sufficient industrial land in Alice Springs. That is what I believe would have happened. Mount John would probably not have been considered for housing. But he had the wisdom of hindsight and said that Mount John should always have been reserved for tourism. He said the change was made early this year. It was early but it was a wise change.

It is a matter of what we have on the ground and what could be brought into that area. First we had the casino which just sat on the bank of the river. Then we had the golf course. Private development there was again hindered by sacred sites but, with a grant of extra land, was able to go ahead. It is hoped by the people of Alice Springs that it will become an excellent golf course which will attract international competition. It was a real coup to attract the Sheraton Hotel to the area. In spite of the fact that it put pressure upon the availability of housing land in Alice Springs in the short term, the government wisely designated the whole area for tourism. I do not believe there is any blatant 'ad hocery' about it at all. He said that he had heard rumours around Alice Springs that Undoolya was out and Larapinta was in and then Undoolya in and Larapinta out. He was not really too sure about what was going on. Of course, at the moment, we have groups examining the future development of Alice Springs beyond the Larapinta valley.

The member for Flynn has demonstrated the nonsense spoken by the member for MacDonnell about this and has given a fairly good history of the planning. I would like to add a few points. I arrived in Alice Springs in 1970 and, at that stage, the Gillen area was under way. Around 1973-75, obtaining land of any sort was very difficult. I remember land auctions where many people were turned away. I remember the first over-the-counter sales with people queuing up for hours before the doors were opened to try to obtain some land at that time. I also recall a Labor scare tactic in 1978. Of course, that was when self-government was being mooted and the scare tactic was that it would be too expensive to live in the Territory. One of the candidates, one John Thomas, said: 'Shelve the racecourse area; we do not need it'. Of course, that proved to be nonsense. We have had a 6% growth rate ever since.

Another fact of life in Alice Springs is the 14 Aboriginal town camps. That is a fact that cannot be disputed. Of the land in the municipal area, 23.5% is taken up by these camps which are greatly under-utilised. There is one in particular, that of Yarintja, which is in the south-west corner. It is on 90 ha of land. It has about 30 houses, 3 ha per house or 7.5 acres, if you prefer it in the old terms. If that 90 ha or 225 acres went to a housing

development, one-third would go into roads and parks and other such facilities. That would leave 150 acres. A quarter-acre block is indeed a large block and, on today's standards, you could expect 5 blocks to the acre. That would be 5 times 150. There is an area which could have been used and which would not have had this ribbon development that is being complained about.

That is another thing which the member for Millner spoke about. A motion of the second meeting of the Shape of Alice Springs forum urged the cessation of development along Larapinta Drive. In a previous motion, there was great concern about housing. What are they trying to do? All I can suggest is that that meeting is just an ALP stunt to try to prevent the development and to try to embarrass the government. It is not going to work.

As I understand it, there are sacred sites on Dixon Road. These are being carefully avoided and Dixon Road development will go ahead. My colleague mentioned a number of small areas which were approved. I might say that the Department of Lands did a great job when it was given the task to find out, without looking at all of the constraints, where Alice Springs could expand. It came up with many different areas, many of which, for various reasons, the government has eliminated - because of zonings, sacred sites and other constraints. Dixon Road seems to be pretty clear.

The honourable member for MacDonnell commented that, in relation to Larapinta valley, the minister mentioned figures of 550 blocks, 1500 blocks and 2500 blocks. The constraints of sacred sites is a fact of life. It must be made clear to the public that quite often sacred sites are not pointed out until the bulldozers are ready to go. That is a conflict between 2 different traditions but it is a fact of life which the government has to live with. If we do not know the exact number of blocks that could come out of Larapinta, there is a very good reason for that. I am very glad the sacred sites legislation will be examined very carefully in the light of our experience.

I can understand Alderman Kennedy's concern. I know him well and have heard him speak on the matter. He would like to know when we can go ahead. Until that area is cleared, we are hanging on a knife's edge. He would not like to see more backyards fronting onto main roads and I am sure you will recall, Mr Speaker, that the minister said yesterday that this would not happen in future.

As far as possible, we have a plan for Alice Springs. We are making every effort to make it work. We have areas away from the town set aside for noxious purposes. Areas are being developed and services provided to the people of Alice Springs. Studies will be made of where we will go after Larapinta - whether it be to Undoolya or to the south of the town. This has not been decided as yet but it will be decided in plenty of time so that more detailed planning can go ahead. There are constraints in these areas but these will be canvassed in future reports. I do not feel that the people of Alice Springs have anything to fear about planning. There is talk, which I certainly support, of a development in the White Gums area.

All of this information is available to the member for MacDonnell. I will give him some advice. In the Centralian Advocate of yesterday, one of the headings was: 'Chairman to Take a Back Seat'. I would suggest very strongly that the honourable member for MacDonnell take a back seat until he makes the effort to do his homework and begins to know what he is talking about.

LIQUOR AMENDMENT BILL
(Serial 25)

Continued from 7 June 1984.

Mr EDE (Stuart): Mr Speaker, in opening, I would just like to mention that I have thought about this. It may be advisable to defer the committee stage of this bill. The amendments that I am proposing have just been received. I have given the minister a copy of them to have a look at. I believe the minister has a couple of amendments himself. We have considered the amendment which the bill is proposing. It does not create any problems as far as we are concerned. In the main, it seems to be quite excellent. We will have a look at the amendments when they are received. If they are as the minister indicated, I think we will support them.

However, I would like to use this occasion to talk about the amendments which we will be proposing during the committee stage. For a start, we will propose that section 75 of the act be amended to separate the selling of liquor from the other offences relating to liquor being brought into restricted areas and to create a new penalty for that offence of $5000 or 2½ years imprisonment. The point of this is to get at the grog runners as against the person who happens to have a small amount for his own consumption. The people who are taking it in to sell create the biggest problem and we would like to hit them particularly hard.

We have another section which we wish to amend. We wish to amend section 96 so that, when there is a conviction, the magistrate has the discretion on the forfeiture of a vehicle rather than the current situation where the magistrate has no discretion and the vehicle must be forfeited when there is a conviction. We also think there should be a mechanism to allow a vehicle to be claimed back from the court between the period when a charge is laid and when the case actually comes before the court. We are looking at 2 propositions here. The first is where the owner himself is not charged. In this case, we believe that, as long as the magistrate is satisfied that the vehicle will be available at the time of the court case, he should release that vehicle. The other situation is where the owner has been charged with the offence. We propose that he would have to put up to the court a security of an amount determined by the magistrate such that he would be satisfied that the vehicle would be available at the time of the court hearing.

Mr Speaker, I would like to go back to a statement by the Minister for Health made on 16 March 1983. At that stage, the then member for Fannie Bay asked if the government would amend the section of the Liquor Act relating to forfeitures. The honourable minister said: 'I have sought a legal opinion and I will advise the Assembly of this opinion at a later date'. He went on to say: 'I give the honourable member an undertaking that we will have a good look at it'. That was some 17 months ago. At the time, there were problems regarding a taxi which had been confiscated in Nhulunbuy.

Mr Speaker, there are problems with this act as it exists at the moment. I will just give another very brief example: a person may have his car stolen; the thief uses that vehicle to take alcohol into a restricted area, is caught and the vehicle is siezed; the offender is granted bail, breaks his bond and disappears interstate. There is no way that the court or anybody can return the vehicle to the owner. That vehicle is held by the court until somebody decides that the court does not want it or until the act is changed. I do hope that the amendment to the bill will be debated on its merits. There are people in all sections of society who have suffered and will continue to suffer by the way it operates at the moment.

Before we go much further, I would like to clear one thing up. I acknowledge that the sections of the act we are talking about were introduced at the request of Aboriginal people. Originally, the magistrate had the option to order forfeiture of a vehicle. Some people at the time thought that this was not being enforced strongly enough by the magistrates so they asked that that option be removed. We are not saying that the original provision was wrong. I think that the government put it in in good faith believing that it was what the people wanted and I have no doubt that that was what the people wanted at that stage.

There is no point in delving too deeply into the problems of alcohol. We know of the killings and maimings, how it compounds poverty, the sickness, the broken families and the damage that it can do to culture. When we talk about removing the mandatory forfeiture of vehicles, we are not saying that we should weaken our attack on alcoholism. However, alcoholism or heavy drinking has become institutionalised within various sectors of the Northern Territory. In certain groups, the accepted behaviour is to drink heavily. With some groups, extremely heavy drinking is the norm and a little more than the norm is enough for a person to do himself and his family a severe damage. However, when drinking becomes institutionalised, the only way that you can effectively reduce it is to work through the community. The community itself has to confront the problem. There is no simple solution for the community. It must work through a variety of solutions in attempting to find the particular mix which satisfies its particular cultural and social makeup. Hence we have had dry areas, limiting supplies to 6 cans and beer only areas. Tangentyere Council in Alice Springs has an excellent proposal regarding the concept of taverns which would serve beer only. The money they get would be used to subsidise cheap food. Patrons will have to order a meal there and they can have drinks with their meal. Any excess money will be used to try and find activities to keep people from drinking too much.

Given the variety of the solutions that the community must try in order to find the one that will be successful, I believe that it is essential that the government cooperates with the community in its search for a solution. This act was and is part of that process. In the past, the government has had considerable discussion which led to dry areas and the removal of the magistrate's option. Hopefully, it will now take that one step further and respond to the requests from the community for another change to the legislation.

I have had considerable discussions with communities prior to raising this matter. Apart from things like land, water and communications, this matter is the one that I am continually approached about when I go into the communities. People say: 'Have you got that act changed yet? What have you been able to do about it?' Certainly, Aboriginal organisations in Alice Springs have found continual problems with it. For example, an individual staff member, in direct contravention of the rules of an organisation, might use an organisation's vehicle to take alcohol into restricted areas. Needless to say, he is summarily dismissed. The organisation is then in a situation of not having a vehicle. The organisations support the amendment that I am talking about.

The reason that people have asked for this change is that they have found that an unacceptable number of innocent people have suffered. I would like to give you a few examples of the classes of people who can suffer as a result of the legislation as it stands. We know about the Swan taxi coach from Nhulunbuy. Another example of this happened in my own electorate. Nearly 3 years ago, an old couple were involved in a car accident. Both had their legs very badly smashed and now they are semi-crippled. They eventually received a lump sum compensation of $6000 each. They decided that, given the needs of the

outstation where they were living at the time, they would pool their money and use the $12 000 to buy a very good second-hand Toyota. However, they had it only for a couple of months when some young people in the community said: 'We want to go to town. We want to borrow your Toyota'. They had no idea that that Toyota would be used on the return journey to bring in grog. The family relationships were such that they could not say: 'There is a vague possibility that you may bring in grog. I am not going to lend you that vehicle'. The people concerned took the vehicle and brought a couple of flagons of wine into the community. The vehicle was forfeited and remains forfeited to this day.

Mr Speaker, I would like you to think about the contrasts in penalties in this case. The 2 young fellows involved in bringing the grog in were each fined $250 and the old people lost a $12 000 vehicle. There is nothing in that that can justify what those people suffered and continue to suffer. They are cripples and they are now caught in a situation where they are unable to work. The benefits that they received from their case are gone and it has left a very bad taste in people's mouths.

I would like to give another example of what could happen. I do not think it has happened. Let us preface this. I have heard stories about the way people get grog into dry areas. One way is to unwrap a packet of sliced bread, take the middle out of it, put a bottle of whisky in, wrap it up again and put it with 3 or 4 other loaves and send them out on the plane. It is a fairly cunning method. But, say, for example, the pilot of this plane was about 3 hours out and he passed through a bit of turbulence and the parcel fell over. In such a situation, when he heard the clunk and realised the parcel had broken open, he might think: 'There is a bottle of whisky there'. Is he going go turn around and fly back? He might think: 'I will pretend I do not know anything about it'. He might think he will try to chuck it out at the end of the airstrip when he pulls up. Suppose he pulled up and the police happened to be there to meet the plane and that the plane is forfeited. It may not be his plane. It would probably be the company's plane. Should that company really go without the services of that plane from that moment until the time of the court case? That, in itself, is unjust regardless of the fact that, at the time of the court hearing, there may be a decision that the pilot himself was innocent and the plane might be returned. But that company has lost an enormous amount.

I would like to have a look at the existing options for the disposal of the vehicle after the matter has been through the courts. At the moment, I believe it is up to the Chairman of the Liquor Commission to decide on the disposal of the assets. The point about this, however, is that it comes about after the court hearing is over so there is a considerable delay during which the person has been without the vehicle, plane or whatever - guilty or not guilty. The matter then could come before an administrative tribunal. Administrative tribunals have their place but I do not believe this is one of them. There is a very strong tendency for administrative tribunals to decide things on the basis of the policy of the organisation which it is running rather than a strict legal interpretation of what is just or lawful. In the Northern Territory, we do not have an administrative review tribunal - which I would like, but I might raise that later. Given the confusion between policy and justice which can exist within administrative tribunals, I believe that an item like this should be decided by the courts. The amendment allows the magistrate to decide on the release of the vehicle immediately the charges have been laid. It also gives the court the option to decide whether the vehicle should later be forfeited or not. That is where it should really be decided: in the courts.

I believe that the injustices under the current system are such that there is need for change. I would request members to look at the justice of the

situation. I ask the minister to make checks and satisfy himself that what I am saying is correct. This has enormous support from Aboriginal organisations and communities. I hope that he will support the amendment and allow us to eliminate a source of friction and hurt in those communities.

Mr VALE (Braitling): Mr Speaker, I just wish to speak very briefly about this proposed legislation. Having represented basically the same area that is now being represented by the honourable member for Stuart, I make these couple of points. One of the main areas of concern in the Aboriginal communities is alcohol. During my constant visits to the outlying areas when I represented the electorate of Stuart, that issue continually raised its head in debates. This was generated not by myself but by the Aboriginals, whether as individuals or as Aboriginal councils. In fact, I have a number of letters in my office - if I can locate them, I will make them available to the honourable member - from many of these communities expressing their concern about the grog running that occurred and their belief that these vehicles should be impounded.

Mr Speaker, I cannot support everything that the honourable member raised in the debate this afternoon but I share his concern about such examples as the one he gave concerning the injured couple. I am aware of that incident. However, in the end, the law can only go so far. The communities and individuals must bear some responsibility for the problem. I know of a number of occasions in the Stuart electorate when people have loaned a vehicle out of kindness or whatever but they knew full well that the people borrowing the vehicle had the potential to bring alcohol illegally into communities.

Turning to the example concerning the plane, in a number of instances in central Australia, the pilots of the planes were a little lackadaisical in their approach. Obviously, they cannot check on all occasions but they should ensure, when they take passengers on board, that they instruct them that they are not to cart alcohol back into the community.

I share the member's concern but I believe that, if a vote were taken on any of the Aboriginal communities, they would opt to retain the section in the act whereby the Liquor Commission can take possession of the vehicle.

Mr LEO (Nhulunbuy): Mr Speaker, I would like to make a contribution to the debate. I know of 2 instances where vehicles have been impounded within my electorate and both have been returned subsequently. In the last case, it was a hire car. I know the hire car operator. I know the vehicle has been returned but he was without it for quite some time and his business suffered because of it. The gentleman concerned certainly has copies of the act displayed in his office and it is made clear that vehicles will be impounded. He asks people to read this. I have been told this by persons who have hired a car there. His hire vehicle was impounded, through absolutely no fault of his own. It was returned but he was without the car for some time.

If I had a pilot's licence, I could go to an aero club and hire a plane. I could fill the plane up with grog and take it out and make a fortune. I would be fined $200 and the aero club would lose its aeroplane. That is the quite serious extreme that this legislation could go to. I know that the aero club would get its plane back eventually. The Liquor Commissioner is much more lenient than that. But it does take quite some time to get that aircraft or vehicle back. What is happening is that the person who perpetrates such an offence is given a very minimal fine. I am not too sure how far it can go but, in terms of the value of the vehicle used in transporting the liquor, he could be fined a very small amount. Meanwhile, a person who has cooperated with the spirit of the law to the best of his ability is prosecuted through no fault of

his own. I do not think that any laws in Australia or the Northern Territory were ever designed to prosecute or indeed persecute people who have not been at fault.

That is the problem with it. I make no bones about it. Alcoholism and alcohol within Aboriginal communities are very great problems in my electorate. I believe that the problems that the member for Stuart has within his electorate are representative of problems right across the Northern Territory. Nobody would doubt those problems. Certainly, those people who, for personal gain, deliberately flout the law and deliberately encourage that alcoholism should be prosecuted. They should definitely be prosecuted to the full extent of the law. I would not for a second say other than that. But when people have complied with the law, have acted within the spirit of the obligations and then are still persecuted, then that is something that this Assembly never intended. I hope that this Assembly never intended that. That is why I think our amendments should be supported.

Debate adjourned.

PRINTERS AND NEWSPAPERS BILL
(Serial 33)

Continued from 6 June 1984.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition welcomes this piece of legislation. I know that the former member for Nightcliff, Mrs Dawn Lawrie, had for some time been drawing attention to the need for the review of this old legislation. The current Printers and Newspapers Act was introduced in 1928. It has received very little attention since that time. At the very least, it is difficult to read and to understand. More importantly, many of the provisions are outdated and unsuited to modern times. For instance, the act requires the registration of the printing presses. This bill removes such outmoded requirements. Definitions have been updated, a job that was long overdue. Requirements for printers and publishers to be identified on publications are maintained. This is probably the most important provision in this type of legislation.

I went back to the last time a significant amendment was made to this act, which was in 1929, and pulled out some of the press at the time. At that time, Darwin had 2 very active and very vocal newspapers. One was the Northern Territory Standard which was owned by the trade union movement and was renouned for putting the news in the context of its effect on the workers, the unemployed and the underdog. The other paper was the Northern Territory Times which had been published in Darwin since 1873 and, by the 1920s, very much represented the establishment's view in the community. The week after the ordinance was published in the Northern Territory Times, which also at that time published the Government Gazette, the Northern Territory Standard ran an editorial condemning the ordinance's one intention: to muzzle the Standard. The interesting thing about the newspapers of that day - and they do make fascinating reading - is that they quite often simply carried on for months at a time a slanging match with each other. An editorial in the Standard would put a point of view which would be promptly answered by an editorial in the Times which would then be answered again by an editorial in the Standard and so on.

Mr Speaker, I note that, the last time the act was amended, it provided for a sum of £1000, which at that time was a very large sum of money, to be lodged as a recognisance with the government in order that that money could be paid out as damages if the newspaper was found to have committed a libellous act and

someone had been defamed by the paper. I dug out the editions of both the newspapers when they commented on the ordinance. What happened is that, after the ordinance was passed, the Standard was forced to tone down its editorials somewhat. But it is a matter of history that the Standard got its own back a few years later when it obtained the contract for the publication of the Government Gazette, which was in fact the bread and butter for whichever paper happened to have it. The Standard won the contract from the Times and successfully ran the Times out of business. The Times at that time was edited by the honourable Treasurer's grandmother, Jessie Litchfield.

Mr Speaker, I remember reading some time ago that, when Lloyd George was Prime Minister of Great Britain, he went to Glasgow to address a public meeting in the Glasgow Town Hall. Politics was something else again in those days. Lloyd George had done something which had outraged the Glaswegians and the newspaper article describing this public meeting described the fact that there were vendors outside the town hall who were quite openly selling barrow loads of rotten fruit, rotten eggs and rotten tomatoes. One enterprising vendor was selling half house bricks for the audience to take into the hall. The audience used these missiles to such great effect that, after only 10 minutes, Lloyd George had to be bustled out the back door by the police. The reason I mention that is that the Northern Territory newspapers of that day reflect that that kind of atmosphere surrounded politics. They do make fascinating reading. It is a pretty tame event these days when you read this sort of stuff.

A number of the other articles that appeared on the same pages as the editorials commenting on the ordinance are fascinating enough. There is a story in the Northern Territory Times of Friday 11 January 1929. There was obviously a story behind this. It is a letter to the editor:

Sir, I was again present at the football match played by the coloured players. Although they were playing for their own amusement, I consider the play was better than Saturday's match, but I allow that the ground was so bad that you could not expect good play. As the boys are admitted by many people to be better players, I consider it a shame that the North Australian Football League will not allow them to compete for honours in the competition. As it is, we do not get the best we have.

There are a few other little articles. This is one that I like:

All residents of Darwin are invited to sign the requisition to the Commonwealth government petitioning for the provision of an adequate water supply for the town of Darwin. The petition is in Jack Brogan's bike shop in Cavenagh Street.

That is followed by an article which says:

There was today a rumour current to the effect that £15 000 had been voted for the Darwin water supply. Upon telephoning the North Australian Commission and the Government Resident, both denied any knowledge thereof.

You do not see articles like this next one in the papers today:

The frequency with which Mr N.V. Lampe, headmaster of the local public school, has occupied the bench at the local lower courts recently lends colour to the current rumour that he is to be pitchforked into the position of resident magistrate whenever it

suits the maladministration to pull this additional stunt on the helpless taxpayers of this isolated portion of the Commonwealth. But even if Mr Lampe has come to the conclusion that the position of resident magistrate would suit him better than headmaster at the public school, the interests of the taxpayers should still not be ignored, and the increasing arrogance of the present maladministration, as witnessed by the 'Standard Newspaper Criticism Muzzling Ordinance'...

That is what they called the act for libel.

... makes all the more urgent and essential the fulfilment of the long-felt want - a thoroughly unbiased Chief Magistrate, possessed of some legal knowledge and a properly balanced mentality of courage, independence and, after all, not a creature of the maladministration likely to lose his billet if ever offence is given to the most high payroll bandits.

Mr Speaker, an advertisement was published above the editorial in respect of the legislation which provided, for the first time, some recourse to people who were maligned by the paper:

Murder most foul. Sacred to the memory of the liberty of the press which was foully murdered on 4 January 1929 by a masked gang of purblind, political, protegeed, payroll bandits, sans honour, sans conscience, who loved the darkness and mortally feared the searchlight of publicity upon their monstrous misdeeds in the hope of a complete resurrection.

This was followed by the editorial which reads as follows:

So far little comment has been made in these columns concerning the infamous effort made by an equally shameless gang of officials to effectively muzzle, once and for all time, the criticism of this defender of the rights of the people and, incidentally, of every taxpayer, not only in the sparsely settled Northern Territory but in every part of the Australian Commonwealth. In this latter day conspiracy, whatever effort can be made to frustrate the evil designs of these official wrongdoers will be made. There is no great need to state exactly what is being done considering the heavy smoke cloud of camouflage with which the official public payroll banditry always camouflage their own pussyfootings as the cat does.

There is an interesting little article on the same page:

Another big batch of passengers left Darwin by the Morella leaving the usual number of their dogs tied up in the town. One or 2 absconding debtors were pinched at the last moment by debt collectors at the wharf.

The entertainment must have been pretty light in those days:

Screening tonight weather permitting. The big animal picture, Black Cyclone, starring Rex, King of the Wild Horses. Be wise and book early. Mr Smith has arranged with Mr Webb to hold his pictures on Friday so as to leave Saturday night free for the opera company. Box plans at Adam and Sons.

The press of the day really is quite fascinating. Indeed, it was a lot

more colourful and hard hitting than any press you are likely to read anywhere today.

Mr Speaker, this is the first time that this legislation has been amended since the amendment to which these editorials applied. The legislation is long overdue. It is sensible and the opposition supports it.

Mr DALE (Wanguri): Mr Speaker, I am very pleased indeed that the opposition is supporting this particular bill. I suggest that probably the only changes between the publications in those days and the publications today is that they paid far more attention to the facts in those days.

This bill is indeed a rationalisation and an update of the previous act. People in the printing and newspaper industries have an enormous responsibility to maintain a high standard of ethics. It is unfortunate that, on the odd occasion, some within the industry violate these ethics and print or publish matters which cause civil or criminal action to be contemplated. This bill merely attempts to ensure that those within the industry who fail to maintain the required standards of ethics can be readily identified. Therefore, I am sure it will be welcomed by the majority of the industry and certainly the public at large. I endorse the bill.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

MINING AMENDMENT BILL
(Serial 42)

Continued from 13 June 1984.

Mr LEO (Nhulunbuy): Mr Speaker, the proposed amendment to the Mining Act is aimed at ensuring that miners' rights under the old act continue under the new act. There has arisen some doubts as to the interpretation of the original transitional provisions in respect to the old miners' rights. Under the old act, miners' rights were granted for a period of one year. In the new act, there is no time limit, although the original draft provided for a maximum of 10 years.

These amendments will allow the miners' rights to continue on an indefinite basis, subject to the terms and conditions of the original grant. I think this is important to understand. I will be speaking to it when the opposition introduces its amendment. In fact, there will be the option of perpetuity put on miners' rights which were granted under the old Mining Act. The terms and conditions of a miner's right under the old Mining Act are substantially different from the terms and conditions under the new Mining Act. The older miner's right conferred a greater interest in land than the one issued under the new act. That is the problem that the opposition has with this legislation. Although I appreciate the problem about the confusion which exists between the 2 types of rights and how best they can be balanced or applied - and there probably is a need for perpetuity - there is some problem as to the conditions that were conferred on people who successfully sought a miner's right under the old act.

Mr Speaker, I am concerned that miners' rights apply over Aboriginal land occupied by virtue of that right immediately before the land became Aboriginal

land. That is to say that the miner's right was taken out on land which has subsequently become Aboriginal land. There may be a problem in that those rights would now be able to be applied again. I am sure the minister would be aware of the problems that that would create for the Northern Territory. I think that, in the interests of good community relationships - and, certainly, unless the minister can in some way allay my fears and the fears of the land councils - the amendment that the opposition has circulated should be accepted by the Assembly.

I spoke to the minister earlier today. It appears that we will proceed through all stages this afternoon and, unfortunately, people may not be able to assess the full intent of the opposition's amendment. The opposition's amendment will preserve the rights of Aboriginal people on land that has already been claimed and it will preserve the right of Aboriginal people to claim land which formerly they may have been able to claim. Such land might have had an old miner's right on it but, if it rolled over every 12 months, then the miner's right was not renewed after the land had been claimed. There was some confusion within the Northern Land Council, whose task it is to represent Aboriginal people, and I do not mind admitting that I had some difficulty in understanding the full implications of the minister's bill. However, I suggest that the amendment that I have proposed will dispel that confusion. It can do no harm. It should be acceptable to the minister and to the Assembly. Unless the minister has some considerable knowledge that I do not have, I will be proceeding with it in the committee stage. With those words, I will indicate that the opposition supports the bill except for that one problem.

Mr HATTON (Nightcliff): Mr Speaker, I rise to speak in support of the bill. As the honourable minister indicated in his second-reading speech, these amendments are intended to ensure that the legislation reflects the full original intention. In particular, the bill relates to a situation that has led to a possible inconsistency or misinterpretation of the intent of the legislation because of its terminology. That is in respect of those persons who hold a miner's right issued under that old legislation. It is quite clear that the intent of the legislation was that that miner should retain such rights. Unfortunately, when these confusions arise, it is necessary to put through amendments to clarify the legislation. This bill does just that.

Having just heard the points made by the honourable member for Nhulunbuy, I must say that I would oppose the amendment proposed by the honourable member. I think that that proposal, rather than protecting the rights of the Aboriginal people, would attack the rights of the person who held rights under the previous legislation. We have heard debates ad nauseam as to the effects and problems that have arisen in respect of mining exploration and development in the Northern Territory as a consequence of the Aboriginal Land Rights Act. I do not propose to embark yet again on that debate but, if this amendment were put through, the effect would be that persons who held rights under the previous Mining Act would suddenly find - if that land became subject to a land claim subsequent to their having rights in respect of that land - that they would then, potentially, have a freeze on their activities. They would be losing their rights in respect of that land. Certainly, it is not the intention of this bill, nor was it the intention of the original legislation, to interfere with the rights of those miners.

In that respect, I would oppose the amendment proposed by the member for Nhulunbuy. This bill will do nothing more than clarify and correct the expression of the original intention of the legislation. It should be supported as it stands.

Mr VALE (Braitling): Mr Speaker, I wish to speak briefly in support of these minor but important amendments to the Mining Act. The first amendment will require the written approval of a landholder before mining can proceed on land deemed or set aside for residential purposes in the future. As the minister indicated in his second-reading speech, this was one of Mr Justice Toohey's recommendations in his review of the Aboriginal land rights legislation. This amendment has the potential to be of assistance not only to people living on Aboriginal communities but other residents in the more remote areas of the Northern Territory.

Mr Speaker, when one thinks of mining companies having the ability, under the legislation as it existed prior to this amendment, to move into any Territorian's backyard without approval to extract the mineral wealth below, one would imagine that this type of action would be fairly isolated. Yet it is only a few years ago that the Victorian government, together with the electricity commission in that state, made a decision to relocate a whole town, Morwell, because the town was sitting on top of a vast coal deposit vital to that state's energy needs.

I also support the second amendment which is designed to restore or continue the occupation and passage rights of people holding miners' rights. These rights were deleted under the repealed Mining Act. It is noted that many miners' rights are, in fact, held by prospectors rather than the more high-powered and sophisticated exploration companies and I would be the last person to downgrade the contribution that these prospectors have made to Australia's mineral wealth. Indeed, if it had not been for these prospectors, the major mining towns of Mt Isa, Kalgoorlie and, indeed, the minister's own town of Tennant Creek might never have been discovered and established. Mr Speaker, I support the legislation.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I thank honourable members for their support. To reiterate the comments of my colleagues, in particular those of the member for Nightcliff, the bill is to clarify a legal position that has always been intended. It was intended by the Northern Territory government when it introduced the Mining Act and by the Commonwealth government when it introduced the Aboriginal Land Rights Act that people who had rights prior to the introduction of the act continue to hold those rights. As honourable members have explained, under the old act, anybody who had a miner's right, which was renewable every year, could question whether that right is still valid under the new act because the miner's right is no longer in existence and, therefore, cannot be renewed. The question, then, was whether the rights went with it. That was never the intention of the legislation. Neither was it the intention of the federal government's Aboriginal Land Rights Act of 1976 to remove from people the rights they had at the time in relation to mining on Aboriginal land.

Mr Speaker, I would foreshadow to the honourable member for Nhulunbuy that we will be moving to defeat his scheduled amendment 14.1 for the very simple reason that it does not do anything to clarify the position. In fact, whether deliberately or otherwise, it would disenfranchise people who had rights prior to the introduction of the Mining Bill in 1980. It disenfranchises the rights of those people in relation to land that has subsequently become Aboriginal land. That was not the intention of the original bill nor the Aboriginal Land Rights Act and that is why this bill has been introduced. I am asking all members to support this bill so that we can maintain the spirit of the original legislation.

Motion agreed to; bill read a second time.

In committee:

Bill, by leave, taken as a whole.

Mr LEO: Mr Chairman, I move amendment 14.1 to clause 4.

This is an extremely important amendment. I have no wish to remove anybody's rights to mine anywhere. We have a very difficult situation in the Northern Territory. The Aboriginal Land Rights Act is a fact of life in the Northern Territory. From what the honourable minister has said, this will potentially have an effect on that act. I do not know how many miners' rights are held which can potentially affect Aboriginal land. I do not know how many there are. If the minister tells me there are none, that would reassure me. I do know that the last thing that the mining industry wants now, and the last thing that the Aboriginal people and everybody in the Northern Territory want now is continuing conflict over the existence of mining companies in the Northern Territory and the existence of Aboriginal people and their rights in the Northern Territory.

This is potentially a very divisive piece of legislation. I wish I could state in the Assembly that what the minister has said to me is reassuring. Unfortunately, it is not. I am in no way reassured that this piece of legislation, without the words in my amendment incorporated, will not cause great confusion and not have the potential to divide our community.

Mr TUXWORTH: Mr Chairman, in response to the honourable member's proposed amendment, I would like to foreshadow to him that we will be moving to defeat the motion so that we can maintain the position that he is alleging we should maintain: that people's existing rights should be clarified. There is no need for the division that he alludes to. There is no need for any concern on the matter. The bill that we are now operating under is 4 years old and, as long as we can clarify matters like this which are of a legal nature, then the object of the amendment will have been achieved. The wording that the honourable member is proposing would undoubtedly lead to some people losing interests that they already have.

Amendment negatived.

Bill passed remaining stages without debate.

ENERGY PIPELINES AMENDMENT BILL
(Serial 45)

Continued from 22 August 1984.

In committee:

Bill, by leave, taken as a whole.

Mr TUXWORTH: Mr Chairman, I move amendment 13.1 to clause 13.

I would like to thank the committee for its indulgence in this matter. The explanation for this proposal is very simple. Under the existing wording of the act, there would be no form of appeal for anybody who interfered with a pipeline and who could reasonably demonstrate that it was not possible for him to know that there was a pipeline in existence. This proposal will enable anybody who is in such a position at least to claim in the court that he could not reasonably be expected to have known that there was a pipeline in existence and he should be able to offer that as a defence.

Amendment agreed to.

Bill, as amended, agreed to.

Bill passed remaining stages without debate.

PETROLEUM BILL
(Serial 61)

Continued from 14 June 1984.

Mr TUXWORTH (Mines and Energy)(by leave): Mr Speaker, I move that Government Business order of the day No 9 Petroleum Bill 1984 (Serial 61) be discharged from the notice paper. By way of explanation, there are a number of amendments to this bill and it will simplify the procedure before the Assembly and take much less time in committee if a new bill incorporating the proposed amendments were to be introduced and passed at this sittings.

Motion agreed to; bill withdrawn.

SUSPENSION OF STANDING ORDERS

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the introduction of the Petroleum Bill 1984 (Serial 70) without notice and the bill being passed through all stages at this sittings. By way of explanation, we have been able to consolidate in the new bill all the amendments to serial 61. It would greatly enhance the work of the committee and facilitate the passage of the bill by taking this less circuitous route through the Assembly.

Motion agreed to.

PETROLEUM BILL
(Serial 70)

Bill, by leave, presented and read a first time.

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

The contents of the bill that has just been introduced are the same as in serial 61 plus the amendments that have been circulated in the last week. I have taken some time to ensure that members of the Assembly had departmental briefings to cover this legislation because it is fairly comprehensive and it is reasonable that people have a technical explanation of its contents. If members require additional briefings relating to any aspect of this bill, they can be made available between now and next week.

Mr Speaker, the Petroleum Bill (Serial 61) that we have considered and debated, plus the amendments that have been circulated, will give us a very substantial petroleum act on which to base the Northern Territory's petroleum development. I thank honourable members for their support.

Debate adjourned.

ADJOURNMENT

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the Assembly do now adjourn.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

PETITION
School Bus Services in Nhulunbuy

Mr LEO (Nhulunbuy): Mr Speaker, I present a petition from 125 residents of Nhulunbuy relating to school bus services. 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 people of Nhulunbuy and citizens of the Northern Territory respectfully showeth their concern at the recent decision to limit school bus services within their town. Your petitioners, therefore, humbly pray that the Legislative Assembly, through the executive member responsible for education, take action to prevent the deterioration of the school bus services as foreshadowed by current moves to rigidly enforce the school bussing policy as outlined in Northern Territory Department of Education Information Statement No 18, and your petitioners, as in duty bound, will ever pray.

APPROPRIATION BILL 1984-85
(Serial 235)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

It is my pleasure to present the Northern Territory budget for 1984-85. This budget will usher in the seventh good year for the Territory since self-government - 7 good years of growth and progress during which the social and economic objectives of this government have improved the lifestyle of Territorians. The government's approach to prosperity through progress has been consistently endorsed by the electorate and its success is manifest. It is a budget which shows the government's determination not to rest on its laurels but to forge ahead. It looks to the future not the past and demonstrates that we are conscious of our clear responsibility in these early years of self-government to lay solid foundations for a prosperous, stable, free and orderly society.

This budget is all about the challenge of population growth. It also meets the challenge of providing new jobs. The recent population growth of the Territory has been remarkable. From a June 1978 population of 110 000, the Territory has advanced to a December 1983 population of 136 800 which is an annual growth rate over 3 times the Australian average. A most significant factor in this growth is the size of the migration component. Of the additional 26 800 people in the Territory since 1978, 11 458 or 43% have migrated here - that is, Australians and others have voted with their feet in favour of the Territory because they can see this as a region on the move. People are the most valuable commodity that the Territory needs to continue with its rapid development. We must attract them and retain them and we must ensure that our young people do not find it necessary to leave the Territory to further their education or employment prospects. We can do that by

providing high-quality services and by encouraging new projects with a potential to create new jobs.

Mr Speaker, with that general plan in mind, let me now proceed with the budget overview before I go into specifics. Total expenditures by government and its authorities will be $1281m in 1984-85, the highest in the history of the Territory. The continued economic and social development of the Territory is the underlying strategy of this budget and I propose to discuss its expenditure allocations under 2 categories: firstly, more jobs in expanding industries, particularly tourism; and, secondly, the delivery of high-quality services and improvement of the lifestyle of Territorians encompassing housing, health, education and leisure. For the last 2 years, this government has been able to meet its budget priorities without recourse to additional taxation measures. However, in the 1984-85 financial year, with the lowest percentage growth in the Territory's tax-sharing entitlement from the Commonwealth since self-government, it has been necessary to increase taxes. Imposts on liquor and tobacco will rise.

In relation to jobs and industry, this government, through the provision of appropriate infrastructure and developmental assistance and stimulus, intends to create a better climate for the economic advancement of the Territory. The Chief Minister announced last week an Australian first - a trade development zone aimed towards new industries of the types we cannot otherwise attract and with access to broader markets than existing industry is able to tap. We will spend more on capital works. In addition to the Channel Island Power-station, the total value of new capital works to be committed by the Territory government in 1984-85 will be nearly $237m. Of this, the Department of Transport and Works will undertake a program to cost $143m while the balance will be for works by the Northern Territory Electricity Commission ($30m), the Housing Commission ($55m), the Palmerston Development Authority (over $5m), the Conservation Commission (nearly $3m) and other authorities ($1m).

There will be substantial capital expenditure for electricity generation in Darwin either through the ambitious, central Australia to Top End gas project or through the continuation of work on the coal-fired power-station. This year will see the commencement of roadworks totalling nearly $58m. The major items include stage 2 of the Pine Creek to Jabiru road, rehabilitation of sections of Cox Peninsula Road, the second stage of sealing Larapinta Drive from Jay Creek to Hermannsburg and the access to Kings Canyon National Park. Works on the Stuart, Barkly and Victoria Highways will cost nearly $19m.

In Darwin, provision has been made for the upgrading of the bus terminal in the central business district and improvements to the Casuarina bus interchange. An attractive new ferry terminal will be built in Darwin Harbour to relieve passenger congestion and accommodate charter fishing vessels. The first stage, costing several million dollars, will commence immediately. At Nhulunbuy, a barge ramp will be constructed adjacent to the public jetty which is to be reconstructed. Water and sewerage works costing more than $12m will commence, including $4m in Katherine for the first stage of the Tindal water supply and sewerage headworks.

All these expenditures will help to stimulate the economic activity the private sector needs to expand and create jobs. But we want to do more than that. We want to encourage new industries and diversify the Territory's economy so that jobs for our young people and for those who choose to make their lives in the Territory are assured.

Mr Speaker, of the burgeoning industries, none holds brighter promise than tourism. The relationship between jobs and tourism is not always understood. Let me say in the simplest terms that tourism is already a major national industry which accounts for $12 000m per annum or some 5% to 6% of Australia's gross domestic product. Its contribution to the national economy is equivalent to that of agriculture or mining and it employs over 400 000 Australians. Bear in mind that Australia receives only about 1% of the global tourist dollar. Last year, less than 1 million tourists visited Australia. Double that and this country's unemployment problem could disappear overnight. The reason for this is plain. The basic rule of thumb is that international-standard hotels employ 1 person per room - 600 rooms equals 600 employees. Not only that, but tourists spend money in shops, restaurants, on tours and other services with the result that jobs are created in areas not related directly to tourism. In the Northern Territory, tourism is currently the fastest growth industry employing about 8% of our total workforce. Last year, it was responsible for injecting $110m into our economy. We want to see it developed to its full potential so that more jobs are created, more money generated and more opportunities produced for young and old Territorians.

Development of the necessary infrastructure for further expansion is already in hand with the near completion of the Yulara Tourist Village and the construction of new international-standard hotels in Darwin and Alice Springs. As well, the Commonwealth government will soon be commencing construction of the new Darwin airport terminal. The promise of an upgraded airport at Alice Springs has yet to be honoured. Over 1600 international-standard new hotel rooms are planned. As well as the Yulara Tourist Village, this includes the Country Club Resort in Alice Springs, the Sheraton Hotels in Alice Springs and Darwin, the Beaufort Hotel in Darwin and the major redevelopment at the old Darwin Hospital site. Whilst the Commonwealth's promised facilities at Kakadu are still to be established, the Conservation Commission is pressing ahead with the development of Kings Canyon National Park this year and is moving to have motel facilities built there.

The way is open for a blossoming tourism industry in the Territory. However, there are many competitors for potential visitors, both within Australia and overseas, and it is essential that we lift our game dramatically to match that competition. In the field of tourism promotion in Australia and overseas, the role of our Tourist Commission is paramount. In this budget, the commission will receive a massive increase of 150% over its 1983-84 funding level. The commission will undertake the advertising and development of wholesale-retail travel packages and tourist operators will be encouraged to increase promotional funding as part of a Territory-wide campaign. Overseas representation will be established in Singapore, Tokyo, Los Angeles, London and Frankfurt. On the home front, new tourist bureaus will be established in Canberra and Tasmania and at Parramatta and Dandenong in suburban Sydney and Melbourne. In all, an additional 45 staff will be employed by the commission in an all-out attempt to promote the Territory as a compelling tourist destination.

The Northern Territory Tourist Commission's target for 1988 is 600 000 visitors. It is now left to tourist operators and Territorians themselves to ensure that these opportunities are not lost. The anticipated expansion of our tourism industry will necessitate considerable training and retraining of our workforce. In Alice Springs, the hub of Territory tourism, stage 2 of the Sadadeen complex and extensions to the Gillen House School of Tourism and Hospitality will provide for a wider range of courses from 1985.

Mr Speaker, the Territory needs to put on its best face to cope with the flood of visitors in the future. The urban beautification program continues in Alice Springs, Tennant Creek and other Territory centres. It includes work at Lake Mary Anne in Tennant Creek, at the Olive Pink Flora Reserve in Alice Springs and continued beautification and rehabilitation work along the Todd and Charles Rivers in Alice Springs. There is also provision for tree planting and restoration work along the Stuart Highway and for street and park tree planting in association with the town council at Tennant Creek.

In the Territory, tourism has been second only to mining as our most important industry. Mining has outdone every other industry in its growth rate over the years since self-government, despite the irrational and discriminatory decisions made at recent ALP conferences which cause our rich uranium deposits to stay in the ground at Jabiluka and Koongarra. We are now seeing encouraging growth in minerals other than uranium with 3 new gold mines - Mt Bonnie, TC-8 and Argo - starting development and 2 other mines, the Granites and Enterprise, on the point of commitment. In 1984 dollar terms, these mines represent a value of more than $500m known gold reserves.

Mr Speaker, it is part of our vision for the Territory to use our own resources to generate electricity. The conversion of the Alice Springs Power-station to Palm Valley natural gas is expected to be completed in mid-1985. Also, the government is evaluating a proposal to use natural gas at the new Channel Island Power-station. If this project proceeds, it will benefit the Territory through the capital expenditure involved. The opportunity for new job skills and the creation of jobs directly and in supply industries is estimated at between 20 and 25 jobs per $1m of expenditure. The ability to take gas to various points along the pipeline would not only reduce dependence on imported petroleum products but would ensure security of supply. The Mereenie oilfield will be in production next month, some 20 years after it was discovered. By March next year, a refinery plant of 13 000 barrels a day will be operating at Roe Creek and will produce distillate and fuel oil for consumption in the Territory.

Mr Speaker, this year, the Department of Primary Production has a budget increase of 11% rising to $30.6m. An important factor which will markedly affect the development of the Territory's pastoral industries is the national Brucellosis and Tuberculosis Eradication Campaign known as B-TEC. Initial problems are now behind us. Including Commonwealth assistance of $11.6m, spending on the B-TEC program increased to $17.4m. This includes $4.5m for additional measures to assist pastoralists with costs of testing and certain capital improvements. $2.1m will be included in the budget of the Northern Territory Development Corporation for loans.

Whilst the pastoral sector remains the most important area in terms of total production, the output of the other elements of the Territory's rural sector will expand considerably in the next decade. This expansion will be led by the horticultural and agricultural industries and, of course, fisheries. The Agricultural Development and Marketing Authority will receive $2.2m for operational expenditure and further development costs. The onus of proving the commercial viability of a large-scale cropping industry lies primarily with the ADMA project farms. The government has provided a basic framework and is supporting farmers in establishing the viability of farming whilst aiming towards further expansion. To this end, the government will be moving to extend the period of operation of ADMA.

It is the government's firm intention to develop a broader base for the

fishing industry. The present narrow economic footing is clearly evident from catch and income figures in the past few years. Recognising the scope for broadening the industry, the government engaged an international consultant to provide a blueprint for management and development of the fishery resource. In the effort to pursue expansion, negotiations have already taken place for a joint fishing venture with Thailand and we will be looking at every possible avenue to continue growth in the industry in the years to come.

Mr Speaker, housing remains a top priority of this government. Rapid population growth and a sustained increase in economic activity have led to escalating demands on government for affordable housing and this trend is expected to continue into the future. The government can be well satisfied with its performance since 1978: 4300 housing units have been built by the Housing Commission and 6387 families assisted to buy their own accommodation. Last year, the commission completed over 700 homes and 1072 families received loan assistance. Now the task is to encourage the private sector to take over more of this escalating loan from the government.

Accordingly, we have moved to restructure the home loans scheme and still enable low-income earners to borrow and make the most significant purchase of their lives. The change to home purchase assistance measures announced recently will mean an increased scope for lending by banks and building societies. Bringing the banks in means more money which, in turn, means more loans and more homes. This will provide a further stimulus to the Territory economy and contribute to stability in the population.

The Housing Commission's construction program presses on with 991 new housing commencements in 1984-85, comprising 640 in Darwin, 230 in Alice Springs, 65 in Katherine, 28 in Tennant Creek and 28 in other centres. The 1983-84 expenditures on home construction and land purchase under the Aboriginal Housing in Remote Areas Program totalled $5.7m. Most of this amount was provided by way of grants to approximately 70 outlying communities, with the Housing Commission providing advisory and supervisory services. Construction of housing units totalled 282, varying from shelters at a cost of $5000 per unit to dwellings at a cost of $60 000 per unit. Federal government assistance is provided for a program of a similar size in 1984-85.

At Palmerston, there are nearly 600 completed residential units and the population is almost 2000, compared with 533, 12 months ago. During 1984-85, a further 850 housing units are expected to be constructed. The Palmerston growth story is indeed spectacular. The first residential lots were turned off just 2 years ago. Homes are now being completed on a daily basis in the suburbs of Driver and Gray, and lots are being turned off in Moulden, and the fourth suburb of Woodroffe has recently been released for development. Eventually, 12 residential suburbs will be developed, along with an extensive rural area as Palmerston moves relentlessly towards its population target of 50 000.

At Borroloola, the government will undertake a number of projects to relocate and improve facilities in the township. These include the construction of a new power-station at a cost of $460 000, a new pre-school infants unit and relocation of the primary school at a cost of $800 000, and a further provision of services associated with the town's development at a cost of $290 000.

Mr Speaker, last month, the first private subdivision in Katherine provided 70 blocks in the Katherine East residential area. The government

is closely monitoring the demand for land and is confident that it can meet the needs of the Tindal RAAF base. The development of Tindal will mean doubling the population of Katherine over the next few years and bring forward the need to develop new services for the town. The Territory and Commonwealth governments are currently discussing the necessity for special funding arrangements to enable this to happen within the required time frame.

Honourable members will be aware of the many advances made in Territory education since self-government resulting in significant improvements for students and teachers. This budget continues those initiatives, including construction of new shcools and expansion of learning resources. Funding is increased to cover relief teachers and to provide for an additional 100 teachers and ancillary staff. Mr Speaker, education in all its aspects is one of our prime concerns. It is unfortunate that campaigns by the Northern Territory Branch of the Teachers Federation have tended to create the impression that the level of resources for education is declining when the situation is precisely the reverse. The allocation of resources to education has been and remains one of our budget priorities. At present, teachers in the Territory enjoy the best conditions in Australia while the services provided to students are second to none.

The capital works program for this financial year includes nearly $13m for the Driver District Centre, a project involving a high school with a comprehensive range of community facilities and catering for 720 students. Other works are the upgrading of the Papunya school, provision of a library and staff centre at Milingimbi and redevelopment of the Gillen Primary School in Alice Springs. As well, assistance from the Commonwealth will enable construction of several new remote area schools including Kintore and Kurrajong. Current capital works are expected to be completed by the end of 1984 and will permit the reunification of the Darwin Community College on the Casuarina campus from early next year.

The Northern Territory government will also seek capacity on the domestic satellite to be launched in 1986. Funds have been made available to upgrade education audio-visual production studios with a view to using the satellite to improve services to isolated areas.

More funds for the Katherine Rural College will allow it to develop further as a model farm. Additional accommodation has made it possible to offer 45 places to students in 1985. The popularity of the college continues to grow and, as more facilities are provided, the number of places will be progressively increased to cater for 90 students.

This budget also enables the Vocational Training Commission to continue its important role in the training of apprentices whose numbers have risen from 830 in June 1976 to a total of 1134 in January this year. This represents a growth of 5% a year which compares favourably with the national average of 3% for the same period.

We shall continue with our aim of a university in the Territory. Following the adverse findings of the Tertiary Education Commission early this year, efforts are now being directed towards working with the commission towards a university college in association with a university in another state.

Funding for the Department of Health will rise by $11.2m or 11%. Additional resources have been provided for the Royal Darwin Hospital in line

with demand for more sophisticated services generated through population growth. A comprehensive range of specialist services is being established to allow quicker access for patients and to improve the quality of care available in the Territory. The government will watch closely the effect of Medicare on the demand for services.

A first time allocation of $900 000 is provided for the establishment of the Menzies School of Health Research. When taken with an expected contribution of $100 000 from the Menzies Foundation, this will enable research into Aboriginal health, occupational health and health problems related to living in the tropics and in remote areas. In time, this school will make a valuable contribution to the betterment of the health of Territorians and others living in similar regions both within Australia and overseas. We look forward to future support of its activities by the National Health and Medical Research Council. Expansion of health services to outstations has created a need for more Aboriginal health workers and teachers. Consequently, additional staff will be provided for the Alice Springs Aboriginal Health Unit. Allocations associated with the problems of drug and alcohol abuse total $1.5m providing for awareness campaigns, sobering-up shelters and grants to concerned community organisations.

Through the Department of Community Development, $22.5m is provided for grants to Aboriginal communities for public utilities and town management, including an additional $1m for services to outstations, pastoral properties and emerging communities. In addition, new capital works, totalling $12m, will have been programmed for the provision and upgrading of services to Aboriginal communities.

A Children's Services Bureau will be set up in October to provide a consultative service to agencies in the child-care field and individuals on all matters affecting children.

The budget also provides for the full establishment of the Equal Employment Opportunity Division in the Public Service Commissioner's Office. The government will ensure that talent is used to its full extent without discrimination.

Provision is made as well for the full staffing of the Aboriginal Development Branch to allow current Aboriginal employees in the public service to acquire new skills required for career mobility. The government has set a target of 20% Aboriginal participation in the NTPS by 1990. Currently, it is 10.5%.

Mr Speaker, the government will continue to recognise the importance of leisure-related activities in our society. To that end, some $3.8m has been allocated for grants and subsidies to a wide range of community organisations for sports, travel, coaching and training, and grants for the construction of facilities. The Marrara Sporting Complex will be expanded to the tune of $8m with staged developments of ovals and ancillary facilities for several sports, including Australian Rules, hockey and cricket. Groundworks costing $2.5m are included in the 1984-85 capital works program. In Alice Springs, the budget provides for the construction of a basketball stadium and multi-purpose youth and community centre.

Mr Speaker, development, jobs and maintenance and expansion of our infrastructure all cost a great deal of money. The revenue estimates for 1984-85, totalling $1097m, are detailed in Budget Paper No 2. Commonwealth

payments represent 86% of our budget income and are expected to total $946m. This includes: tax-sharing entitlements - $475m; specific purpose payments - $291.1m; general purpose payments (capital) - $137.4m; health grant - $27.2m; special grant - $10m; grant in lieu of uranium royalties - $4m; and 'other' - $1m. The major items included in the specific purpose payments are: Medicare grant - $11.6m; the NTEC subsidy - $69.3m; Rum Jungle rehabilitation - $77m; housing - $30.4m; roads - $41.1m; and B-TEC - $14.2m.

The estimates for Territory revenues and other receipts of $150m have been predicted on the basis of some changes to existing tax levels. The licence fee for tobacco products will be increased to 25%, a figure in line with that applying in most states. On the average, the increase will mean an extra 20¢ for a packet of cigarettes. Liquor licence fees will be increased. The 'on-licence' fee will go up from 7% to 9%, a level comparable with the states. The sliding scale for clubs and other such organisations will be increased also by 2%, bringing the rate at the top of the scale to 7%. 'Off-licence' fees will rise to 12%. The increases will become effective immediately and represent the first tax increases in the Territory for over 2 years. The government has again rejected the introduction of taxes which exist in most states - such as land tax, petrol tax and financial institution duties.

Mr Speaker, in closing my budget speech last year, I said that continuing growth means continuing prosperity. This message is as relevant now as it was then. Indeed, it will be just as relevant at the turn of the century because, despite the firm foundations laid in the years since self-government, our economy remains narrowly based and we have a long way to go before it becomes diversified and self-sustaining. There are other challenges facing all of us. The Commonwealth government, against the advice of all states and the Territory, has forced the Grants Commission to determine the tax-sharing relativities among the 6 states and the Territory. This has highlighted the possibility of the Commonwealth tampering with the special financial arrangements for the Territory agreed to at the time of self-government, regardless of the actual situation that the Territory faces with continuing restraints on its freedom to act relative to the states. Consequently, once the Grants Commission reports on 31 March 1985, the Territory is likely to face a strong challenge by the federal government to its existing arrangement. This will come to a head at the special Premiers' Conference in May 1985.

Mr Speaker, the Memorandum of Understanding underpins self-government. It must be stressed again and again that the existing arrangements, as set out in that document, constitute an agreement between the Commonwealth and the Northern Territory and any changes must be made by mutual agreement - not by a unilateral decision. Honourable members will appreciate the need for support from both sides of the Assembly for a fair and continuing financial arrangement for the Northern Territory. Only in this way can the Territory - not this government or any future government, but the Territory - offset the effect of 70 years of neglect by the Commonwealth while the states forged ahead with the benefits of tax-sharing and self-determination. For the information of honourable members, the budget papers include a copy of volume 2 of the Northern Territory's submission to the Grants Commission outlining the Territory's reasons for opposing incorporation in the states' tax-sharing arrangements.

The government is doing all it can to ensure growth on all fronts. It is investing in a balanced capital works program, it is encouraging the expansion of existing industries and it is looking for new projects which will

create more employment. This government aims to continue to improve the standard and quality of life for all Territorians and the budget for 1984-85 will do precisely that. I commend the bill to honourable members.

Debate adjourned.

BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL
(Serial 64)

Bill presented by leave and read a first time.

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

Mr Speaker, the government has endeavoured to maintain Territory taxes and fees at a level which will not discourage development in the Territory. At the same time, a reasonable revenue effort must be maintained if we are to continue to provide state-like standards of service and demonstrate to the Grants Commission that a reasonable revenue effort is being undertaken.

This amendment raises the licence fees for tobacco from 12% at wholesale to 25%. This move is intended to raise $4.5m in 1984-85 and $5.4m in a full year. The decision to raise this tax follows similar decisions in most of the states. As the amount to be paid for a licence is calculated on a previous month's sales, a transitional provision has been included in the bill so as to avoid retrospective application. The change in rate is to apply from today. I commend the bill to honourable members.

Debate adjourned.

WORKMEN'S COMPENSATION AMENDMENT BILL
(Serial 57)

Continued from 23 August 1984.

Mr SMITH (Millner): Mr Speaker, I am pleased that the government has been able to agree that the Workmen's Compensation Amendment Bill should be passed today. This is an uncontentious bill and basically is a patch-up, in the best sense of the word, of the present act. Obviously, it is meant to correct a few faults that have appeared and to carry us over until, hopefully, a complete rewrite of the act is presented to this Assembly.

I will go through the main features. The term 'workman' will be changed to 'worker'. I would like to commend the government on making that change. The sponsor of the bill said that, to some people, it may appear to be a minor change but that, in this age when we are much more conscious of terms like 'workman', it is a very sensible amendment. Secondly, the tribunal will now become a court. Appeals will no longer be rehearings but there is provision for hearing new evidence in appropriate circumstances. Thirdly, the withholding payment provision has been expanded so that 21 days' notice of discontinuation, diminishment etc must be given but the onus is still on the employer to show justification. Fourthly, a penalty for unreasonable delay in payment of settlements is extended to weekly payments. Obviously, that is a very important extension as weekly payments are a very important part of the act. The extension of penalties for unreasonable delay could well overcome the current situation wherein some unfortunate people have to wait a long time to obtain settlement payments. Fifthly, provision now exists for workers going outside Australia in connection with their work to be covered. Sixthly,

more detailed requirements are introduced in respect of keeping wage records and provision of wage statements by employers. Seventhly, the provision by which the minister can approve contracting-out arrangements has been repealed but there is still provision for self-insurers and existing certificates for contracting out to be valid until they expire. Eighthly, injury books must be available to industrial inspectors. Ninthly, penalties generally have been increased.

Mr Speaker, we have had a close look at these proposed amendments and consulted widely with people likely to be affected. There is general support for the changes. The opposition supports the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, whilst supporting this bill, and with the full knowledge that these amendments are interim measures, I must say that there is a pressing need for a total review of the act. To this end, a major inquiry is currently under way in the Northern Territory. In delivering its findings, I hope that, among other things, the inquiry addresses the problems of compensation for seamen and the current unhealthy situation where subcontractors, who contribute nothing by way of premiums to the scheme, regularly and increasingly obtain sometimes massive settlements from the scheme. Whilst legally correct, I believe the practice to be totally unacceptable. The effect on the viability of a worker's compensation scheme of these 2 matters is intense and must be remedied if premiums to employers are to be kept to a level which allows them to continue to employ staff at an equitable cost figure.

The main thrust of the bill is the repeal of the section relating to the worker's compensation tribunal and provision for the establishment of a worker's compensation court headed by the Chief Magistrate. Each magistrate appointed under the Magistrates Act shall be a member of the court while the court itself will be a court of record. This clears up the de novo situation in which litigants are reluctant to show their hands fully by admitting all the evidence to a court which will not be the final arbiter of a case. Quite clearly, they hold matters for a final hearing in a higher court thus tying up 2 courts over a long period which results in heavier workloads and costs. The onus will be on the claimant to provide evidence in full at the first hearing and, if the matter has to go to appeal, the revised section 26 will provide for rules in relation to the admission of fresh evidence by leave at the appeals court.

Clause 8 allows the claimant to appeal personally or to be represented by a legal practitioner or another person whom the court is satisfied is acting on the worker's behalf. Clause 9 verifies the employer's responsibility for payment of compensation and allows orders to be made specifying the payments to be met and for interest to be added where appropriate. It also provides for penalties to be applied in cases where the orders are not met.

Clause 10 corrects the previous anomaly whereby the employer was unable to discontinue, withhold or diminish payment where a medical certificate was produced to certify that the worker had wholly or partially recovered from his incapacity and that it was no longer a result of the accident. This reinforces the strength of medical certificates whilst, at the same time, maintains the rights of the worker to appeal for continuation of payment either partially or wholly and allows the court to so order on appeal if the evidence supports the view.

Clause 11 corrects a technical fault and allows the correct service of notices on the nominal insurer. Clause 12 also clears up a technical fault and provides clear legal right for the nominal insurer to proceed to recovery against an uninsured employer whose injured worker is compensated by the act. Clause 13 reinforces section 18 and provides not only for the issue of worker's compensation policies but also for their renewal.

The proposed section 18AA imposes a heavier penalty and stronger conditions on the employer to provide correct wage details to enable insurers to assess the risk factors more accurately and apply appropriate premium charges. For too many years, the insurance industry has been hampered by the provision of either incorrect or understated wage figures and has been denied premiums commensurate with the risk factor. Whilst some sections of the community were scrupulously honest in this respect, others were not. This resulted in premium shortfall and gave rise to ever-increasing rate applications which became a total disincentive to small businesses to employ additional staff. Hopefully, these penalties and conditions will go some way to redressing that wrong.

Proposed new section 18AB provides for the premium payments to be made by instalment in certain cases and provides for interest to be charged for that privilege. Clause 21 amends schedule 5. It deals with travel by employees overseas. It provides that the insurer must be notified prior to the event to enable the insurer more accurately to assess the risk factor when setting a premium. Clause 23 protects matters which are currently before the tribunal, enables them to be dealt with by the court and allows current certificates under section 27 to continue to be effective. The bill also provides for the term 'workman' to be replaced by the term 'worker' to reflect current attitudes more accurately. Mr Speaker, I commend the bill.

Mr HATTON (Nightcliff): Mr Speaker, I rise to speak on one particular aspect of this bill. In doing so, I am pleased to note that the opposition does not oppose the bill.

The proposed new section 18AA refers to the requirement that an employer supply wage statements. I commend the minister for the inclusion of this provision. It has long been a concern to employers that they are being disadvantaged by the dishonest employers understating wages payments with the object of reducing their insurance premiums. Given that a certain amount must be paid in relation to a particular accident frequency, if some employers understate wages, the net effect is that the average percentage of wages charged by way of premium is higher than it otherwise would need to be. The honest employer ends up subsidising the insurance premiums of the dishonest employer. That matter should have been corrected some time ago and I am pleased to see that it is being addressed now.

I note also that that matter is further addressed in the amendments to section 28 which relates to regulations. Proposed new paragraph (f) refers to the form of a statement referred to in proposed new section 18AA(1)(a)(iii). Proposed new paragraph (g) refers to the manner of verification of a statement. In other words, there is a provision now whereby regulations can be made to ensure the verification of the wage figures. I remember that, when this regulation was introduced in New South Wales, the figures indicated a reduction in the average percentage premiums of some 10%. I look forward to the insurance industry in the Northern Territory acting responsibly and adjusting its insurance premiums properly to reflect accurately the accident frequency rates.

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.

HOUSING AMENDMENT BILL
(Serial 60)

Continued from 14 June 1984.

Mr SMITH (Millner): Mr Speaker, this bill is a direct result of the shameful performance of the Deputy Chief Minister as revealed by the astute opposition in the last sittings of this Assembly. The issue raised was the failure of the previous Minister for Housing, the present Minister for Health, to exercise sufficient control over the Housing Commission's granting of penalty interest waivers on the resale of Housing Commission properties. As a result of that disgraceful performance, the government has introduced this amendment. At the time, the opposition pointed out that it did not think that there was anything wrong with the existing provisions. What was wrong was the administration of those provisions by the then minister. I hope the government does not intend to admit by these amendments that the present minister cannot be expected to administer the current provisions any better than did the past minister. That is not an attitude that we share, as we pointed out in the last sittings. We said quite clearly in the last sittings that we supported the steps that the honourable minister had taken to sort out the mess which she had inherited and we thought that the actions that she had taken would solve the matter. We have had no indication that any problems remain.

What the bill before us does basically is take away the minister's discretion to approve penalty interest waivers and put into the regulations the circumstances under which penalty interest waivers may be approved. In debating this bill, we would be more comfortable if we had had the opportunity to see the draft regulations. We are arguing in the dark to a considerable extent because we do not know what will be in the regulations. I would hope that the minister will assure the Assembly in her response that what will go into the regulations will be pretty much the same as the guidelines under which she has been operating and under which the previous minister should have been operating. If that is the case, we will be happy.

Mr Speaker, there is provision for a part-waiving of penalty interest. We would have hoped that, in that situation too, we could have seen the draft guidelines and regulations to reassure ourselves that everything was covered and no one was likely to be disadvantaged. Unfortunately, those draft regulations have not been provided to us. Again, I would ask the minister to indicate what sort of provisions we can expect in the draft regulations for part-waivers of penalty interest.

Mr Speaker, we were happy with the current provisions. However, as the government has expressed a wish to tighten up and obviously has decided that one can learn from experience, we have no objection to supporting the provisions. I hope that the minister will address herself to the matters that I have raised.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the aspect of this debate that I want to touch on is that the amendments introduced by the government are a very interesting admission of the incompetence of its own frontbench.

As the honourable member for Millner has pointed out, when this matter was raised during the last sittings, the opposition had absolutely no objection to the powers of discretion that should be allowed to ministers in operating their departments. In fact,the Hansard record will show that, since I have been Leader of the Opposition, the opposition has never objected to the proper inclusion of ministerial discretion in any legislation. Some members of the government might be able to refresh my memory on this but I cannot recall the government introducing legislation anywhere near akin to this and actually prescribing the tightening up of the discretion that it originally offered to its ministers.

Mr Speaker, the problem that occurred in respect of the amounts of public money that were quite improperly allowed to be disbursed to people who should not have received it did not arise from any deficiency in legislation. It arose quite simply because the Housing Commission was in the unfortunate position of being run by a minister who is incapable even of running a chook raffle. That was the only problem. He was not capable, Mr Speaker, and is not capable, I might add.

The problem with the legislation is that it relies on regulations which have not been seen by the Legislative Assembly. It relies on regulations which are being put in front of us as I speak. The reason I rise in the debate is to make 1 point only - the point I started off with. In our view, if the legislation is in the hands of a competent minister, this amendment should not be necessary. I do not need to bore any members of the government frontbench with a list of the acts of the Northern Territory Assembly which contain discretionary powers for ministers. These are very wide indeed and we have never taken any exception to them.

Mr Speaker, there is a simple ground rule that should be the foundation stone for the actions of ministers or, indeed, any member of the Assembly in terms of the exercise of discretion in relation to public money particularly. It is a very simple underlying prinicple that discretionary power can be exercised and perhaps should be exercised when people are disadvantaged through circumstances which are entirely beyond their own control. Mr Speaker, it is as simple as that. In my view, that would apply to any discretionary power exercised by ministers.

With the application of that kind of underlying common sense, I cannot see how any member of the government who cannot exercise discretion properly under the provisions of the original legislation without having to introduce legislation such as this is fit to sit on the frontbench. It is as simple as that. That was indicated by the government's initial public reaction to the very embarrassing disclosures about the incredibly inept way in which this was handled by the previous Minister for Housing. The original overreaction of the government was that it would close the door completely. That was indicated in public statements. We said immediately that, quite obviously that would injure and disadvantage people who should have the benefit of proper ministerial discretion.

Mr Speaker, as I am on my feet, obviously I have not had time to read the regulations which have just been put in front of me. I dare say there will be an opportunity for the committee of the Assembly to have a look at them and perhaps they will not be objectionable. The provisions in the prinicpal act are in no way different to the discretionary provisions that members will find in many other acts of the Northern Territory. That discretionary power operated and operates properly. It can operate properly under competent

ministers. It is a very interesting and public admission by the government that some of its current frontbench, in very senior positions indeed, do not fit into that particular category.

Mr FINCH (Wagaman): Mr Speaker, this amendment is proposed to section 29 of the act which relates to discretionary powers for the waiving of penalty interest rates where there are extenuating circumstances. Where the Leader of the Opposition is off the track in referring to similar discretionary powers elsewhere is that, as has been shown over the last 12 months that this section has been in existence, the great majority of persons who have applied for relief through the waiver of penalty interest have had what they considered to be extenuating circumstances. As the minister said, there are a great number of legitimate reasons why people may look to a waiving of penalty interest in their particular circumstances. These relate to medical conditions, necessity to transfer interstate or transfer of employment within the Territory. As has been pointed out, the regulations that have been circulated cover the majority of legitimate reasons why people might apply for exemption.

Mention is made of the need to transfer interstate for essential medical treatment. That, of course, does not relate to minor matters. It relates to people who might be suffering from serious illnesses such as cancer and who need to transfer interstate with their families for an extended period of time. The regulations also allow for people who are required to transfer to another place within the Territory because of their employment. Naturally enough, this is in the best interests of the on-going development of the Northern Territory. It allows people some flexibility in job promotion and to move about in various classes of occupation and not just within the public service. That relieves people of the need to stay put in one place where they are purchasing their home. Under the regulations, it is also possible for people to transfer their loan arrangements to suit changes of circumstances such as an increase or decrease in family size. As we are all well aware, the number of marriage breakdowns in the Northern Territory - as elsewhere in Australia - is increasing significantly so people need to have flexibility to adjust their house purchasing arrangements to downgrade or upgrade as the case may be.

With the introduction of the new home loans scheme, young people particularly will be in a position to purchase their initial home much earlier than they might elsewhere. That comes about through the 20% maximum payment provision whereby people may enter into the home buying arena much earlier in life and, whilst they might need to contain their objectives to a basic place of abode, as time goes on and their situation improves, they will be able to pay off their loan more rapidly. In fact, these regulations will allow them to transfer the loan without penalty into upgrading their family facilities. People approaching retirement age may have been living in a 3 or 4-bedroom urban residence with all of the burdens of gardening and so on. Towards retirement age, they may seek to simplify or rationalise their living style and move into a home unit or some other type of accommodation and, under the scheme, they will be allowed to transfer their loan arrangements without any penalty interest.

One would anticipate that the regulations will be reviewed from time to time as other regulations are. The bill itself sets up the mechanism. Because of the great volume of work that is placed before the minister, the necessity to exercise discretion obviously requires some subjective judgment which, at times, can result in inequitable treatment of various applicants. The basic purpose of the bill is to remove that potential for inequity. As

mentioned earlier, the bill allows for part-waiving of penalty interest rates which is not available under the existing section 29. Obviously, at times, people may have good reason to withdraw from the current scheme but the full waiving of penalty interest may leave them in a position where they may make an unfair profit out of what is a generously subsidised home loan scheme. Of course, the opposite applies also. In all, the bill is not about whims; it is about the removal of any potential for inequity in the application of penalty interest waivers. I support the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, in rising to support the bill, might I say that it is not a question of whether the government has full confidence in its frontbench - because it does have full confidence in its ministers, especially in those who have held their offices during the first 6 difficult years of self-government - it is a question of justice not only being done but being seen to be done.

One of the first points to be made is that the various people against whom the opposition commenced its smear campaign in relation to the rebate of penalty interest have publicly denied any impropriety. I understand that Mr Gaffy, against whom considerable criticism was levelled, has answered that criticism in the media himself. Certainly, I am aware of other people having denied the criticisms. Nonetheless, the opposition's campaign had an effect on public confidence in the housing system. Let me say that that confidence is what the government wants to maintain at all costs. We have never allowed legal interference in the housing area. The waiting period for housing is as long as 18 months in some cases. Certainly, it is not as long as it is in some of the states. Nonetheless, it is long, although the Territory assumes a greater housing burden than any of the states. I do not think it has ever been able to be said - and certainly it has never been said in this Assembly - that any minister or any politician on the government side has attempted to advance people on the housing list or effect any impropriety along those lines. I think that is a pretty proud record in 6 years. The Treasurer said this morning that we have built over 4000 units of housing up to the time of this budget. We have housed thousands of people. Of course, 80% or so of housing in the Northern Territory is provided by the commission on behalf of the government.

The opposition criticised the honourable Deputy Chief Minister who is sitting beside me. At the time, he was administering the portfolios of health, of youth, sport and recreation and of housing. He did this to the almost universal approval of his electorate as was displayed when our parliamentary colleagues opposite found themselves a medical practictioner of high repute - a fellow from whom I have sought professional advice - to run against him. The people of the Casuarina electorate returned their sitting member with an overwhelming majority. That is what the electorate thinks ...

Mr B. Collins: What a long, boring, dull afternoon.

Mr EVERINGHAM: Mr Speaker, we have toads in the hole and we have toads beneath the harrow. We do not quite know what we have over the other side of the Assembly.

Mr Speaker, all I can say is that the government is doing this because the opposition has cast doubts on the integrity of the housing system, not because the government has any doubt about the ability of any particular minister to look after the housing portfolio. We want people in the community to be satisfied as best they can that they will receive a fair shake in the

housing area. We are not interested in misinformation of the type peddled by the union lackeys of the honourable members opposite - the $300-a-month increase men. The member for Millner is not here at the moment but he used figures that were demonstrated to be false whilst he was still on his feet. We want people to know what is being done. Since doubt has been generated against this particular discretion, let us lay that doubt to rest as far as we can and circumscribe the exercise of the discretion by promulgating regulations. I believe that the government is doing a fair and reasonable thing in all the circumstances to establish and maintain public confidence in the public housing system. We will continue to fight to give Northern Territory people the best possible opportunity anywhere in this country - and that probably means anywhere in the world - to purchase a house.

Mrs PADGHAM-PURICH (Housing): Mr Speaker, I thank honourable members for their contributions to this debate. Before I was aware of what the Chief Minister was going to say, I intended to say that, on behalf of the previous Minister for Housing, I reject completely the remarks of the opposition. I think it can be proved that the previous Minister for Housing administered his portfolio with confidence and compassion and with a full consideration of any disadvantages which might accrue to any purchaser in extenuating circumstances.

Mr Speaker, these conditions will still prevail in that people will not be disadvantaged if there are extenuating circumstances which cause them to relinquish their loan with the Housing Commission within the 3-year period. It is my belief that no other portfolio except Treasury requires such a knowledge of detail. My colleague, the previous minister, would agree with me on this.

The reason for introducing this legislation and the subsequent regulations is, in part, to replace subjectivity by objectivity. When cases come to me for consideration, I have expressed my wishes and they have been carried out. But I do not know names; I just know numbers. A person's application is considered on its merits only. I believe the previous minister probably did the same thing - the person's case was considered and not the person. Usually, the regulations are presented and examined by the Subordinate Legislation and Tabled Papers Committee. Honourable members are seeing the regulations today because that is what I said I would do when I introduced this amendment to the bill.

In the short time that I have had this portfolio, it has become apparent that some people might have been trying to obtain government money for a housing loan at advantageous terms of interest and using it to their own advantage by trying to get out of paying penalty interest payments before the 3-year term was up. When we talk about penalty interest payments, we are not talking about gross penalty interest payments; we are talking about increasing very advantageous interest payments to the level of bank interest payments. I think the term 'penalty' leads people to think that they are getting the rough end of the pineapple. They are not; they are still getting a pretty good deal.

Mr Speaker, there are 4 main issues involved in this amendment and the regulations. Consideration will be given to waiving penalty interest payments for medical reasons where a person needs to move to another place which necessitates selling his house. Consideration will be given to persons wishing to avail themselves of the portability of loans provisions in buying another house in the Northern Territory and continuing loan arrangements with the Housing Commission. If a person changes his job in the Northern Territory and

wishes to move to another place, either by choice, promotion or for some other reason relating to his job, his case will be considered. Where there is another mortgagor, consideration will also be given.

Mr Speaker, it is important to realise that the act relates to the waiving of penalty interest payments. When the legislation was first introduced, its full implications were not apparent. Legislation is enacted to take account of changing conditions. If legislation needs to be changed, the government reviews it. Examples of unfairness were cropping up because there was no provision in the act to waive part of the penalty interest payments. Consider the example of an applicant who might stand to make a profit before penalty interest payments were applied but, if the complete penalty interest were applied, he could face a loss. We do not want people to take unfair advantage of this waiving of penalty interest rates but, on the other hand, we do not want them to be grossly disadvantaged by it. A partial imposition of penalty interest may result in a break-even situation which we consider to be fair.

Mr Speaker, housing in the Northern Territory continues to be important because, if we want more people to settle in the Territory, we must go some way towards providing reasonable housing for them. This legislation will be under continual review. We want to prevent profiteering but we also want to ensure that the people who should be given penalty interest waivers are not disadvantaged.

Motion agreed to; bill read a second time.

Mrs PADGHAM-PURICH (Housing) (by leave): Mr Speaker, I move that the bill be now read a third time.

Mr B. COLLINS (Opposition Leader): Mr Speaker, no one knows the date of the next federal election but I can take a fair stab at it. It is quite likely that the next sittings will be the swan song of the Chief Minister.

Mr Everingham: The way John Stone is going, I might have to wait until next year.

Mr B. COLLINS: I will perhaps save my response to that interjection for an adjournment debate because I have some thoughts about the probity of the behaviour of Mr Stone irrespective of the content of anything he has said.

Mr Speaker, the Chief Minister will have to sharpen up his footwork if he expects to graduate from what he has called the kindergarten to the big school in Canberra because, if his performance - should he get there - is as undistinguished as it has been today, he will be eaten for breakfast in the House of Representatives. I can assure him of that because I have seen it in operation a few times myself.

Mr Speaker, the Chief Minister uses a standard tack when we attack ministers of his government. He deliberately distorts and misrepresents attacks on his ministers by the opposition as attacks on private individuals or as attacks on public servants. Of course, the Chief Minister's contribution to this debate was no worse than the contributions of honourable members before him, including my local member, the honourable member for Wagaman, who was clearly labouring under some dreadful misapprehension as to the effect of this legislation. He said that it would relieve the hard-working minister of the onerous duty of copping one of these applications each week by taking that responsibility away from her. The legislation does nothing of the sort. The

minister will still be required to exercise her discretion in this matter. Particularly under the last section of the regulations, there will still be the necessity to make judgments as to whether the waiver will be applied or not.

Whatever the electors of Casuarina might think, the cold, hard facts are that the paper that was provided to this Assembly by the minister herself at the last sittings demonstrated only too clearly that the honourable Deputy Chief Minister is not fit to run a government department. Perhaps the electors of Casuarina are not interested in that matter or are not worried enough to take the interest to plough through the papers themselves. Why should they? The Minister for Housing obviously did not bother and she is the responsible minister who tabled the papers. If she could not be bothered reading the papers, why should the electors of Casuarina? The Minister for Housing said a few moments ago that she assumed that the former Minister for Housing handled the matter in the same way that she did - with numbers attached to the housing waivers and so on. Even a casual glance at the interesting correspondence that was put in front of us by the minister herself at the last sittings gives an indication that in fact the previous minister did nothing of the sort.

It is quite simple. If any minister is simple minded enough to be gulled to the extent that the Deputy Chief Minister was by a written memo from a departmental head proposing a new set or procedures to be used in the exercise of the minister's discretion, and that departmental head takes the trouble in the last paragraph on the first page of the document to point out to the minister that the procedure that he is suggesting is in breach of the legislation - it does not comply with Northern Territory law which the minister is responsible for implementing - and the minister, without any further inquiry, approves that procedure, he is not fit to run a department. That will stand on the record irrespective of what the voters of Casuarina might think. With great respect to the Chief Minister, that argument was a poor attempt to defend his deputy. Perhaps all the 'hearts and flowers' cries from the Chief Minister about the onerous workloads of his deputy are an admission that the minister did not administer the department as properly as he might have. I guess we can accept it as an admission from the Chief Minister that that is the case. I just want to set the record straight. The attack by the opposition which has resulted in this legislation before us now was not aimed at individuals or private persons; it was aimed at the responsible person, the minister himself.

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

Motion agreed to; bill read a third time.

LIQUOR AMENDMENT BILL
(Serial 25)

Continued from 23 August 1984.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, this bill is fairly straightforward. There are 3 points involved. Basically, they are housekeeping points. Licence renewals will occur on a common date. With modern technology, it makes good sense to introduce a common date. Originally, it was to be 30 June but an amendment has been foreshadowed to make it 31 July. That does not concern me one bit; it is a reasonable proposition.

Quarterly returns on liquor purchases by those people who are licensed to

sell liquor will be required for statistical purposes. In the past, returns were required at the end of 12 months but now these will be required quarterly. I believe that is only a small imposition. In fact, it will avoid many end of the year hassles. I know of a particular store in my own home town which has had considerable problems bringing that information together accurately at the end of the year. Insisting on its being done 4 times a year should help such people to keep their books up to date. They will get into the habit of doing it and it should not be any great problem.

The third point relates to fines imposed if there is a serious understatement of sales. If the understatement is more than $750, fairly severe penalties may be imposed as well as payment of the shortfall. Of course, the licence costs are tied to the sales. I see no real problems with the changes. I have had no complaints from the industry.

The only other matter is an amendment from the opposition regarding the confiscation of vehicles in certain circumstances and I have some degree of sympathy with the stories that have been related. It would be hard not to have some degree of sympathy but, on the other hand, we must take into account the wishes of the Aboriginal communities which are grappling with the extremely serious problem of alcoholism and the resultant fights and disruption to their communities. One thing that is clear to me is that Aboriginal people appreciate tough laws. Their own tribal laws are extremely tough in our terms. While they wish the law to remain as it is, I do not think we should make changes without thorough consultation with them.

I believe that instances cited by the honourable member opposite should be taken into account. I appreciate his view that the actual offender, the person who is taking the grog in, should be hit considerably harder than is presently allowed for. Again, I have sympathy for the person whose vehicle was stolen and later confiscated, even if it is eventually released. But, these things need to be spelt out to the Aboriginal people to get their agreement. At this stage, I think we should not rush into something which can be investigated and brought back for further consideration at a later stage.

Mr DALE (Wanguri): Mr Speaker, it is fair to say that this bill is attempting to bring a higher standard of efficiency to the proper control and management of the liquor industry. That has been addressed by other people. I will not press that point at the moment. However, I would like to touch briefly on the amendments proposed by the member for Stuart in relation to the forfeiture provisions of section 96 of the Liquor Act. The examples he gave touched mainly on the sale of liquor within the restricted areas and the forfeiture of vehicles that have been involved in those particular offences. There are a number of other offences where the forfeiture provisions can be applied. They relate to bringing liquor into the reserve for whatever purpose, having it in one's possession or control or consuming, selling or otherwise disposing of liquor within the restricted area. The vehicles that are seized during the course of these offences become evidence for the charges before the court. As is the usual practice in any court case, any evidence that is gathered must be placed before the court so that the court will have the ability to assess all of the matters in relation to the offence. If the vehicles were to be handed back, as has been suggested by the honourable member, then it is very likely that some very important evidence may well be destroyed. On that basis alone, I believe that what he is putting forward is not realistic.

It must be remembered that the provision for forfeiture of a vehicle was at the Aboriginals' request. I know that the honourable member has already acknowledged that fact. The amendment to the Liquor Act in 1982 removed the words 'at the discretion of the court recording the conviction' from section 96. This was done at the request of the Aboriginal communities and reflected the concern of some people who saw the magistrates as being unwilling to enforce the restricted area provisions of the Liquor Act.

The NT police are strongly supportive of the existing legislation and would not want it watered down. The government is committed to supporting the philosophy behind the inclusion of the declaration of restricted area provisions within the Liquor Act. Tough legislation was needed to assist those who generally wanted to address what is a major attack on the quality of life within the Aboriginal communities. The inconvenience to a few can be tolerated when it can be seen that that attack is being repelled. I commend the bill.

Mr DONDAS (Health): Mr Speaker, I would like to pick up a couple of the points made by the honourable member for Stuart. I foreshadowed some machinery amendments to clauses 5 and 10 of the bill which I will be speaking about more fully in the committee stage. The member for Stuart spoke about the effects that alcohol has on some Aboriginal communities. The damage to the health, welfare and social fabric of Aboriginal communities are the obvious effects. During the committee stage I will give reasons why I do not support the member for Stuart's amendments. Whilst I am very sympathetic, my reasons are that, firstly, the police strongly support the present legislation and would not like to see it watered down and, secondly, we have had correspondence from communities that do not want to see the legislation watered down either.

The important thing is that there is an air of concern. I know the member for Nhulunbuy has expressed concern on several occasions. I would not say that I completely discount the thrust of the amendments proposed by the member for Stuart but I would like to canvass them further with some of the communities in the northern region. The government is aware of the concern about this issue. Action has been taken on many fronts. The main approach is to assist the communities to help themselves in tackling this very serious problem of alcohol abuse. It would not be in their best interests to penalise those people who want to see some strict control remain.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr DONDAS: Mr Chairman, I move amendment 15.1.

The words '30 June' are replaced by '31 July'. The amendment is necessary because of an administrative error. The date of 31 July is necessary because an application for the renewal of a licence must be lodged with the registrar before the date of expiry of the licence and the application must be accompanied by the liquor purchase returns. It would not therefore be possible to have the date of renewal coinciding with the end of the period for which the liquor purchase returns must be lodged. In some cases, licensees

have problems even in submitting their renewal applications before the expiration period. In many cases, the Liquor Commission has to chase these people up because, once their licence expires, they must go through the whole process of reapplying for a licence. It was felt that we should ensure that the returns are in by 31 July.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

New clauses 6A, 6B and 6C:

Mr EDE: Mr Chairman, I move amendment 18.1.

I foreshadowed this in my speech the other day to the second reading of this bill. The matter has since become a little confused. Obviously, the member for Wanguri did not read my speech at all because what he stated was completely out of context with it. The Minister for Health said that the police do not like it and he does not want to water it down.

Clause 6A increased the penalty for the offence of taking alcohol into a restricted area for the purpose of sale. This would create a new section relating specifically to the bringing of liquor into a restricted area for the purpose of selling that liquor and the penalty would be $5000, in default 2½ years jail. Perhaps it could be explained to me how that is a watering down of the act as it currently stands. I am not being obtuse in this matter but I just cannot understand how increasing the penalty from $1000 to $5000 and from, I think, 6 months to 2½ years is watering down the act. We are talking about retaining the existing penalties for the broad range of offences and increasing the penalty for that offence which we consider to be particularly heinous. I refer to the grog runner who runs grog into restricted areas not for the sake of having a few beers with a couple of mates, but for the sole purpose of selling it at a fabulous profit. By so doing, he can wreak destruction on that community and stop any of the decent programs that are under way there because he obtains the benefit of the great profits that his sort extracts.

Mr Speaker, look at the court records and see the numbers of cases that are prosecuted under section 75. I know a community where, this year, the number of people brought before the courts for offences against that section was 10% of the total population. We are trying to increase the penalty so that we can ensure that the courts will be able to punish the worst of those offenders more severely - the ones who are trying to sell grog. Let us hear no more about watering down the legislation.

Clause 6C relates to the time after a vehicle has been taken until the time when the court case is heard. The idea of being able to get the vehicle back during that period was to try to assist the owner, particularly where that owner is an innocent party. An innocent party may suffer the loss of the vehicle, whether it be an Air North aeroplane, a Department of Community Development Toyota or a battered Holden. With this amendment, we are trying to ensure that people who are innocent of any crime will no longer be penalised.

Clause 6B is an amendment to section 96 which related to forfeiture. I would like to raise once again the example of what could befall any honourable

member right now. As he sits here in this Assembly, his vehicle could be stolen, loaded with alcohol and on its way to a restricted area. We wish to allow the magistrate to have the option as to whether he will seize the vehicle or not. At the moment, if the person charged absconds from bail, there is no way at all under the law that the owner of the vehicle can get his vehicle back. It is as simple as that. What will the government do if and when that circumstance arises. I am trying to save it the embarrassment of being in the situation where that injustice will occur.

These amendments are very obviously just. They are being sought by the people of my electorate and, I have heard, by various other organisations representing Aboriginal people. I had hoped that they would proceed with the support of the government. I am very disappointed that the government has decided to play politics in this matter. However, I ask government members who can justify their opposition to the 3 major points that I made to stand up and do so now. They say that we are watering the legislation down yet what we are doing is increasing the penalties. I ask them to try to justify why an innocent party has to lose his or her vehicle until the court case is heard. I ask them to tell me what they will say to the owner of a vehicle that has been stolen when that person has no way of ever recovering that vehicle because it will still be tied up before the courts.

Mr DONDAS: Mr Chairman, I oppose the proposed amendments. I admit that there is a strengthening of the penalty. In using the expression 'watering down', I was referring to the forfeiture provisions rather than the penalty. The restricted area provisions of the Liquor Act are deliberately strong. The member for Stuart has given instances of hardship resulting from the strength of those provisions. Restricted area status is not imposed on Aboriginal communities. That status remains only as long as a community wishes it to remain. The granting of restricted area status is, by the very nature of the legislation, heavily dependent on community opinion. While the government accepts absolutely the statement by the honourable member that he has had representations concerning some aspects of the enforcement procedure, there are many more people in those communities who are quite happy to see strong action taken to safeguard their restricted areas.

Mr Speaker, there have been some cases of injustice but these have arisen because of the peculiar circumstances which exist at present. The Chairman of the Liquor Commission is unable to exercise his discretion to dispose of vehicles under claim until the outcome of the legal proceedings on an issue is known. It is this challenge, and the extensive delays in bringing the challenge, which have caused most of the distress. These delays are not the fault of the legislation.

Mr Speaker, I draw the attention of the Assembly to comments made by the member for Braitling in reply to the member for Stuart. The member for Braitling offered letters in his files which definitely support restricted areas. A letter has been made available to me which I can only assume to be similar to those received by the member for Braitling. It serves to illustrate the strength of feeling about the restricted area provisions of the Liquor Act. It is from the Ntarria Council Incorporated, Hermannsburg, to the Northern Territory Liquor Commission and it relates to confiscation under the Liquor Act:

Dear Sir,

We had drawn to our attention that there is the possibility of a move being put forward to soften the strict values which the Liquor Commission fought so hard to incorporate in the act. The community is strongly against any change to the provisions under the act which permit the police to confiscate the vehicles which have been used for illegal use. We are sure that, if this strong deterrent is removed from the act, then the act becomes so weak that it will almost be useless. The community fully supports the provisions of the act and the efforts which the local police officers are taking to make the act work. If the confiscation of the vehicle is not used as a punishment, then another provision must be substituted in its place and be equally strong to enable the community to live in relative peace and quiet in conditions in which everyone can benefit. Weakening of the act will not be of any benefit to anyone.

Yours faithfully,

Gus Williams OAM.

Mr Chairman, after lengthy consideration, the government has decided that it could not support any amendment to restricted area provisions of the Liquor Act which would tend to weaken those provisons. Of course, this decision does not close the door to future reconsideration. Everyone hopes that the problems caused by alcohol abuse will one day be solved by community development and changing social attitudes. This of course applies to both Aboriginal and non-Aboriginal communities.

The government does not support the proposal by the member for Stuart to increase penalties for the following reasons. The effect of his amendment would be to strengthen the penalty for selling liquor in a restricted area under the general provisions of the Liquor Act. The maximum penalty for the first offence is $1000 or imprisonment for 6 months and, for a second or a subsequent offence, the maximum penalty is $2000 or imprisonment for 12 months. The amendment suggested by the honourable member would provide a higher penalty specifically for the offence of selling liquor within a restricted area. I am advised that the maximum penalties have not been imposed by the courts. Increasing the maximum penalty means little. In line with my earlier comments, the government would be quite prepared to review the question of penalties if a need became apparent. It also should be said that the monetary penalty is but part of the total penalty. A person caught selling liquor in a restricted area would face the possibility of seizure and forfeiture of the alcohol and the vehicle in which it was carried.

The member for Stuart wishes to remove from section 96 the words 'at the discretion of the court recording the conviction'. These words make forfeiture of all things seized in connection with an offence under the restricted area provisions of the Liquor Act automatic. The member for Stuart acknowledged that this was done at the request of the Aboriginal communities and reflected the concern of some people who saw the courts as being unwilling to impose high penalties. The honourable member said that the support of the communities for the automatic forfeiture procedure has now changed. As I said earlier, the government fully accepts that representations have been made to the honourable member in his electorate and perhaps have been made to other members of the Assembly. The government does not accept that there is a general feeling in Aboriginal communities against this

particular provision. Indeed,the indications are to the contrary. I am advised that, in some communities, there has been quite a dramatic effect brought about by the automatic forfeiture of motor vehicles. I can only say that the government must take the broad Territory-wide view in the interests of all members of the Aboriginal communities rather than focussing on persons rightly or wrongly aggrieved at losing their properties. The government makes clear, in the interests of the general health and wellbeing of Aboriginal communities, that all people living on or near restricted areas should take care to ensure that their property is not used for the carriage of alcohol onto those restricted areas. They risk the seizure and forfeiture of their property.

The proposed new section that the honourable member referred to raises an important issue. He proposed that seized property should be released from the custody of the Chairman of the Liquor Commission pending determination of prosecution before a court. Indeed, there have been one or two dramatic instances of vehicles held for some time pending a court hearing. The recent case of a hire car at Nhulunbuy was such an incident. The government would like to say, however, that, in this process of enforcement, we are not discussing ordinary exhibits which may or may not be needed for a court hearing. We are not discussing property which could be released to an owner on the assumption that it would remain eventually with the owner and the court hearing would not have any effect on the ownership of the property. In fact, the reverse is true. Although a matter must proceed to conviction before property is forfeited, nevertheless, when a prosecution is launched and property is seized under section 95 of the Liquor Act, there must be a strong presumption in the minds of those involved that forfeiture is likely.

Mr Chairman, in discussing this aspect of the honourable member's proposal, the government has an either-or decision to make. Either the act reflects the simple black and white statement that property seized which is in danger of automatic forfeiture remains in the custody of the Chairman of the Liquor Commission until a court hearing or there is latitude to give the custody of that property to another person. One of the issues that came to mind in this matter was that the court or any other responsible authority would possibly be faced with a bewildering array of applications for temporary custody of property pending a court hearing. The question of bonds which was raised by the honourable member last week to ensure security and safe custody of seized property is a vexed question. While this is not the main point upon which the government decided not to support the honourable member's proposal, it was, nevertheless, a consideration. The main reason for the government's decision is that it sees the enforcement process as an integral part of the restricted areas provisions and, for the time being, it is not prepared to weaken any part of those provisions.

While the government has made a decision not to support the honourable member's proposal, it is clear that it is well meant and well considered. As I said earlier, Mr Chairman, there was sympathy from me. We had only received the honourable member's amendments earlier this week. Of course, I would like to have consultation with some of the Aboriginal communities in the northern region as well. The honourable member for Stuart interjected earlier: 'You said something about this 12 months ago'. The reason why something has not been done is that, at the moment, we are waiting for a Supreme Court decision on the disposal of a vehicle under section 101 to be handed down. There is an application before the court now and we are waiting for the decision. That is another reason why we would not like to proceed with these amendments.

Mr BELL: Mr Chairman, I rise briefly to comment on what the minister had to say. I do not want to speak at length. I would like to preface my comments by saying that I think I am at least as well aware of the problems of alcohol abuse within the Territory community as any other member of this Assembly. I am at least as well aware of the significant benefits that the so-called dry area legislation has provided. I am also very well aware of the situation in my own electorate at Hermannsburg that the honourable minister mentioned.

All the issues have been well and truly canvassed and there is no more that I can contribute. I really have only one question that I would like the honourable minister to address. My question turns on a comment he made where he suggested that some people were deprived of their cars 'rightly or wrongly'. Presumably, he envisages the possibility and may indeed be aware of the reality that people have wrongly been deprived of their motor vehicles. The honourable member for Stuart mentioned the case of an elderly couple who were under some obligation to lend a vehicle. Perhaps they should have forfeited it; perhaps they should have foreseen that it would be used for the transport of alcohol into a restricted area. My personal belief is that that is a bit tough. The honourable member for Nhulunbuy gave the example of the forfeiture of a taxi within his own electorate. That certainly seemed to have been lost to the owner wrongly. If it was not the honourable minister, certainly somebody else from the government benches seemed convinced that that was the case. I hope the Minister for Health takes up this question. If he believes that some people lost their vehicles wrongly, what process does he envisage for that wrong to be righted if it is not through the courts?

Mr LEO: Mr Chairman, I have some difficulties with much of what the minister said. I certainly agree with Aboriginal councils and people wishing to protect their communities from alcohol abuse. I think that anybody in the Northern Territory would sympathise with those people who almost hourly experience tragedies of quite horrendous proportions. However, I refuse to accept that anybody in those circumstances would even want to see an innocent person penalised. I refuse to accept that anybody in any community who is subject to gross alcohol abuse would suggest for an instant that innocent persons be subjected to the full weight of the law. That really is the difficulty that I have with the present legislation. Unfortunately, innocent persons are being penalised for the sake of expediency or, as the minister put to me, for the sake of avoiding legal wrangling or for the sake of the Chairman of the Liquor Commission not having to make difficult decisions. It would seem that it is easier for the Northern Territory government to act on expediency.

Mr Chairman, I refuse to accept that. As an individual and as a member of this Assembly, I will not accept that, for the sake of expediency, we are prepared to see innocent persons penalised. I appreciate that the minister may have some difficulty with the amendments in that they may not be attuned to the government's thinking. The government has had over a week to propose amendments to those amendments. I am sure my colleague would have more than willingly welcomed such amendments. However, we have had nothing from the government except excuses. Quite frankly, I find that extremely disappointing not only as a member of this Assembly but also as a Territorian.

Mr DONDAS: Mr Speaker, the member for Nhulunbuy has said that we are offering only excuses. Quite clearly, we have had correspondence from communities asking us to retain the present position. If that is not one of the best excuses, then the honourable member opposite should not be here. The communities themselves declare these particular areas. Previously, the

Chairman of the Liquor Commission had the discretion to return the vehicle. That discretion was taken away several years ago because the communities did not want anybody to have that discretion until such time as the case had been heard. The member for Stuart's amendment will water down that position. I am quite prepared to consult with communities in all regions regarding these amendments. While that consultation process is taking place, we will have more time to find out the outcome of the writ that has been lodged with the Supreme Court.

That is not an abdication of responsibility and it is not an excuse, Mr Speaker. I am fully aware of the problems associated with the Nhulunbuy taxi service; a vehicle was seized, not once but twice, for running illegal alcohol into a restricted area. I know that the hire-car industry in Darwin is concerned that its vehicles could be hired by unwitting tourists to go for a drive out to Kakadu. They might happen to have half a dozen beers in an esky. We know that those problems exist but, at this particular stage, we have had no indication from Aboriginal communities that they want to have the provisions watered down other than the member for Stuart bringing an amendment into this Assembly. It was foreshadowed last week and we saw the amendment schedule only on Friday. It has been looked at but the point is that the Chairman of the Liquor Commission said there is an 'either or'. The government has decided to stand on its present platform of not amending this legislation until such time as it has had more time to think about it and to see what will happen in the Supreme Court.

Mr EDE: Mr Chairman, I suppose that I should not be surprised that a government that has ordered the forfeiture of a couple of casinos would not be particularly worried about the forfeiture of some vehicles. However, I would raise the point that the letter that came from the Ntarria Council had nothing to do with the forfeiture of vehicles owned by innocent parties. I deny that I am proposing anything which will weaken the provisions of the act as they relate to guilty people. I am simply giving an out so that the innocent are not penalised. That is all that my amendment proposes to do besides increasing the penalties imposed on the most guilty persons - the ones who take liquor in to sell it for profit. That is all we are trying to do. I hope that the minister will not forget about this one. I hope that he will respond to the representations that will be made to him by various organisations and communities in the coming months and insert into his own amendment the matters that I have requested and bring them before this Assembly at the next sittings.

New clauses 6A, 6B and 6C negatived.

Clauses 7 to 9 agreed to.

Clause 10:

Mr DONDAS: Mr Chairman, I move amendment 15.2.

This is a machinery amendment to bring the date to 31 July. That date was necessary because of the application for the renewal of the licence.

Mr EDE: Mr Chairman, unlike other people, we are not interested in scoring points. We are interested in good government. We can see the need for the amendment and we support it.

Amendment agreed to.

Clause 10, as amended, agreed.

Title agreed to.

Bill passed remaining stages without debate.

FEDERAL HOTELS CASINOS (COMPENSATION) BILL
(Serial 68)

Continued from 21 August 1984.

Mr LEO (Nhulunbuy): Mr Speaker, I rise with a degree of reluctance to speak to this particular bill because I am not prepared to debate it anywhere at any time. That this Assembly could be treated in this manner by having a piece of legislation put through to satisfy the whims of the Chief Minister is, I think, crass to say the least. However, I will attempt to make some sense of the Treasurer's second-reading speech which was in complete conflict in a number of areas with what is proposed in the bill. Indeed, I have his second-reading speech in front of me and I know that the good Hansard officers have recorded it accurately. The Treasurer said: 'It is our opinion that the company lacks the professional administration and management expertise one would expect in an organisation of its size'.

Mr Speaker, that comes as somewhat of a shock when you read clause 32 and the attached amendments. Clause 32 carries the heading: 'Continuation of business and mitigation of cost of acquisition'. Basically, clause 32 says, despite the Treasurer's words, that the present managers will continue to manage the casinos even after they have been compulsorily acquired. The present managers will continue to manage the casinos whether they like it or not. We are going to enshrine that in law, Mr Speaker. I cannot see the logic of the Treasurer's second-reading speech. Obviously, this will be muscled through but it is hard to understand when you consider the words of the Treasurer that, in his opinion, the company lacks professionalism. This Assembly will now compulsorily require those 'unprofessional' people to continue to manage the casinos even after they have been acquired.

Mr Speaker, the bill is a farce. The Treasurer's second-reading speech was a farce. To continue to debate it would add some credence to this farce. I indicate the opposition's complete rejection of this legislation and its amendments. Certainly, we will not be supporting it. In my opinion, the Chief Minister and the Treasurer have provided the Northern Territory with a first whereby this Assembly will compulsorily acquire a property development for its own pursuits. I do not know whether I can say much more except that it is a very grim day for the Northern Territory and it is a very grim day for private enterprise in the Northern Territory. I am sure that any persons who were thinking of investing in the Northern Territory would now be taking a long, hard look at us and our government.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this is the third attempt that the government has made to hijack the assets of Federal Hotels. In discussions we had this morning before the sittings started, the question was raised as to when this legislation would be proceeding through the Assembly. My response to that was to say that it would go through today because, obviously, the government would want to hide this particular piece of legislation under the coat-tails of its budget. The budget was such a complete squib that perhaps it might have the effect that it desired it to have.

It really is a very strange piece of legislation to find in a supposedly parliamentary democracy and a supposedly free enterprise government. If you wanted to add insult to the injury which has been done to this Australian company - a company which, if it has not performed to the satisfaction of the visions of the government, has certainly performed impeccably in terms of its compliance to Northern Territory law and the absolute scrupulousness with which its operations have been run - you could hardly add more insult than the legislation that is before us. The bill provides for the government takeover of Federal Hotels in the Northern Territory. It is nothing more nor less than legislation that allows the government of the Northern Territory to hijack $50m worth of privately-owned assets from an unwilling owner, no matter what complexion the government wants to put on it and no matter what stories are told about the meetings and exchanges of letters.

Initially, there were meetings and letters exchanged between Federal Hotels and the government. The interpretation of these is certainly highly arguable. According to Federal Hotels - and we now have proof positive in front of us - they had gone into all these arrangements with the government knowing that there was a gun at their head all the time. The gun is now about to be fired. A heads of agreement was negotiated under the same duress and compulsion earlier this year. We had the unbelievable interpretation placed by the Chief Minister himself on Federal Hotels' response to that heads of agreement. He said that the reason why this legislation is necessary is because Federal Hotels reneged on that heads of agreement and was arguing the toss about the amount of money provided for. Nothing could be further from the truth. The facts of the matter are quite simply that the commercial lawyers that Federal Hotels employed placed an interpretation on the heads of the agreement which differed, obviously, from the legal advice on the same document that was received from the government's legal advisers. That is hardly an unusual commercial situation. Don't tell me that one commercial group's lawyers disagreeing with the lawyers of another party to a contract normally results in a piece of legislation that compulsorily acquires the assets of one of the parties. It would be nonsense even to suggest it.

Mr Speaker, in the last week, we have heard a great deal from the Treasurer about the sanctity of agreements and we heard it again in the budget speech this morning. The Treasurer said last week - 3 times as I recall - that we received $960m from the federal government but that is no more than is provided for in the Memorandum of Understanding. I will quote him accurately from last week: 'Of course, that is an agreement between the federal government and the Northern Territory government and you cannot just break agreements'. Again, this morning, in reference to the Memorandum of Understanding, he said: 'That, of course, is an agreement that can only be altered with the agreement of both parties to it'. When you are dealing with the Northern Territory government, its agreements and contracts are a one-way street. The sanctity of agreements and contracts apply only to the other party; they do not apply to the Northern Territory government which, of course, is quite literally a law unto itself.

Mr Speaker, I said last week, and I will say again today, that I object to this gross abuse and misuse of the power of government and the abuse of this Assembly. It is not the first time. I am sure all honourable members remember the great knuckle under and sell your property or we will convene the Assembly within 28 days and compulsorily acquire it. We have already had this Assembly hung over the heads of a private citizen and had its power abused and misused by the government and, I might add, judging by the results,

for a fairly dubious purpose. We have it before us again today in a fairly breath-taking fashion.

Let us have a look at what this legislation contains, despite the yawns of the Treasurer who, as usual, considers it to be a matter of no moment. As far as the Treasurer is concerned, and he has always taken this line, when you have the numbers, you can do what you like - forget about justice, forget about trust, forget about signing contracts with people and then unilaterally using the power that you have and that no other person has simply to rip up the agreement from your side of the table and legislate for a new one. That option is not available to Federal Hotels or any other private entrepreneur who might be stupid enough to come to the Northern Territory after today.

There are 3 commencement dates under this bill. The first is 22 August 1984. From this date, Federal Hotels is bound to continue to operate the casinos in a good and businesslike manner despite the fact that there is no future in it for it. It is not allowed to take any action to increase unreasonably any compensation it might get under the act. There is a date of assent which, when the bill comes into effect, the government can acquire Federal Hotels to permit a ministerial nominee to enter and remain on the premises of Federal Hotels to observe compliance with the above and to have access to the records of Federal Hotels. On the third date, to be fixed by the Administrator, the rest of the bill will come into effect and Federal Hotels will be acquired by the Northern Territory government.

The acquisition itself covers the following matters: the hotels and the casinos in Darwin and Alice Springs; plant and equipment owned, leased or hired by Federal Hotels; and property listed in schedule 2 which can be added to by the minister before the date of acquisition. Note also that this included registered trademarks and designs. Under clause 34, all business names are cancelled. I would like to know, and perhaps the Treasurer can advise me, where this leaves the rights which are issued under federal legislation in respect of trademarks. Perhaps the Treasurer does not consider that to be of any moment either.

The leases and the liquor licences cease on the day of acquisition. The liquor licence will automatically be issued then to the minister's nominee who, I assume, will be Henry and Walker Pty Ltd and other unknown parties. It is interesting to find a private enterprise government compulsorily acquiring $50m of privately-owned assets not for a public purpose but to hand over to another private company. One of the participants is Henry and Walker. The reason I keep on referring to Henry and Walker is that, going on the Chief Minister's press statements so far, this is the only private company involved in this matter. However, I think I can reasonably assume from the non-answer to a question that I asked in the Assembly the other day that it will no longer be taking up 49% as originally announced in the sacrosanct press releases that the Chief Minister tells us contain all of the information required by us. It will not be taking up 49%; it will be taking up a lesser amount. Perhaps the Treasurer can enlighten us on that. There will be an unknown group of companies involved taking up the rest of that. The NTDC originally was to have 51% of the action. Now apparently it is to have a minority share. Really, we know very little at all about what is going on.

Mr Speaker, I will read some of the key clauses in this bill. Subclauses 32(1) and (2), which will have retrospective effect from 22 August read:

(1) The companies shall continue in a good and business like manner to conduct, and allow the continued operation of, the businesses normally conducted in and in relation to the casino and hotel complexes notwithstanding the acquitision contemplated by this act.

The government is saying to Federal Hotels: 'You do not want to sell but we are going to take it. After we take it, you have to continue to run it'. That is great stuff. I will read on:

(2) The companies shall, on and from the commencement of this section, refrain from taking any action in relation to the casino and hotel complexes or other property proposed by this act to be acquired that has or would intend to have the effect of unreasonably increasing the amount of compensation payable or likely to be payable under this act.

Once the bill is assented to, clause 32(3) will come into effect:

If required in writing by the minister so to do, the companies shall allow a person nominated in writing by the minister to enter and remain on a casino and hotel complex to observe the companies' compliance with the requirements of this section and shall give to that person reasonable access to the books and other records of the companies, and such other assistance as is necessary, to enable the person so nominated to do so.

Mr Speaker, I think it would be fair to say that no private company in this country has ever been treated by any government in such a manner. I describe that as a conservative statement. Federal Hotels can be accurately described not only as losing its assets but as a captive operator of those assets. It is bound to continue operating in the Territory at the government's whim. There is no indication in the legislation as to how long this could go on until the government is ready to proceed with the acquisition. That is a date to be announced by the Administrator. Theoretically, it could be 15 years off. We all know it will not be but we do not know when it will be. Despite having no future for its own operations in the Northern Territory, it is bound to continue to operate in a good and businesslike manner. I would imagine that this would be rather difficult considering that, when it originally came to the Territory, it probably had long-term goals. Considering the fact that it would be here for 15 years, I guess that is a reasonable assumption. To add insult to injury, clause 25 obligates Federal Hotels to facilitate entry and possession of the Territory for its successor.

Its property is compulsorily acquired by the government, not for a public purpose but so that it can be handed over to another private operator. It is then obliged by law to continue to operate the casinos. It is also obliged to allow a government nominee to police its operations to make sure it is complying with the compulsory acquisition act. On top of that, it then has to facilitate by law its own takeover. That is pretty hard stuff.

The title of this bill is very interesting, Mr Speaker. I might draw your attention to it. It is the normal practice of governments to put in the short title of a bill a reasonable encapsulation of what the bill is about. The original title of this bill was the Casinos Acquisition Bill. I note with a considerable degree of contempt the renaming of this bill to 'Federal Hotels Casinos (Compensation) Bill'. Whom does the Chief Minister think he is kidding? The major thrust of this legislation is to provide for

the compulsory acquisition of private assets. The compensation is consequent upon that. We have this bill which is actually called a compensation bill; formerly it was an acquisition bill. I think that speaks volumes about the government's own feelings in introducing this legislation. It is embarrassed by it. It will stand in this Legislative Assembly as the swan song to the Chief Minister's legislative career as the head of the Northern Territory's government. I would suspect that it is a pretty sorry landmark to leave behind after 10 years.

Obviously, the government is hoping that Federal Hotels will buckle at the knees, as well it may. The negotiations are obviously still continuing. Perhaps with a little adjustment of the price offered, Federal Hotels may come to an agreement with the government to try to salvage the best out of a bad job and it will not be necessary to bring this into force. But it stands nevertheless, even if it is only being used as a final bludgeon to hit this Australian company over the head with to get rid of it out of the Northern Territory. I would not be surprised if Federal Hotels, acting on legal advice, decides to take that course. There is no particular indication that it will. Even if this legislation is only there for that purpose, it does no credit to the bunch sitting opposite. I do not know how many citizens of the Northern Territory - and I assume very few - have taken the trouble to read the fine print in this legislation. I suggest that the business community of the Northern Territory should take the trouble to do so because it is interesting reading indeed.

Federal Hotels came into the Northern Territory. It signed an agreement which contains, under section 8 from memory, detailed provisions to cater for anything that might go wrong financially with the company. It is in there and, obviously, it should be unless a group of idiots drafted the original legislation. As part of that agreement it has a 15-year guaranteed operation with a monopoly on gaming which gave it reason to believe it would be around for a little while. It came into the Territory on a 'wave of euphoria'. I was fascinated to hear that said by the Treasurer the other day in a sarcastic and denigratory way. We all recall that this euphoria was generated by the government itself. It is interesting that, although it was waxing so euphorically about Federal Hotels coming into the Territory 2 years ago, it is now denigrating that very euphoria that it created. If the Treasurer is such a supporter of John Stone, perhaps he should read the comments that John Stone made about Animal Farm because the Chief Minister without doubt is the leading exponent of Animal Farm politics in this country.

Having done that, Federal Hotels arrived in the Territory with only minimal assistance from the government. It built assets in the Northern Territory - which were denigrated in the Assembly last week, particularly by the Treasurer - in the face of some fairly ordinary activity by the government. I referred to a few examples of this last week, including the NTDC enterprise award to the casino. But, there is another interesting one that I gleaned from the Sunday Times of 19 August in Western Australia. It refers to the federal government's national awards for tourism:

> *It is Alan Bond and Australia II versus Paul Hogan in the individual category of the national tourism awards this year. Winners in various categories will be announced in Sydney on 26 September, the eve of World Tourism Day. The federal government inaugurated the awards to promote tourism. Each state has nominated entries in 8 categories. In the accommodation sector, the Northern Territory government has nominated for the Australian Tourism Award the Mindil Beach Hotel Casino.*

You cannot have it both ways - unless you are the Northern Territory government of course. Perhaps, as a public duty, I should take the extracts from the statement made about the unprofessional operations of the casino by the Treasurer last week and send them to the judges of the Australian Tourism Award with a covering letter telling them that the Northern Territory government is trying to have somebody on and it might well be them.

Mr Speaker, at the start of this entire debate on the ejection of Federal Hotels from the Northern Territory, the first public statement I made was in response to a question asked by a journalist at an interview:

> *We of course are interested in the announcements by the government of the Darwin peninsula complex. Of course, we are used to having grandiose announcements made by the Northern Territory government which come to nothing - like Gardens Hill 3 years ago which is now a bunch of granny flats owned by the government.*

Mr Speaker, $1.5m worth of Housing Commission property falls a long way short of an $11m upmarket housing condominium owned by private enterprise. I said:

> *Taking that into account, I am interested in the public pronouncements by the government but one thing I must say is this: there will have to be a very good reason indeed to forcibly eject an Australian company from the Northern Territory and to replace Australian management of our casinos with overseas management.*

That does not contain any criticism of overseas management. I would have thought that it was perfectly reasonable for any Australian, particularly an Australian politician, to say that, if an Australian company is forcibly ejected from the Territory by the government, there must be a good reason to treat that company in that fashion. The government has failed to provide that reason to date. The Chief Minister and the Treasurer tell us that we will hear all about it in due course. We were told months ago that there would be a public seminar. I assume that the Chief Minister, as the head of the government who was in touch with the negotiations, had some basis for making that statement. He must have had some reason for believing that negotiations were proceeding and had reached conclusions that would allow him to make such a statement. Of course, there was no public seminar forthcoming.

We had evasive answers to questions last week that delightfully provided no detail at all, even about the property trust. We are in the second week of the sittings and I presume that all this will perhaps take place between now and the October sittings. Even the details of that property trust, which at the very least we are entitled to have during this sittings of the Assembly, have not been provided by the Chief Minister.

This legislation will vest control and ownership of the casinos in the hands of the Northern Territory government. I was told by the Chief Minister in the Assembly last week that perhaps this control might last only for 24 hours and the trust will take over. My information is that this could happen in September. If we are not to be told any of the details of the negotiations on this major development requiring the ejection of a company that has performed faultlessly in the Territory, then at least we could expect to be told the details of the property trust which, in the words of the Chief Minister, could possibly come into effect within a month of this sittings. However, we cannot be told this information. The information has to be kept

with the headmaster, the king of the kids; the pupils and the rest of the citizens of the Northern Territory are not entitled to it.

In the joint statement that was made by Henry and Walker and the Northern Territory government when this whole thing began in April this year, we were told by the government that the property trust would be 51% NTDC and 49% Henry and Walker. Much play was made of the involvement of this publicly-listed company in the Northern Territory. From the Chief Minister's answer last week, we now know that Henry and Walker will not have 49% at all. There will be a number of other companies involved. He did not mention what percentage of equity Henry and Walker would have even though I asked specifically for that information. Obviously, this has been put together on a day-by-day basis.

Mr Speaker, certainly before the conclusion of the sitting this week, this Assembly is entitled to have the details of the composition of that property trust if nothing else. We are expected to debate and pass this legislation even though we have been given no definitive information by the government as to where these casinos will end up. The legislation provides for the compulsory acquisition of private assets and compels Federal Hotels to continue to run the casinos until they are acquired. The company will also have to allow a government person to install himself in the casino to ensure it is doing the right thing. It is an extraordinary way for the so-called - and I quote the great speech in New South Wales by the man himself - great advocate of non-interventionist government, small government, non-regulation government to treat private enterprise. Those words will be ashes in his mouth if this legislation is allowed by this government to proceed any further through this Legislative Assembly.

I draw all honourable members' attention to this bill. How many have even bothered to read it? I hope the honourable member for Nightcliff has read every word of it and that he will contribute to this debate. In fact, I insist that he contribute to this debate because so far this particular honourable member, who had impeccable credentials in terms of the private enterprise sector of the Northern Territory before he came into this Assembly, has been absolutely silent on the subject. I would like him to comment not just on the acquisition powers in this bill, which are breathtaking, but also on the legislative requirements on this company to continue to operate the casinos after it knows that it has lost them and on the continued requirement on the company to have a government-appointed agent on the premises to ensure that it complies with this law. It is a gross abuse of government power and a gross abuse of the power of this Assembly. It will stand as a warning to any private investors in the Northern Territory. What possible reason could Federal Hotels have had to believe that, by simply using the good old 19 to 6 members, the government would tear up its side of the contract and Federal Hotels would be absolutely powerless to do anything about it.

Mr Speaker, there are a number of steps the government could have taken. It could have and should have complied with the original contract that was signed in good faith 5 years ago between it and Federal Hotels. If there had been financial problems with the operation of the casinos, the clauses of the agreement that applied to that matter should have been invoked. If that was not sufficient to do what the government wanted it to do, that would have been back luck because that was the contract that was signed. We then come to the heads of agreement. Perhaps the Chief Minister can tell us why that simply cannot be proceeded with and why the legal advice to Federal Hotels and the legal advice to the government cannot simply be tested in court. All of that is provided for here because the heads of agreement are also extinguished by this legislation.

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

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, the Leader of the Opposition was fairly predictable in his contribution to this debate this afternoon. He worked himself into a nice rage which is predictable also. Before I go into the details of the purpose of the legislation, I might take up 1 or 2 of the points made by the Leader of the Opposition.

Firstly, I will refer to the Australian tourism award for which Federal Hotels has been nominated. These nominations come from the companies and operators themselves. They go through a local committee in the Northern Territory, which is certainly not a government committee, and then they go to a national judging body. I do not think it could be said that simply because the Mindil Beach Casino is nominated for the Australian tourism award in one particular category that the Northern Territory government is sponsoring it. As I was saying, Mr Deputy Speaker, the Leader of the Opposition draws a long bow.

The Leader of the Opposition also raised the point that Federal Hotels is required by the legislation to cooperate and continue to run the properties until a suitable takeover date can be arranged. One of the reasons for that has been the lack of cooperation by Federal Hotels in recent times. For instance, arrangements were made for representatives of the new operators to come from America to meet with the General Manager of Federal Hotels in Melbourne some 6 or 8 weeks ago to make takeover arrangements. At the last moment, after the representatives had arrived from America, the General Manager of Federal Hotels left Melbourne despite a firm arrangement for the meeting made by telex. If we cannot obtain the necessary cooperation, then unfortunately it has to be legislated for.

I think the very nub of all that has been said is that Federal Hotels is an unwilling vendor. That of course is total and complete nonsense. Federal Hotels is not an unwilling vendor; it is trying to extract the maximum amount of money out of a purchaser because it knows that this is its chance. The evidence all points that way, Mr Deputy Speaker. The reason that the government has had to intervene in the casinos has been Federal Hotels' financial situation. Raking over the coals of last week's debate once again, the government certainly would never have wanted to intervene in the situation of Federal Hotels had its financial situation not become so precarious.

The Leader of the Opposition referred to clause 8 of the agreement of 1979. It is ridiculous to refer to that clause. When it became aware of Federal Hotels' precarious financial position, the government sought a report to confirm the rumours that were floating around the marketplace. It sought a report from the Australia Bank which confirmed exactly what was being touted abroad even in financial journals: that Federal Hotels and IPEC were very illiquid and could go at any time. It said, and again one is simply raking over the coals of last week's debate, that, if any part of the IPEC empire went, the whole house of cards was likely to go at the same time. Federal Hotels, knowing its position, was the first to approach the government regarding relinquishing ownership of the casinos. It did that early in 1983. It approached the government regarding floating off the casino assets in the Northern Territory for the sum of $36m whilst intending to retain control of the operation as operators. If that is not evidence that Federal Hotels wanted to relinquish ownership, then I do not know what is.

We know that we received an offer in August 1983 from Mr Farrell. The Leader of the Opposition tried to imply that the offer to the Northern Territory government of August 1983 was open for 30 days only. Just listen to the last paragraph of the letter: 'We have been having discussions with several groups regarding an equity in the properties themselves and these discussions will continue. Nevertheless, I assure you no finalisation of any agreements will occur until you have had the opportunity to discuss this letter with interested parties and come back to me'. What time limit is specified? There is certainly not a 30-day time limit as suggested by the Leader of the Opposition.

I do not blame Federal Hotels one bit but we will not buckle under the pressure which it has been trying to apply in attempting to frustrate the agreement of 16 April. It has forced us into the position where we can either do this or go into years of protracted litigation and lose the parties interested in this major development because it simply will not be able to proceed because Federal Hotels will sit in possession of the casinos. Federal Hotels certainly agreed to sell. The Martin Corporation report was dated 15 March - about 1 month before the date of the agreement of 16 April. The Martin Corporation report was prepared after specific consultation with the Chairman of Federal Hotels, Mr Farrell, and a director of Federal Hotels, Mr Wolf. Mr Farrell was the then Chairman of IPEC. The Martin Corporation report stated unequivocally that all the elements of the IPEC group, if not actually on the market for sale, were certainly potentially available for sale. The government faced the situation of seeing IPEC go down the plughole. It faced the situation of Federal Hotels going into receivership. Of course, we had the provisions of clause 8 if and when the company went into receivership. We could avail ourselves of those provisions then. But who wants some casinos that are in receivership when already around the circles from which you have to attract gamblers the financial reputation of the company is already so tarnished? The government sought to develop a situation where Federal Hotels could leave the Northern Territory with dignity, where the Northern Territory's reputation would not be tarnished and where another major project and further development of the casinos, as certainly has become necessary, could proceed.

Mr Deputy Speaker, to put it in a nutshell, the situation with Federal Hotels is that it told the Northern Territory government that it was in good financial shape. On that footing it was given an exclusive franchise by the government - a valuable state monopoly was granted to it. Then its financial circumstances, through actions taken by itself - especially in the field of reinsurance, a highly speculative area, and in a transport venture in Europe - changed dramatically. As a result, it jeopardised its operations in the Northern Territory and elsewhere. In those circumstances, wouldn't any responsible government be concerned to replace Federal Hotels without any scandal and without any loss of reputation on either side? As far as possible, we have continued to do that. The press releases of 16 April evidenced all that once again.

However, Federal Hotels went one step too far. It tried double-dipping and even its own valuers say that. Federal Hotels signed the agreement with the Territory government. It says that the government's lawyers drew it up. It was drawn up by both parties' lawyers. It is extraordinary that one set of valuers derive a valuation of $44m and the other set of valuers derive a valuation of $44m but then go on to add another $23m. Quite clearly, from the very wording of Federal Hotels' own valuers, what it has tried to do is to double-dip. That is the step - one too many - that the government simply could not accept.

On Monday before last, Mr Haddad said to me that he would recommend to Federal Hotels' board that it accept $51m. I said: 'Unfortunately, this is all documented. The government is not in your situation, John. You are a wheeler and dealer. I do not mind you trying to get what you can but we have had legal advice and we can pay you only $47.1m'. Mr Deputy Speaker, that meeting with John Haddad was all about money - the price - and that is all. Federal Hotels did not believe that this government would have the intestinal fortitude to stand up to it and make Federal Hotels stand and deliver.

Mr EDE (Stuart): Mr Deputy Speaker, I delayed standing up in the hope that we would hear the speech that we are waiting for from one of the champions of private enterprise on the backbench.

Mr Deputy Speaker, the actions of the Chief Minister in this regard remind me of a joke about a young community adviser who goes out to a community and says: 'There's not much going on around here'. Before long, he secures a loan - he has the gift of the gab - and has a market garden going. He has not worked out where he will sell the produce. Then, he thinks he might get a piggery going. Again, he has not worked out where he will sell the pigs. Later, he obtains a few more loans and gets a few chooks. However, suddenly he has another look at his whole package. He says: 'Hang on, we have more tucker here than we can eat ourselves and we have got no markets for it. The whole thing looks as though it could be a disaster'. Next moment, the bloke is backing off at about 100 miles an hour and decides to get a job in the government. I suggest that the attitude of the Chief Minister to this particular matter and his considerations about his own future are quite similar.

Mr Deputy Speaker, the Chief Minister says that the argument is all about price and not about whether Federal Hotels wants to sell or not. I would suggest to the Chief Minister that he does the normal thing in such circumstances: call Federal Hotels' bluff. He should say: 'Okay, we will not buy'. Anyone else in that situation would have little choice. The government is using its powers to do things which no businessman in this country can do.

The Leader of the Opposition has talked about the morality of this affair at length. I will not concentrate on the morality. I am just going to state the utter impracticality and the foolishness of the course of action on which the government is about to embark, given that the backbench does not show enough intestinal fortitude to cross the floor on this, which I would hope to see at least some of them doing. It takes a long time to build up credibility in the world of business. I do not like to have to stand here and preach to the people who say that they know about these things but it is pointedly obvious that they do not. It takes a long time to build up credibility. It has been build up in this country over the last couple of hundred of years because we do not take the type of action that is being proposed today. You build up credibility by sticking to the deals that you negotiate - good, bad or indifferent. You wear them if they are bad; you take the benefits if they are good. For the sake of a short-term gain, you do not put your whole long-term future at risk. That is exactly what this government is doing today.

I will ask anybody to challenge me when I say that, around the boardrooms of the large and small companies in Australia today, people are asking: 'What has got into the Northern Territory government? What are we going to do now about that plan we had for investment in the Northern

Territory?' I bet they would not think twice before saying: 'Let's give it a miss now'. How could anybody in his right mind follow along the road that Federal Hotels has taken. It has put up the money and it has done everything that it possibly could to develop a long-term industry for its own good and the good of the Northern Territory, only to have it struck out from underneath it. Right now there will be other businesses which had plans to invest in the Northern Territory and which will be saying: 'Give it a miss. It is not worth the risk'. I will bet whatever you like that the long-term losses will exceed by far the short-term gains that may or may not result from the government's action with regard to this new development. It looks quite good from what we have seen of it but we do not know enough about it. We have some beautiful models. We have some figures quoted here and there. For all we know, the new developers might even be saying: 'If they do it to Federal Hotels, they might do it to us.

To put it bluntly, I am disgusted that this government would even contemplate taking action of this nature. I for one totally and utterly oppose it. I do not believe that it can be justified either on moral grounds or on practical grounds.

Mr HATTON (Nightcliff): Mr Deputy Speaker, I will open by responding to a couple of comments from the opposition. It is sought in the course of this debate to paint a picture of a Northern Territory government that, in an ad hoc, frivolous manner, or in a fit of pique, would proceed to acquire any business that it felt was not doing very well, and this should be seen as a threat to future businesses. If that were the case and if those were the facts, the opposition might have a point.

May I say, however, that we are dealing in this situation with a particularly unique set of circumstances in the Northern Territory in respect of this particular group of businesses. I say that because these businesses are in the Northern Territory as a consequence of an agreement reached in 1979 where, in consideration of receiving a legislated monopoly to conduct business for 15 years, it undertook to carry out certain courses of action and to conduct a business in a manner which, as was touted extensively at the time, would see the casino developments in the Northern Territory as the flagship for future tourism development for the Northern Territory.

I must say that we are required today to perform what I regard as a sad but necessary duty. I say 'sad' particularly for myself because for several years I have counted the directors and management people at Federal Hotels amongst my amicable business acquaintances. I supported them against the irrational histrionics of small businesses and opposition members who cried doom and destruction in the local community as a result of the introduction of casinos. I have fought for them in their industrial disputes against trade unions and I had the pleasure of working with them on many interesting issues. Unfortunately, events have conspired against us. I find it necessary now, if I am to fulfil my responsibilities to this Assembly and to the Territory people, to promote a bill which will see the conclusion of Federal Hotels' involvement in the Territory's casinos. Whilst this may be a sad occasion, to do otherwise than to pass this legislation would be an abrogation of this government's responsibilities.

In essence, this bill is a vehicle to expedite and complete the purchase of casino property as was agreed between Federal Hotels and the Northern Territory government on 16 April 1984. There can be no doubt that these properties were and are for sale and that, given the usual commercial

bargaining postures of negotiating parties, an agreement was willingly entered into. Further, both parties accepted that the agreement was legally binding. It has further been confirmed as recently as 13 July this year by Mr Haddad from Federal Hotels that Federal Hotels considered breaking away from the heads of agreement. The complication and conflict which has arisen is in respect of the interpretation of the valuations and the consequent sale price of the assets. We believe that Federal Hotels has misinterpreted the valuation provisions and, consequently, double-counted assets in its valuation which has the effect of increasing the sale price under the heads of agreement by some $7.9m from the minimum value of $47.1m to the maximum of $55m. It has become impossible to negotiate a settlement from that. Further, the heads of agreement do not provide an arbitration clause. Thus, to resolve the dispute through the courts would involve complex legal arguments over an extensive period of time.

On the basis of the heads of agreement signed on 16 April 1984, this government proceeded with lengthy and complex negotiations both within Australia and overseas to secure new operators for the Territory casinos and, as an integral part of that process, major tourist resort developments in both Alice Springs and Darwin. Should the agreed purchase of the casinos not be completed quickly, and it is now past the originally contemplated completion date, then the other negotiations would be placed at serious risk. The whole development could be in jeopardy and our government's credibility in the international and national business circles, where we have been negotiating on the basis of what both parties regarded as a legally-binding agreement, would be shattered.

I have no doubt that Federal Hotels is well aware of these facts and it recognises the negotiating edge that potentially gives it. I have no doubt that it misjudged the Chief Minister's dedication to the Territory, believing that he would seek to avoid a political storm on the eve of an election in which he is to be a candidate. Unfortunately, it fails to recognise the overriding obligation on the government not to purchase assets for more than a fair and equitable price and the dedication of the government and the Chief Minister to that responsibility.

In this environment, the only option open to the government was to provide a vehicle to transfer the titles now and to determine a just price for the assets. That is what this legislation proposes to do. Rather than argue for years through the courts to determine a price and then transfer the assets, losing the development projects in the process, the assets would be transferred now and any dispute over the price settled by an independent tribunal thus enabling development plans to proceed.

Mr Deputy Speaker, this legislation, apart from effectively consummating an agreed sale, is a two-edged sword in relation to price. The Chairman of Federal Hotels said in his telex:

> *You will realise that just terms take into account many additional items of a compensatory nature and the valuation will ultimately be determined by the Federal Court or possibly the High Court. In this event, we believe the minimum and maximum figures contained in our heads of agreement will no longer have any relevance. There may well be a small downside risk for Federals but we feel this could be well worth taking in view of the fact of the greater potential for increasing the price.*

If Federal Hotels is correct, this legislation could in fact benefit it in terms of the sale price. In any event, this government can feel satisfied that, whatever the final price, we will have met our obligations of paying a fair and just price, no more and no less. I said earlier that there can be no doubt that these properties were and are for sale and that, given the usual bargaining postures of negotiating parties, an agreement was willingly entered into. Because there has been some dispute on this point, I feel it incumbent on me to demonstrate the accuracy of that statement.

Mr B. Collins: I bet you were given no choice other than to speak in this debate.

Mr HATTON: Wrong.

I do not like dragging dirty washing into public as it tends to confuse issues. Unfortunately, however, it becomes to some extent impossible to avoid that where the media and this Assembly are being used as commercial negotiating tactics. To answer the farrago of accusations confused by a multitude of red herrings dragged across the trail of irrational analysis, we must look into the past performance of Federal Hotels as evidence of the true situation. When Federal Hotels came to the Northern Territory in 1979, it came on a sound financial footing. I will quote shortly from some of the company figures showing that it had reasonable equity and shareholder backing and a reasonably good liquidity position. It was not overcommitted and it was in a position to proceed with the construction and fulfil the undertakings that it had made in respect of the agreements for Darwin and Alice Springs.

It is true that the cost of casino development undertakings were underestimated for a range of reasons, many of which have been touted as poor planning or inadequate engineering assessments. A further point is that, between 1979 and 1983, Federal Hotels and the IPEC group as a whole embarked on an expansion campaign on a series of fronts which left the company in a dangerous liquidity situation - very high debt ratios and very low working capital. The worst happened with inflation, escalating interest rates and a downturn in activity both in tourism and transport, the company's 2 mainstreams.

Mr Deputy Speaker, I refer to the document alluded to recently by the Chief Minister. It is a report prepared by Martin Corpotation Limited in March this year after discussions with senior personnel in Federal Hotels. In 1981, the earliest figures available, it had total assets of $55.358m of which $26.09m was in shareholders' funds. By 1983, total assets had increased to $106.643m but shareholders' funds had only increased to $31.932m whereas current liabilities had increased from $12.789m to $47.296m, an increase of $34.507m. Fixed assets had increased from $43.991m to $101.52m and current assets had decreased from $6.454m to $3.864m. Those figures showed themselves in liquidity terms of having a current ratio from 0.51% to 0.08%, shareholders' equity dropping from 47.1% to 29.9% and interest cover decreasing from 1.98% to 0.28%. These ratios indicate, respectively, lack of cash, high gearing and an inability to service current debt from operating profit. The same situation shows itself in respect of the IPEC group, and I can outline that but it may be seen to be wasting the Assembly's time to repeat the same scenario in respect of the overall group.

In 1983, therefore, the company was faced with a dangerous situation and it became necessary to restructure by selling fixed assets, reducing debt liability and improving liquidity.

Mr Ede: What is the current ratio?

Mr HATTON: I have quoted the latest figures I have. That was for March this year. I should say further that the company proceeded as a total group to dispose of a range of assets. I will outline from the report the extent to which this process of asset disposal proceeded. In February 1983, TNT bought 100% of Skypack International Courier operation from IPEC. In June 1983, TNT bought 80% of IPEC Europe which was owned by IPEC together with the 20% minority interest held by Gordon Barton. In September 1983, Mayne Nickless acquired the 50% interest of IPEC Australia which was owned by Gordon Barton and Greg Farrell. The remaining 50% of IPEC Australia remains with the IPEC group.

In respect of Southlands Reinsurance, in December 1983 IPEC announced that the court action against IPEC by Home Insurance Company was decided in favour of Home Insurance. The resultant claim against IPEC is the subject of appeal. The directors have now increased the provision for losses on reinsurance contracts by $15m. The appeal was due to go ahead in April and I cannot say what the results of that appeal were or whether it has been resolved.

Direct Acceptance Corporation is a subsidiary of the IPEC group and, following stock exchange activities for the company shares, DAC confirmed that several parties had made approaches regarding takeover. Since that time, in early December, the share price dropped and there were moves at that stage towards the takeover. Sydney Property Divestment, IPEC's historic Sydney headquarters, had been up for sale. The consultants had been advised that a sale had been finally concluded. The problem with that building is that the National Trust, from which the building will be leased for 80 years, must be consulted before any alterations can be undertaken and the trust is unlikely to give permission for any major changes.

The report goes on to show, both in the Federal Hotels group and in the IPEC group, a considerable recent experience of low profitability. The general statement at the beginning of the Martin Corporation report says:

> *As a broad judgment, we believe it unlikely that Federal Hotels will achieve sound profits, adequate cash levels and reasonable gearing of debt to equity for some years with its existing capital structure.*

It goes on later to say:

> *It should be borne in mind in considering our report, and particularly any opinions offered within it, that the IPEC group of companies is a complex web of interconnecting enterprises and shareholdings. The function of any given element in that web, or purpose of a particular change, is not always apparent to even the expert observer and the published accounts were often of little assistance in that regard. Conclusions on the motivation or direction of development of the group should therefore be approached with considerable caution. It seems safe to observe, however, that the takeover of IPEC Holdings by TAL Holdings and the recent asset disposals are the most visible signs of a fundamental reconcentration of activity by that group with all elements within it potentially, if not actually, for sale. We would not be surprised if, within a year, the group's activities bear little relationship to those it is seen to be engaged in today.*

Mr Deputy Speaker, as further evidence of the fact that these ...

Mr Ede: Will you table that document please?

Mr HATTON: I am not in a position to table it. As further evidence of the fact that assets were ...

Mr Ede: You quoted from it. Are you going to table it?

Mr HATTON: Mr Deputy Speaker, am I allowed to continue my speech?

Mr DEPUTY SPEAKER: Order, order! The honourable member for Nightcliff will be heard in silence.

Mr HATTON: Mr Deputy Speaker, as I was trying to say, there was an approach made to the Northern Territory government by Federal Hotels in March 1983 for the purchase of the assets of the company to the tune of some $36m. There were further negotiations in August 1983 in respect of the purchase of the assets which, at that time, were in the order of $47.1m. It is noted that, whilst the company was prepared to sell the assets, it wished to continue to operate the casinos as the lessee. The NT government, on the basis of the information it had available to it, had real concern as to the capacity of Federal Hotels to meet its implicit undertakings of marketing its casinos in South-east Asia to carry out the functions of the casino as the flagship for overseas tourism development.

The NT government made an offer to purchase the casinos on the basis of Federal Hotels ceasing to operate these facilities. In respect of this, it was noted that the NT government was of the opinion that the original agreement between Federal Hotels and the NT government contemplated the capacity of the government to purchase either partially or totally the operations for resale under clause 16(3) of the original agreement. It further noted that, under clause 16(2) of the agreement, the assets of Federal Hotels Australia, which is registered in Victoria, were required to remain 100% owned by Federal Hotels.

The contemplated arrangements in respect of some Malaysian investors to buy equity participation were referred to and they may have partially assisted the situation. However, there are a number of points that should be noted in that respect. We need to look at the organisational structure. The arrangements were for a 38% equity in Federal Hotels because that was the only place where equity could be sold. It could not be sold to Federal Hotels NT. That company, Federal Hotels itself, does not just control the NT casinos but it is also 100% owner of Australian National Hotels and, I believe, a 60.94% owner of the Tasmanian Country Club Casinos. It has 4 casinos: Launceston, Wrest Point and the 2 in the Northern Territory. It also has some hotel operations. It was a 38% equity of that, if I can use the term, holding company that was being referred to. Because of the casino involvements, that would have required the approval of both the Northern Territory and Tasmanian governments. The sale or otherwise of the casinos in the Northern Territory technically would not have affected the capacity of Federal Hotels to enter into an equity arrangement with those Malaysian partners provided they had achieved the approval of both the Northern Territory and Tasmanian governments. I am advised that, apart from one letter to the Northern Territory government indicating that discussions were being held, there have been in fact no further approaches or, to our knowledge, any further discussions in respect of these Malaysian interests

taking over the whole of the hotel casino operations of the Federal Hotels group. Most certainly, no approval was sought and there has never been any investigations or checks into the suitability of those investors. I am sure the Leader of the Opposition would insist that any government that accepted those equity participants would carry out the most thorough investigation, as he made great play of last week and as his friend Mr Lowe in Tasmania raised nationally at a very convenient time.

In any event, irrespective of all that, negotiations did proceed between Federal Hotels and the Northern Territory government on heads of agreement for the purchase of the casinos. A great attempt was made by the Leader of the Opposition last week, and he has raised it again today, to seek to prove that this agreement was the result of coercion and therefore not really an agreement at all. Let us examine the arguments that have been raised by the Leader of the Opposition. Firstly, he said that the sale was consistent with overall corporate activity both by Federal Hotels and the IPEC group. Secondly, he said Mr Farrell challenged the government's interpretation of clause 16(3) of the agreement and indicated that he would get legal advice on the matter and would fight it if necessary. Thirdly, he produced legal advice indicating that clause 16(3) could not be enforced as envisaged by the government. We must presume that this was consistent with Mr Farrell's advice. Fourthly, he said that, had Federal Hotels not wanted to sell, it is reasonable to assume that it would have challenged the matter in the courts. It did not. An agreement was reached on the purchase and recognised as such by both parties. Clause 16(3) has not been invoked at all in the agreement. The Leader of the Opposition argues that the government coerced Federal Hotels by invoking clause 16(3) but he then argues that clause 16(3) is not enforceable. The Leader of the Opposition is defeated by his own argument. You cannot use an unenforceable law to coerce an unwilling corporation. If it is enforceable, there was prior contemplation and agreement that such an action could occur and the company would therefore have no right to complain. In any event, it it was not necessary because Federal Hotels was prepared to sell and entered into an agreement voluntarily to do so.

Mr Deputy Speaker, this issue in fact concerns a dispute over purchase price and this bill is designed to provide a vehicle to resolve that dispute. One can pick clauses out of it and refer to problems in it and one can certainly read them out of context. But a reading of the Treasurer's second-reading speech will clearly indicate the phases that are in the legislation. Certainly, the legislation provides for acquisition. Certainly, the legislation provides for the determination of a price and, certainly, the legislation provides for a handover period and a range of other consequential technical adjustments. Nothing in that legislation is inconsistent with the original heads of agreement for the purchase of the casinos by the Northern Territory and there is nothing that in any way prejudices the rights of the current owners of those properties in respect of the price or compensation. In fact, if the arguments of the Federal Hotels group are true, it can be argued that it increased the potential for it to get a fair and just price.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer)(by leave): Mr Deputy Speaker, I move that so much of Standing Orders be suspended as would prevent the passage of this bill through all stages during this sittings.

Motion agreed to.

Mr PERRON (Treasurer): Mr Deputy Speaker, in closing debate, I will not take up much time because the matter has been canvassed reasonably well by other speakers.

Mr Speaker, we have heard much about principles today. The Leader of the Opposition and the champions of private enterprise on the other side told about the awful principles that we were adopting. If one sees through the haze and fog that was attempted to be hung over the room by the Leader of the Opposition, we are really talking about the principle of fair play, the principle of abiding by agreements and the principle of fulfilling commitments.

It is absolutely fundamental to the debate that the government made no move towards putting together the biggest private development that the Territory has ever seen until after it had secured agreement in writing from Federal Hotels in August last year that the casinos could be sold for a fixed price at that time. That is a very important point to remember when considering all the activities that have occurred since that time. I think the Leader of the Opposition is doing himself some discredit. In the past, where he has violently disagreed with legislation introduced by the government, he at least addressed his mind to the legislation and tried to make it the best possible piece of legislation in the circumstances. Obviously, he is not prepared to go that far in this case.

He said that there is an outrageous clause that required the company to continue operating the casinos even though the properties will be acquired in due course. If he really cares to think about what this legislation is all about, it is an eminently sensible clause. I do not even think Federal Hotels will object one bit because, after all, every week it remains will be a week of additional profit. The company has told us repeatedly very recently that, all of a sudden, after several years of operation, it is making money. Why wouldn't it want to stay on?

The second point that the Leader of the Opposition mentioned was that he thought it was outrageous that Federal Hotels should not do anything to increase unreasonably the acquisition costs of the casinos. Again, if he were prepared to be big enough to accept that this legislation is likely to pass through this Assembly and address his mind, as he is supposed to do as a member of parliament, to making the legislation the best possible legislation, he would realise that that also is an eminently sensible provision.

Thirdly, he criticised the provision to allow the appointment of a representative to overview the operations until the time of acquisition. There have been government-appointed people overviewing at least casino operations ever since they came to the Northern Territory. That is a very basic part of the control.

Mr B. Collins: This is for a slightly different purpose.

Mr PERRON: In this case, of course, that role is expanded. Quite clearly, it is in the government's interests to ensure fair play. Let us talk about the real prinicples that are involved here.

The Leader of the Opposition repeated his statement that the company has performed faultlessly. He did not think that when he and a couple of his scruffy mates were thrown out of the Alice Springs casino a couple of years ago.

Mr B. Collins: You are really scratching for material in this debate. Dress regulations are grounds for compulsory acquisition?

Mr PERRON: The honourable member for Stuart took the debate so seriously that he started his speech by telling the Assembly a joke and he followed it up with another joke which probably he did not think was a joke: that he knows what is being said in boardrooms all around Australia about this government as a result of these actions.

Mr Deputy Speaker, it is proposed that the bill be passed through all stages during this sittings. I mentioned in my second-reading speech that we have had comments from Federal Hotels on the legislation. Indeed, we have taken some note of those suggestions and no doubt they will be discussed in the committee stage. That demonstrates that Federal Hotels has acknowledged the situation that faces it in so far as this legislation is concerned. The honourable member for Nightcliff quoted from the telex from the chairman of a couple of weeks ago wherein the chairman saw the real potential for Federal Hotels to increase the price through this tribunal being established to set up acquisition on just terms. The company has now made sensible suggestions to the government, a couple of which we have accepted. I will give further information about those during the committee stage.

Mr Deputy Speaker, this bill really is about price, not about acquisition. After 2 letters saying the casinos are for sale, after press statements saying they are for sale and after signing an agreement saying they are for sale, surely that question has been settled.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

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

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, in the adjournment today, I would like to make a few comments on the subject of taxation. We have certainly come a long way since World War I when taxation was introduced in this country at the princely rate of 6d in the pound to cover the war effort. It included a sunset clause which, unfortunately, was never revoked. 6d in the pound worked out at 2.5%. One wonders how Australia progressed before World War I. A study of history would show that,in terms of relative population and so on, great progress occurred in those times. An interesting study could be made of the pre-taxation situation and Australia's tax system which has developed since World War I.

I would like particularly to refer tonight to some information on this little dollar. It looks like a facsimile of the old paper $1 which seems to have disappeared now. It is called a taxed dollar. It is worth 57¢ because the tax man got at it first. It is put out by Centre 2000 in Sydney which is a group dedicated to individual freedom, particularly to economic freedom. The information on the back of this note relates to the levels of taxation in Australia over various periods. I am talking in terms of the percentage of the gross domestic product which was 28.5%. In the 10 years from 1963-72, it rose to 31.5%. In the Whitlam years, it went up to 36.6%, in the Fraser years to 39.5% and in the Hawke years to 43%.

Along with the note is published what is known as Tax Freedom Day and a calendar worked out by a gentleman by the name of Viv Forbes, whom I will mention later in this debate, which talks about how long Australians had to work to cover the government's share. In the 1953-62 period, on average, we worked from 1 January to 14 April before we started working for ourselves. In the period 1963-72, it was to 25 April. In the Whitlam years, we had to work until 14 May, at the end of the Fraser period until 23 May and in the Hawke period so far we have had to work up to 7 June. It is questionable where we go from here. A thing of interest in these figures is that, in the pre-Whitlam years, the average rate of increase in the grab of the gross domestic product was 0.3%. In the Whitlam years, that jumped to 1.7%. In the Fraser years - and, let us face it, Mr Fraser was elected on a promise of reducing taxation besides other matters - in reality there was indeed an increase in taxation from 36.6% to 39.5% of the gross domestic product. That is a total increase of 2.9% over 7 years which comes back to 0.44% which is 1.5 times greater than in the pre-Whitlam years of 0.3% but, of course, that is only 0.25% of the rate under Mr Whitlam's government.

The thing of real interest to me is what has happened between 5 March 1983 until June 1984. That is the period covered by these figures. In the 15 months of the Hawke government, we have come from 39.5% to 43% - a rise of 3.5%. To bring that back to yearly terms, it is 2.8%. In other words, by comparison it is only 0.1% less than the amount involved over 7 years under Mr Fraser as an increase in the grab of the gross domestic product. Of course, that is the cause of some considerable alarm to me.

The Prime Minister is a 'trust me consensus but on my terms, of course' gentleman but, I believe that we are being taken to the cleaners and maybe the Secretary to the Treasury, Mr Stone, really has very good reason to indicate to the people of Australia that we are in a dangerous situation. Certainly, personal freedoms are being eroded. We are becoming victims of the state and more and more dependent upon the state. Our independence is being shot to pieces. I am not a student of Karl Marx but, about 3 months ago, an article in the Australian claimed - and it could be refuted - that Karl Marx had said that, when the government of a country was getting 40% of the gross domestic product and had a tiered structure, then his communist utopia had arrived. Mr Deputy Speaker, we certainly have passed the 40%. At the moment, 43% of the money which is earned by Australians is going to government. Of course, we now have a 5-tiered taxation structure.

It was put to me recently by a cattleman that, because he is doing reasonably well, 6 out of every 10 cattle on his property belong to the government. The upper tax bracket of 60% is a killer to incentive. It is a killer to people who work hard. I believe it is sapping the motivation of our best brains and our best workers, the people who are prepared to roll up their sleeves and make this country work. They say: 'What is the use of getting to the stage of paying 60¢ in the $1'. Six cattle out of every 10 belong to the government. It is a destructive waste of our best brains. If these people have the incentive, they will put their brains and their efforts together to create the jobs which we badly need for this country. We are losing skills, know-how and just plain get-up-and-go. I do not mind if some of the not so productive people in our society retire early to make way for other people. Those who have productive capacity should be encouraged to maintain that capacity. People with know-how, brains and ideas, and who are prepared to take a gamble, should be encouraged to work as long as they possibly can. It is a very sad day because our wealth creators are being stifled and Australia is becoming a mediocre place as a result. We are ripe and

we are getting soft. It reminds me in many ways of ancient Rome which reached the stage of bread and circuses.

Only governments can reverse this trend. I do not believe governments will act until there are enough people who make it very plain that they will not put up with this taxation rort. They will demand to have the chance to take the risk, to stand on their own feet and not have everything done for them by government. They want to restore some pride in themselves. In the process, I believe they will restore employment to this country and put a bit of character back into this place. The gentleman who made this taxation day calendar, Mr Viv Forbes, has written a poem. He is the leader of a group called Taxpayers United which is determined to stir up opposition to the government doing things for people. He has written a poem that I would like to read out today. It is called 'The Do-gooders'. Do-gooders are generally associated in our minds with churches or, in the Territory, often with people who help Aboriginals - 'help' is sometimes better expressed in inverted commas and, of course, a fat fee is paid by the taxpayer. This poem may strike a bit uncomfortably towards home.

They put taxes on tobacco so the smoker turned to pot.
They put levies on tomatoes so the growers let them rot.
They tried a tax on imports but the smugglers beat them there.
So they whacked a tax on whiskey and the stills grew everywhere.
They nationalised the railways but the service was so poor
That people all bought Holdens just to get from door to door.
They tried to run the airlines but the prices went so high
That they formed a new committee just to regulate the sky.
They paid men to be idle so the unemployment grew.
They subsidised the failures and the bankrupts swelled anew.
They gave free education but its value fell to nought
So they underwrote the opera but found culture can't be bought.
In the name of health and welfare, they paid all the doctors' bills
But the health tax was enormous just to pay for all the ills.
In the name of Life-Be-In-It came a ministry of sport
But the hoard of paid officials made this just another rort.
'Let's have welfare for the needy', said a well-paid bureaucrat,
So to make sure they were needy all the oldies spent their fat.
In the name of job-creation, they spent money in great gobs
So the taxes grabbed to fund it killed 100 000 jobs.
'No more of this do-gooding', said the people in disgust.
'Stop helping us at our expense or we will all end up as bust.
Just pay the troops, run the courts and police the local beat
And, for all the rest, just let us be and our troubles will retreat'.

It reminds me of another poem entitled 'They'. The punch line of that was, 'When they get what is coming to them, the world will be a better place'.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, last Thursday in answer to a question regarding truancy, the Minister for Education touched on a subject that is very close to the vast majority of people in the Victoria River region: the difficulty of communicating a message to people living in remote areas of the Northern Territory. I am very much aware of the problem. I am repeatedly taken to task by people in my electorate with regard to the lack of communication facilities in remote areas. I do not refer to a lack of television services but rather to the services that most Australians have accepted as a right for at least 50 years: telephone and radio services.

Mr Deputy Speaker, I grew up in what was considered to be the bush in New South Wales. In those days, even in the bush, we received very adequate radio and telephone services. In those days, who would consider missing 'Blue Hills' or 'Dad and Dave' as well as all those other totally Australian radio programs, not to mention the day's news broadcast? The major part of the Victoria River electorate and, in fact, vast areas of the Northern Territory that are not lucky enough to be situated along the Stuart Highway are without adequate communication services of any kind. However, those of us who have spent a night in those same remote areas and have been in possession of a radio will be aware that there can be few persons in the far-flung islands in Asia who are without a radio service. Every point on the dial will bear testimony to that. There are literally dozens, perhaps hundreds, of transmissions in every tongue except English. Good luck to underdeveloped Asia bad luck for the forgotten people of this lucky country.

I say 'forgotten people' because there are various federal communication bodies that could correct the problem. In fact, successive federal governments have preferred to forget those people and fob them off with stock answers such as: 'That's planned for 1990' or 'Aussat will solve the problem'. Mr Deputy Speaker, I have been fobbed off with those answers myself so often that I no longer believe what I hear. 1990 was 1985 and it is fast becoming 1995; the problems of poor communications continue. In fact, I have been told direct lies by federal communications' bodies in regard to communications in these remote areas. Telecom, in its ostrich-like manner, refused to be involved with Aussat for telephone services and continues on its merry way with facilities that are obsolete and inadequate. If it continues in this way, I venture to say that the greater part of the Northern Territory will still be without a reasonable telephone service in 2005.

Mr Tuxworth: No way.

Mr McCARTHY: I hope that you are right.

Mr Tuxworth: You can bet on it.

Mr McCARTHY: Mr Deputy Speaker, unless the Northern Territory takes the initiative, it seems that people in remote areas will continue to suffer the injustice and the inconvenience of isolation through the lack of modern communications facilities. If we want all Territorians to work together, we must provide the wherewithal to bring them together. I believe that we have an opportunity and an obligation to buy into satellite communications and technology. If we do not, the isolated people of the Territory will continue in their isolation. If they receive anything via satellite at all, it will be from interstate. Already many people in remote areas have access to satellite TV through community receivers which they have purchased themselves. These people are focusing on Brisbane and Sydney because that is what they see and hear. We must not let our opportunities pass us by. This government must make a decision as soon as possible to buy into satellite communications to ensure that all citizens of the Territory are in contact with other places in the Territory.

It is pleasing to note that the Treasurer mentioned in his budget speech that this government will seek capacity on the domestic satellite to be launched in 1986 for the purposes of improved educational services to isolated areas. I hope that capacity is sufficient to cater for all communication needs in remote areas. I honestly believe that southern-based authorities and governments are not interested in the Territory's communications needs.

The problem does not touch them and the numbers affected are comparatively few and, consequently, not heard. If the Territory government must provide the means whereby facilities are improved, I believe it is our responsibility to do so. If the government is forced to secure space on a domestic satellite to be used by public or private communications interests, it is our duty to take that step on behalf of our citizens. In this day of advanced communications technology, many of our citizens have not had the advantage even of obsolete technology that the rest of Australia has had for generations. Let us make certain that they are in the forefront of those who are to benefit from the fruits of the communications boom.

Mr DONDAS (Youth, Sport and Recreation): Mr Deputy Speaker, this afternoon I rise in the adjournment debate to cover a bit of territory that I wanted to cover last week. Unfortunately, due to unforeseen circumstances, the adjournment debate was called off early. It would have been more timely last Thursday to discuss the topic that I propose to speak about today. I want to talk about the schoolboys' rugby union championships held in Darwin over last weekend. Of course, a special reference must go to the Northern Territory schoolboys' rugby union side which played an international schoolboy team from Japan. Japan selects its schoolboy rugby touring side from amongst 30 000 to 60 000 players for tours. The Japanese boys have played in many parts of Australia during this past week and have been giving some of the state teams a real hiding. For example, I understand that they beat South Australia 65-0 and, in fact, the closest game they had was with the ACT where there was an 18-16 victory for the Japanese touring side.

Mr Deputy Speaker, the point that I really want to make is that the Northern Territory schoolboys' rugby union competition is only 5 years old. I think that last week when they played the Japanese, the schoolboy rugby union side came of age. At half time, the score was 10-9 in favour of the Japanese schoolboys. With about 10 minutes to go, the score was 14-9 and it could have still been anybody's game. Of course, on the final whistle, the Japanese scored another try - which was another 4 points - and that made the score 18-9. I would like to put on record that our schoolboy rugby union side really acquitted itself well. I was proud to be a Territorian and I was proud to be associated with the rugby union code here. Rugby union is one of the newest codes in the Northern Territory where it has been played for some 7 years only.

Mr Deputy Speaker, we cannot discount what is happening with rugby league. At the moment, the Australian primary school rugby league competition is taking place in various Territory centres. Only 4 states are involved in the exchange: the Northern Territory, Queensland, New South Wales and the ACT. The Territory played New South Wales in Gove on Sunday 19 August. The score was 28-8 in New South Wales' favour. The score at half time was 8-0. As a means of comparison, the Territory has a catchment area of about 500 to 600 children to select its team from because most of our children are involved in 3 or 4 different types of sports. New South Wales has a catchment area of some 0.5 million. Mr Deputy Speaker, when you think of the enormous effort put into that particular sport by our primary schools, they have done very well. The rugby league exchange has taken place right throughout the Territory. They have played in Gove. They are playing in Alice Springs and Darwin and, of course, the carnival will finish this weekend.

I would like to take the opportunity today to congratulate both the Australian schoolboys' rugby union and the Australian primary school rugby league exchange because this is the first time that the Northern Territory

has had a schoolboy championship of either rugby league or rugby union. Congratulations must go to all the people who were involved in organising those competitions. In the last few years, our Territory boys have been able to play in the various states when these competitions were being held but, I understand that, as the host on this particular occasion, all the arrangements made have been satisfactory to the other touring sides. Thus, I give my congratulations to one and all.

One final point is that an Australian first division side for rugby union was selected and also an Australian second division side. I am very happy to say that a young Territory lad, David Ross, has been selected to represent Australia in the first division. In the second division, about 7 young Territory schoolboys have been selected. I think that is a compliment to all the people who have been involved in that particular sport; 7 out of a team of some 25 certainly highlights the standard and the talent that is starting to emerge in the Northern Territory in those sports. We must not forget that, a few years ago, our Territory secondary schoolboys won the trophy in the Australian rules competition. Clearly, our Territory youngsters are really excelling at their sports. I am hoping for more assistance through the Department of Education - and the Minister for Education is giving me the nod here - so that more resources are available to the secondary and primary school organisations to enable our youngsters to obtain better training.

I turn to another topic of conversation, Mr Deputy Speaker. I say 'topic of conversation' because the Chamber is rather quiet at the moment for a change. The rowdy opposition is not over the other side interjecting. It gives a person an opportunity of being able to think quite clearly on his feet. I would like to take a few moments to talk about the Olympic Games fund-raising appeal. The Northern Territory appeal was quite successful. We were given a target by the Australian Olympic Games Committee to raise some $25 000 in the Territory. I am happy to say that the total raised in the Northern Territory will exceed $50 000. At the moment, we have further funds to come in from regional centres such as Alice Springs, Tennant Creek and Katherine which all participated in the quest to raise funds to help our team perform at the Los Angeles Olympic Games. I would like to place on record my gratitude to the very hardworking Northern Territory committee which left no stone unturned to ensure not only that we raised our target but exceeded it. I think that the contribution by Territory sportsmen of in excess of $50 000 is certainly something of which we can all be very proud. Mr Deputy Speaker, you would be aware that most of these organisations are very small. They have their own needs for finance to ensure that their seasons are conducted successfully and, of course, any money that they take away from their own operations could cause some problems. Nevertheless, the Territory's sporting organisations have seen the need to become involved in the Northern Territory Olympic Fund and certainly they got right behind it.

Another very interesting thing happened during the course of this month, Mr Deputy Speaker, and that was the opening of the Centralian Football League change rooms and office accommodation. I had the honour to open them. Stage I is a very small facility but, hopefully, the Northern Territory government will be able to come to some arrangement with the Alice Springs Town Council to proceed to a further stage of the development of the CFL headquarters. However, I think the most important thing to remember is that, some 5 years ago, the Northern Territory government and the Alice Springs Town Council came to an agreement to develop Traeger Park over some 4 or 5 years. Of course, the first development project was the floodlit baseball

diamond at Traeger Park. It is considered to be one of the nicest little baseball facilities in Australia. Other developments have taken place. There have been the upgrading of the Australian rules oval, underground electrical reticulation, landscaping and now the opening of the change rooms and office facility. I suppose the cost would be in the order of about $400 000. The Northern Territory government has provided financial assistance for the upgrading of the tennis courts there. Financial assistance has been provided through the Department of Community Development to upgrade the hockey facilities and, of course, this morning the Treasurer made an announcement confirming the construction of a basketball stadium in conjunction with the Alice Springs Town Council.

Other things are happening in Alice Springs. The velodrome is under construction now and we hope it will be completed by October or November this year. That will certainly boost cycling in the Territory. The YMCA multi-purpose stadium is under construction now and, hopefully, that will be ready some time next year. Now that we have completed our commitment to Traeger Park, it will be my intention to have further discussion with the council to see what can be done to upgrade and perhaps install some facilities on the smaller ovals such as Anzac and Ross Park Ovals. We have provided some financial assistance to the Verdi Club for the upgrading of its soccer grounds. Now that we are moving away from Traeger Park, we will have an opportunity to try to provide some development assistance to the neighbourhood communities in Alice Springs.

A very exciting happening in Darwin in October or November will be the opening of Stage 3 of the Marrara sports complex. Stage 1 comprised the international basketball stadium and a multi-purpose stadium for various indoor sports. The basketball area has been handed over to the Darwin Basketball Association. Stage 3 is almost completed. This new area will accommodate judo, table tennis and the Gymnastic Association of the Northern Territory. The Marrara project is proving to be a very important asset to the northern suburbs sporting fraternity. The facility has proved itself since it was opened and, over the last weekend, a vintage car show was held there which, I understand, was quite successful as a fund-raiser for one of our Northern Territory quest entrants.

The official and final opening of the Marrara sports complex will take place soon. As the Treasurer announced this morning, we are now looking to develop the complex further to accommodate the Northern Territory Football League, the Northern Territory Cricket Association and the Hockey Association. As one chapter closes, we open another. I hope that, whilst we are developing this facility in Darwin, we will be doing similar things concurrently in other parts of the Territory. I see the honourable member for MacDonnell over there scratching his beard, Mr Deputy Speaker, saying: 'Money is being spent in Darwin. What is being spent in Alice Springs?' I can just see that question racing through his mind at the moment but he might tell me if I am wrong.

Mr Bell: I am just worried about the grey bits, Nick.

Mr DONDAS: Ah, he is worried about the grey bits.

Mr Deputy Speaker, we did an exercise recently which proved that, in terms of per capita spending, Alice Springs receives $10 per head more than Darwin does. Thus, we are spreading the money quite evenly around the Territory. As we develop facilities in the northern region, I would like to see the same thing done concurrently in the other Territory centres.

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

Mr VALE (Braitling): Mr Deputy Speaker, I would like to continue in this afternoon's adjournment debate where I left off last week with my criticism of the ABC, particularly of Territory Extra which I believe is one of the most biased and inaccurate radio programs anywhere in Australia and, perhaps, in the world. Last week, I quoted 2 examples of the total inaccuracy of its reporting and I went on to say that I believe that it showed a heavy prejudice in the reporting of episodes or incidents concerning anti-Pine Gap demonstrators and anti-uranium demonstrators. I forget what that group of women were demonstrating against in Alice Springs; it was a feminist movement or a gay movement from Sydney. Some came up by bus and they received saturation coverage by the ABC's Territory Extra program.

Mr Deputy Speaker, in criticising that particular program, I would also like to pay tribute to the many ABC news reporters in the Northern Territory who devote their time and efforts to the accurate collection and reporting of news throughout the Northern Territory. It is this point that I would like to speak in more detail on this afternoon. I am concerned, as are a number of other members ...

Mr Bell: They are okay as long as they agree with you.

Mr VALE: Mr Deputy Speaker, the honourable member for MacDonnell, during the 6 months since the last election, has grown his beard and let his hair grow long. He has gone back to the radical left in appearances as well as in outbursts. He tones up his appearance for a few short weeks during a hard and hectic election campaign.

Mr Bell: You don't look too flash yourself.

Mr VALE: Mr Deputy Speaker, I am concerned, as are a number of other members, at the small number of news services provided by the ABC on weekends and public holidays in the Northern Territory. I am concerned that the ABC is failing to provide an essential service to people outside of Darwin and Alice Springs, the 2 centres that are serviced by commercial radio in the provision of news services on weekends and public holidays. That service is essential and should be provided to the more remote areas by the ABC. It should and could make funds available for additional reporters if a shortage of them is the problem. I suggest that the ABC close down after 8 pm when no one will bemoan its disappearance into the wild blue yonder and use the funds saved for the hiring of additional news reporters.

Mr Deputy Speaker, I would also take this opportunity to congratulate ABC television for the comprehensive coverage we have had in recent months of a number of sporting events, in particular the Wimbledon finals and the Olympic Games. I am hopeful that, in the not too distant future, the ABC will accept the offer made by Channel 7 Melbourne for coverage of the Victorial Football League finals and Channel 7 Sydney for coverage of the Bathurst 500 race which is to be held in October. In complimenting the ABC, I would congratulate and thank those commercial stations which made this service available to the ABC at no cost for transmission to those areas in the Northern Territory and the other parts of Australia not serviced by commercial television. The comment that I am about to make is not in any way directed as a criticism of the ABC - in fact, the reverse would be true. I believe that the camera coverage of the Olympic Games was well below what we normally experience for sporting events in Australia. The ABC and the

commercial stations took the transmission from a commercial outlet in America and I believe that the latter's ability to televise those events was at nowhere near as high a standard as we have come to expect from both the ABC and commercial stations in Australia in their coverage of sporting functions.

Mr Deputy Speaker, another point I would like to raise this afternoon is the price of petrol throughout the Northern Territory. A few years ago, we wondered if petrol would ever rise to $1 a gallon. I use the Alice Springs prices as a basis for comparison with other places in the Territory. Alice Springs prices are around 55¢ a litre which is, of course, $2.27 a gallon - so much for the $1 for a gallon. However, it is not that aspect which I wish to raise tonight because I believe that the Alice Springs prices are fair compared to prices in Adelaide and other capital cities after allowing for state charges which do not apply in the Northern Territory and the freight component. The reason that our prices are on a par with Adelaide and other capital cities is because of the Petroleum Products Freight Subsidy Scheme which is designed to ensure that inland consumers, regardless of where they live, pay no more than 1.2¢ per litre above capital city prices.

It is not the major Territory towns that concern me tonight. I believe that the prices charged by the major fuel companies and the resellers are fair. I am concerned about the outlying areas. I expect that other members have noticed from time to time the exorbitant prices charged by some resellers in the more remote areas of the Northern Territory. Indeed, I have seen prices signposted at around $2.65 per gallon, which is an incredible figure when it is considered that all bar 1.2¢ per litre of their freight charge, regardless of where they live in Australia, is picked up by the federal government. The entire freight charge, with the exclusion of 1.2¢, is paid by the federal government and the consumer pays the difference. If the price in Alice Springs, for example, is $2.27 per gallon, then the price in any other area of the Northern Territory, with the exclusion of Darwin, should be around that price.

My initial impression was that the resale outlets were at fault in ripping the public off in terms of pricing, but a closer investigation would appear to indicate, at least at this stage, that it is not only some of the retailers who are ripping off the general public but the marketeers. I have checked the laying down price - that is, the wholesale price into the service station - in Alice Springs, Tennant Creek, Katherine, Darwin and some of the outlying areas. I did this at the request of the Chief Minister. I stress again the fact that the Petroleum Products Freight Subsidy Scheme is designed around that 1.2¢ difference. The laying down price, be it at Ayers Rock, Kakadu or wherever, basically should be the same price as that charged in Alice Springs. But from the invoicing and statements that I have seen to date, it would appear that the major oil companies have a number of different prices for the invoiced laying down price of the product into the various service stations throughout central Australia and other places within the Northern Territory. I have some support for those outlets in the bush arguing that their reseller margin - that is, the invoice price into their service stations and their sale prices - should be a little bit higher than in, say, a place like Alice Springs and Tennant Creek as a result of higher overheads through wages and accommodation that they may have to provide. They have to generate their own power at considerable cost above that experienced in major towns. However, I still believe that their reseller price to the general public is way out of kilter. Tourists and the general public of the Northern Territory must wonder what in hell has hit them when they come across these retail outlets and face the bill for filling up their petrol tanks.

I have spoken to the operators of a number of outlets and I believe they are not fully aware of the workings of the Petroleum Products Freight Subsidy Scheme - that is, that it is designed to ensure that their price is only 1.2¢ per litre above the capital city price. They are not fully aware of the workings of the act and the subsidy scheme. I have indicated to them that I will be organising a meeting in Alice Springs in late September between the retail outlets and the major oil companies to see if some sanity can be returned to the retail petrol prices in the Northern Territory.

Mr Deputy Speaker, in conclusion, I make an additional point. It is not only petrol prices that are way out of kilter because the subsidy applies also to automotive distillate, aviation fuel and a number of other petroleum products. In all cases, it would appear that the major oil companies are not being completely honest with either the consumer or the government from which they obtain a large section of their freight subsidy to get those products into the more remote areas of Australia.

Mr BELL (MacDonnell): Mr Deputy Speaker, in a slightly more sensible contribution to the deliberations of this Assembly last Thursday, the member for Braitling asked a question of the Minister for Conservation about the naming of the proposed national park in the vicinity of Kings Canyon. As I recollect her answer, no decision has been made in relation to that particular park. I would like to take a few moments of the Assembly's time this evening to suggest that the minister propose to Cabinet that a similar process be carried out with the naming of this park as was adopted with Uluru National Park - Ayers Rock-Mt Olga National Park. As I said to the minister when I posed my question, in that instance the names used by the local people were incorporated into the name of the park. The local people have used a name for that particular place for thousands and thousands of years. As I recall, a couple of the yobboes on the government backbench asked me how I knew it was so called for thousands and thousands of years. Like any historical fact that has been handed down either by word of mouth or by the written word, I do not think that it is a particularly contestable fact that Kings Canyon has been called by the same name for thousands and thousands of years. It was called Watarrka. I think I may have even mentioned in this Chamber the names in that area. I regard myself as privileged to have been taken through that country by people who know much of the traditional associations in ritual and story terms. I have been privileged to learn something of it during those trips there. In fact, Watarrka is the area right in Kings Canyon.

An equally attractive place near Kings Canyon which is not quite so well publicised is what is referred to on the maps as Reedy Rock Hole. That has the name of Lilla. Lilla was the birth place of a man who was in the Assembly on Thursday morning. It was quite apposite, therefore, that the honourable member for Braitling should ask that particular question. I am not sure whether he was aware that that man was born at Lilla. He retains a very strong association with the place. I am particularly pleased at the efforts that staff of the Conservation Commission have made to take into consideration the associations that many people have with that particular area. I think that, with goodwill on all sides, it will be quite possible for the continuing development of that area as a place where visitors to the Northern Territory are very interested to come and which takes into consideration various aspirations and human needs.

A second point I wish to mention briefly in the adjournment debate this evening is the question of the turnover of teachers in senior secondary certificate courses in central Australia. Honourable members will recall that,

in the debate last week, I suggested that there was some connection between the lack of availability of housing for single public sector employees and the turnover of teachers. Those very people have expressed their concern over a number of years about housing difficulties. In the context of that debate, I referred to 2 cases where a senior secondary certificate course in geography had 5 teachers in the 28 weeks of this year and another course in biology had 7 teachers.

To say the least, that strikes me as totally intolerable, yet nobody else seems to worry about it. Nobody else seems to be particularly interested in what must be obvious to all: students doing such courses will not learn anything whilst teachers are turning over at that rate. A teacher does not walk into a classroom and set things going just like that. Continuity of staff is one of the most important ingredients in providing quality education. When I talk about continuity, I mean the same teacher teaching the same course for a number of years. I intended to raise this matter in question time this morning but the honourable Minister for Education indicated that he is happy to address the issue in the adjournment debate tonight. For that, I am particularly thankful.

A third matter which I wish to raise this evening relates to freedom of information legislation. Honourable members may recall that both the Minister for Transport and Works and, I believe, the Chief Minister have taken considerable advantage of the federal Freedom of Information Act. I have a press release issued by the Minister for Transport and Works seeking information from the Commonwealth. This information pertains to the lengthy debate between the Commonwealth and the Northern Territory government over the Hill inquiry into Territory transport services which particularly impinged on the Alice Springs to Darwin railway line.

The point I wish to raise is that, if the minister believes a Freedom of Information Act to be such a valuable piece of legislation - and there is every indication that he does - will he enact similar legislation in the Northern Territory? Honourable members may recall a member of staff from the federal Department of the Attorney-General came to the Northern Territory. I saw him interviewed on television in relation to the Freedom of Information Act. He said that, although it was usual for individuals to make use of that particular legislation, there was absolutely no bar for a government such as the Northern Territory government to make use of that legislation. However, I would feel that, if the Northern Territory government is making use of the freedom of information legislation, perhaps it should give some consideration to enacting similar legislation for the Territory.

Mr Deputy Speaker, I asked the honourable minister a very serious question this morning. It was in relation to the temporary power facilities which have been operating today within the Legislative Assembly because of the action taken by public employees over the housing issue in the Territory. I am aware of the fact that there are statutory requirements, particularly under the Electricity Commission Act, that require that an inspector should inspect any electrical installation that is used in the generation and consumption of electricity. I am concerned somewhat at the attitude of the Minister for Transport and Works. He chose to ignore my question. I find it quite surprising that, as a man who at the drop of a hat gives the impression of being able to stand on his feet and say a couple of words relevant or otherwise about any matter, he was unable to give even an undertaking. I do not expect him to be able to produce documentary evidence that inspections have taken place but I do expect him to assure honourable members that statutory requirements have been met and to provide evidence to the Assembly because this is a particularly unusual circumstance. I am not sure how many other honourable members have been present when the

Assembly has been powered by alternative sources in this way. I am quite sure that the Minister for Transport and Works will take it into consideration and will give some assurance that statutory requirements were fulfilled in that regard. I am quite sure that for him, as for all of us, they were unusual circumstances that require explanation if in fact the Legislative Assembly was illuminated by black power.

Mr HARRIS (Education): Mr Speaker, the member for MacDonnell mentioned to me that he intended to raise the issue of teacher turnover in secondary schools and in particular in some of the senior secondary certificate classes in the Alice Springs High School. He referred specifically to geography and biology courses. Before addressing those questions, I would like to comment on the remarks of the Minister for Youth, Sport, Recreation and Ethnic Affairs. I was fortunate in being asked to open the Northern Territory primary schools rugby league exchange. Evidently, they call primary school competitions 'exchanges' and they call secondary competitions 'championships'. The states that competed at the weekend were Queensland, New South Wales, the ACT and the Northern Territory. A remark that I made on that occasion was that it is important that the Northern Territory have visits from teams from the states - and not only have those teams playing in Darwin but also making themselves available to play exhibition matches in some of the other centres. The primary schools rugby league exchange teams were able to play in Alice Springs, Nhulunbuy and, I understand, they will be playing in Jabiru at some time in the near future. It is important that those centres also have the opportunity of witnessing sport being played at that level. I mentioned that when I opened that particular exchange.

In the Australian schools rugby union championship, I was fortunate to see the final between New South Wales and Queensland. I also attended the presentation dinner on that evening with the honourable member for Wagaman. On that occasion, I was asked to present the Caltex Shield which is the major shield for the winner of that particular competition. I was pleased to present the shield to New South Wales which has won it for a number of years.

I would like to congratulate David Ross on his selection for the Australian team; that is something exceptional for a person from the Northern Territory considering that the other states have so many to choose from. I congratulate also the 7 or 8 young people who were selected for the second division team. It must be remembered that all states were competing in this competition and those boys were selected as being the best in those areas. I extend my heartiest congratulations to all those who have been successful in being selected. My congratulations also go to the organisers of those particular functions.

Mr Deputy Speaker, the member for MacDonnell raised the issue of staff turnover. As I pointed out the other day, it is not something that is happening only in the Northern Territory. Rates of staff turnover are a problem right throughout Australia as is recruitment, particularly of teachers of secondary science, maths and home economics. I have mentioned others on another occasion. The figures that he mentioned do not give quite the same picture as I have, Mr Deputy Speaker. Certainly, it is not a satisfactory picture and it exemplifies the problems we have had in staffing secondary schools over many years. As I said, all states are encountering similar problems.

The other day we were talking about teacher accommodation. My information is that accommodation was a factor in only 1 of the teacher resignations relating to the 2 courses. This teacher resigned, not because of the unsatisfactory nature of the accommodation found for her and her non-teacher

partner but because she could not keep a dog in that accommodation. The member for MacDonnell mentioned 5 teachers for a geography class and 7 teachers for a biology class. My figures are 3 for the geography class and 5 for the biology class. However, Mr Deputy Speaker, I must admit that is a rate of turnover which is serious and I acknowledge it as such. The difference may be that the member for MacDonnell is counting relief teachers as recruited teachers.

It is interesting to look at the reasons for the teacher turnovers because they illustrate the problem. Let us take the geography class first. It has 15 students. The teacher recruited to start the year resigned because we could not provide accommodation for her dog, and I have already mentioned that. Her replacement was qualified and happy to take on the class but he was inexperienced and, after a time, he asked to be taken off the class. He was replaced by a very experienced assistant principal who now conducts the class.

The biology class to which the honourable member referred is, in fact, a pre-matriculation class which has 12 students. The original teacher for the biology class was asked to go to Tennant Creek, on promotion, to meet a very pressing need there. He was replaced by a new recruit who claimed she was coming permanently. Unfortunately, the day after she arrived in Alice Springs, she accepted a job with Monash University. Apparently, she had had that application in for some time and only received the news of her appointment after arriving in Alice Springs. Her replacement was a very good teacher who did well but, after 1 long weekend, he simply did not return. The only news we have of him is that the hire-car he took illegally was eventually found somewhere in New South Wales. The next teacher had secondary level training and was returning from leave-without-pay after working some 8 years for us in bush schools. He wanted to teach at secondary level again but found he had some problems and had to be transferred to a primary school. He was replaced by a recruit who, by all accounts, appears to be doing well with the class.

Mr Deputy Speaker, as you can see, the number of changes of teachers has been exceptional but unavoidable. The honourable member for MacDonnell is totally incorrect in saying that no one seems very concerned about the figures he gave, and the ones that I have just mentioned here. We are all concerned and I have mentioned that on other occasions. We cannot tell teachers what to do; if they wish to leave for personal reasons, that is entirely up to them. However, one would hope that most teachers would acknowledge that they have an obligation to students. I am sure the honourable member for MacDonnell would agree with those comments. The teaching profession is one that needs dedication and application and I hope that the solutions to some of the problems that we are having in relation to recruitment and to staff turnover at present will come from within the profession. As I mentioned during the course of the other debate, I do not accept a situation where a teacher is able to resign without notice.

Mr Deputy Speaker, many teachers left the Northern Territory Teaching Service during 1983-84 for the following interesting reasons: spouse movement interstate - 16; alternative employment - 28; family reasons - 9; personal reasons - 15; travel - 11; retirement - 7; study - 5; job dissatisfaction - 5; medical - 1; climatic conditions - 1; cost of living - 1; unsatisfactory accommodation - 1; and no reason given - 10. If one studies that list, one will find that only 8 gave a reason which could be seen as being directly attributable to the Northern Territory factor: job dissatisfaction - 5; climate - 1; cost of living - 1; and unsatisfactory accommodation - 1. However, there is no way of telling just how many of the 15 who gave 'personal' as a reason or the 10 who gave no reason left because of job dissatisfaction or similar reasons.

Mr Deputy Speaker, I believe the answer lies in the teachers of the Territory eventually coming from amongst Territorians. We are placing a great emphasis on training Territorians to become teachers. We felt that we were having a win in this area because, last year, out of a total of some 250 teachers who were recruited, 50-odd came from the Northern Territory itself. They are pleasing figures indeed. However, I believe that, if we are to solve this problem of turnover, we must look to obtaining teachers from within the Territory.

The only other comment I make before closing on this particular subject is that, as I mentioned the other day, I think there is a need for us to look overseas to recruit teachers. I think also it is necessary for us to have some form of contract because I believe that the honourable member for MacDonnell and, indeed, teachers who value the profession, would not agree that teachers should be able to leave without giving any notice whatsoever. I think that, when they come to the Territory, they should at least give some acknowledgement that they will stay here for a period of time. It is not acceptable that teachers can come to the Territory, take on a class and then, without any notice whatsoever, leave that class.

I support the comments made by the member for MacDonnell in relation to his concern about teachers leaving and the number of teachers who have been taking the 2 particular classes that he mentioned in the senior secondary certificate courses. This government is addressing that problem and we hope that, in the not too distant future, we will be able to come up with some answers to reduce the number of teachers leaving the Territory without notice.

Mr FINCH (Wagaman): Mr Deputy Speaker, last week during the sittings, I was on my way to work and happened to be listening to the ABC for a change. It must have been Dad and Dave on the commercial station. I was most interested in the particular program of Territory Extra that I heard. Our member in the House of Representatives, John Reeves, was discussing some of the federal budget items. In response to a question relating to Tindal, Mr Reeves mentioned some quite delightful news: that the federal Department of Housing and Construction will set up a regional design office in Darwin. That, in John Reeves' words, would be 'a big plus for Darwin, in particular for Darwin consultants as well as the Darwin public generally'. That came as a direct response to a question relating to whether money would be spent on that particular project from the $3m or $4m allocated for this year in the Territory for items such as design.

Not only is the federal member grasping at straws for publicity, as we heard earlier in this sittings, as it turns out, there is no big deal about his announcement at all. In fact, it was quite hollow. Further investigations illustrate that, in fact, the local office of the federal Department of Housing and Construction is not to be upgraded to a full regional office at all. In fact, it is only to be upgraded to a very small degree by allocating additional staff for divisional-type functions. For some years now, as the member for Millner would be well aware, local consultants have been negotiating and lobbying federal ministers through, at times, the Chief Minister of the Northern Territory and other local members to have the local office of the federal Department of Housing and Construction upgraded to a reasonable standard. The reason for this was to remove the final bureaucratic barriers that prevent the design of local projects being done in the local Darwin office. There is a need for the development of a minimum-sized local office that can administer the design and documentation of projects that are intended to be completed within the Northern Territory. Despite the stated policy of previous ministers and secretaries of the department of at least allowing 50% use of local consultants, this has still to happen.

It is interesting to note that, over the last 4 or 5 years, the capital works programs completed by the federal Department of Housing and Construction illustrate a bias towards a greater amount of work being done in the Territory compared to South Australia. The reason I mention those 2 locations is that, since self-government, the Darwin operation of that department has been controlled and managed through Adelaide. History shows that, during that period, the great majority of capital works completed by any departmental office throughout Australia was in Darwin. In fact, not only was the amount of work far greater in terms of money spent but also in terms of significant projects. That continues to this day. Over the last 4 or 5 years, works carried out in the Territory have probably been in the order of about 40% to 50% greater than those carried out in Adelaide. At the same time, the staffing levels of those particular offices - that is, Darwin versus Adelaide - have seen a great imbalance. The Darwin office has only one-third of the staff that the Adelaide office has. That might have some significance in that the bureaucrats would like to have their base fixed in a southern capital.

A look at the amount of consultancy work that has been completed through the Darwin office by local consultants shows the story to be even worse. Only 6% to 10% of the total consultancy budget has been allocated to the Darwin office, bearing in mind that more than half of the total work done in the region is done in the Northern Territory. That is grossly disproportionate, particularly given stated policies on the amount of work to be done locally. The full significance of this is that not only are local businesses missing out on design works - and that is only of minor importance - but, more fundamentally, works are being designed for the Northern Territory by consultants through the Adelaide office who have little or no idea of climatic and other relevant factors that are of importance to the proper design of projects intended for this area. Despite the grandstanding of our federal member the other day, it is my understanding that the local office may gain only a small increase in staff and will certainly not be receiving regional powers, as was intimated, but divisional powers only. Divisional powers relate to calling of contracts only and, as we know, that ability to call federal contracts locally will have little significance for the amount of work allocated to local businesses because they already have a tendering advantage over interstate firms. With no federal preferential system, their particular lot is not changed at all.

Mr Speaker, as I understand it, the moves have absolutely nothing to do with local design and nothing to do with local consultants as intimated by the federal member. We continue to see local people being disadvantaged by interstate bureaucratic powers. As I mentioned, it is not simply a matter of commercial disadvantage to the local businesses but, more importantly, a disadvantage to the public purse. When local knowledge and expertise are utilised, we not only see more efficient designs optimising local construction practices and local materials but efficient systems or installations which take proper cognisance of local climatic and other conditions. Not only are local designs superior because of local knowledge but other benefits include ready access to the designers during construction and commissioning stages. Further, it has been well illustrated historically that improved design leads to considerably reduced long-term operation and maintenance costs.

Whilst the minor works are currently being directed to local firms - and that includes some work on the Darwin airport - the significant design work is being completed through external offices of the Department of Housing and Construction which gives the work to consultants in other areas, particularly Adelaide. For Darwin airport, which the federal people are crowing about - and it is certainly a welcome project for the Territory - we see that all but a measly $10m worth of work is being designed by consultants in Adelaide. Not

only is that design component being missed by local firms but, as we have seen in other well-illustrated cases, the product may not be as rationalised as it might be if it was done with the utilisation of local knowledge. Despite assurances by federal departmental people, a recent allocation of the design of units at the air force base went to an Adelaide firm. In that instance, not only were the construction techniques not in accordance with local practice but materials were not available locally. In fact, alternative tendering on that particular job, using local design and construct, saved approximately 30% of the capital costs, money much needed by the national purse if not the Territory purse.

Mr Deputy Speaker, whilst John Reeves might be a Johnny-come-lately in regard to this issue, I am sure that local consultants would welcome his assistance in adding to previous lobbying of federal bodies regarding the allocation of a full regional status to the Department of Housing and Construction office in Darwin. Certainly, if successful, those moves would not only be better for local businesses but, as I said earlier, better for the nation as a whole.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, I would like to refer to some comments that were made by the member for MacDonnell earlier this evening. It is unfortunate that he is no longer in the Chamber. I refer to his comments about the alternative power supply source that was provided to the Chamber today. Firstly, I comment that it might have been more helpful for the member for MacDonnell to address the correct minister today when he asked his question earlier and again when he made reference to the matter this evening. The Minister for Transport and Works was not the correct minister to raise the issue with.

Nonetheless, let me address the issue. The honourable member referred to the provision of power and asked whether that power was connected in such a way as to meet with the requirements of the act. I would make the point to the honourable member that it is not the responsibility of this Assembly or the members in this Assembly to make certain that that act is complied with. In fact, we were very much in the same situation as a householder today who may have requested a service from a local contractor and that service was provided within the terms of the act. To wit, we employed an outside person to provide a service and that service was provided by somebody who was qualified under the act to provide the service. The penalties under that act are quite severe. No contractor who provides a service under the Electricity Commission Act can connect a temporary or permanent service without complying with the act or else facing the loss of his licence. I would suggest that the contractor who provided the service to the Assembly today would not put himself in that position unless he was certain that the matter had been dealt with correctly. That is all I have to say about that matter.

I would now like to raise a matter about a society in my electorate. I want to congratulate the Society of St Vincent de Paul which, within the last 6 to 8 months, has seen fit to become involved with some premises in my electorate which were previously known as the Bakhita Village on Dick Ward Drive. Previously, it was the residential area for the Canossian Sisters and was partially destroyed by Cyclone Tracy. The premises were becoming very run down and were not being utilised to their fullest extent. The Society of St Vincent de Paul decided that it would be an appropriate premises in which to attempt to rehabilitate alcoholics. To that end, it has started a program under the managership of Jack Evans and his wife, Margaret.

Anyone who has driven through Coconut Grove in the last several months would have noticed that, whilst earlier in the year the premises were sadly

derelict and the gardens were in a neglected state, they have since taken on a new lease of life. Several of the buildings have been re-established, painted, re-roofed and cyclone proofed. The fences have been repainted. The area has been cut and grassed and a considerable number of trees have been planted. The interesting part about it is that the work is being done by the people who are being rehabilitated from alcoholism.

On one of my recent visits, I was surprised to learn that the age range of the people there is between 23 and 67 years. There are quite a number of men - and the centre is for men only - under the age of 30 years. Some of the men live in single residential accommodation and others live in dormitories. They seem to be getting on pretty well together. Another fascinating aspect of the operation is that they have decided to try to make their operation self-sufficient and, to that end, 1 of the people is operating a market garden. They have now cultivated 1 acre at the rear of the block. At the moment, that single acre is producing all the vegetables that they require. I can assure members that the vegetable garden is a credit to them; they have an incredible display of beautiful vegetables.

Whilst these people are being rehabilitated, they are also involved in assisting the community. I was interested to learn that several pieces of equipment have been donated to them. For example, they received a lawnmower which they repaired and gave to a needy lady who lives across the road. Also, they have helped people in the area with gardening and people moving from flat to flat. At the moment, they are setting up a workshop and a grant has been given by the government to allow them to retrain some of the men. In addition, they are doing the upholstery and carpentry work. The rehabilitation program seems to be working for several of them. Two of the fellows whom I met during the week have recently taken up jobs in the community and, as I understand it, hopefully have given up alcohol.

I would like to touch on another problem in my electorate that manifested itself some 10 or 12 weeks ago. I refer to a dangerous fuel spill in a drain which runs from Balyun Street and under Nemarluk Drive. I was particularly disturbed at the time that this drain was set on fire. It sounds silly to talk of setting a drain on fire but some fuel was spilt from a source which, at the time, was unable to be traced. Some of the local children lit some grass and threw it into the drain and a quite severe fire occurred at the edge of the drain. At the time, we asked several government departments to investigate it and, unfortunately, the Water Division was unable to provide an analysis to enable us to identify the source because of the carbon content in the sample. Since then, unfortunately, it has occurred again. As recently as last week, city council engineers and inspectors have walked through the drains using breathing apparatus to establish where the spill is coming from. In the past, we assumed it was coming from the area of the RAAF base or the airport. Unfortunately, both the Department of Transport and the RAAF denied any responsibility for it and claimed that it was a spill from the local service stations. We have since identified the particular drain. It does not go anywhere near any service stations. There is no backyard fuel dumping or oil dumping in the vicinity of the drain and the council has traced the spill to the edge of the RAAF base. Where it comes from there, we are not really sure. It has been a very dangerous situation. We were fortunate to have a very heavy rainstorm on Saturday which, I am told, has flushed the drain free of explosive material. The unfortunate outcome is that it has spilled into the downstream end of Ludmilla Creek.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

CERTIFICATE OF URGENCY
Planning (Validation) Bill (Serial 73)

Mr SPEAKER: Honourable members, I have received the following letter from the Chief Minister dated 28 August concerning the Planning (Validation) Bill 1984 (Serial 73):

Pursuant to Standing Order 153, I request that you declare the above bill to be an urgent bill. Passage of the bill will validate planning instruments and draft planning instruments. Any delay will cause hardship as private developers and government could see investment at risk because of invalid planning instruments. Delay to draft planning instruments, if the bill is not passed, will increase costs to parties who are relying on the normal passage of these instruments through to determination. It would be unreasonable to frustrate the expectations of those investors who have incurred considerable costs.

Signed, Paul Everingham.

Pursuant to Standing Order 153, I declare the bill to be an urgent bill.

TABLED PAPER
Inquiry into Report on Alice Springs Recreation Lake

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I table the report of the inquiry into Alice Springs recreation lake.

Mr Speaker, the board of inquiry into the Alice Springs recreation lake, under the chairmanship of Mr Robert Lloyd, was established jointly by the Northern Territory and Commonwealth governments after an agreement was reached on suitable terms of reference for such an inquiry between the Minister for Aboriginal Affairs and myself. The report now before honourable members is in 3 volumes. Volume 1 contains the findings and recommendations of the inquiry. Volume 2 is the submission of the Northern Territory government and volume 3 contains the submissions of the Central Land Council, the Alice Springs Town Council and the Aboriginal Sacred Sites Protection Authority.

Northern Territory administrations have considered the establishment of a recreational lake facility in the Alice Springs area since before 1964. The emphasis of the investigations aimed at the establishment of such a facility has swung between needs perceived at different times for a recreational facility, for irrigation, for water supply storage and for flood mitigation. The first investigations aimed specifically at recreation occurred about 1969. The government committed itself to the provision of a recreational lake facility for the residents of Alice Springs in 1978. Negotiations over what appeared to be the most suitable site for the establishment of a lake were commenced in 1980. That site was identified as the old telegraph station on the Todd River. Notwithstanding the conclusions of the inquiry, the government remains to be convinced that the old telegraph station is not the best site, taking all considerations into account.

Initial investigations and negotiations with the Central Land Council and identified Aboriginal custodians indicated that there was no barrier in terms of Aboriginal sacred sites to the establishment of a lake at that site. However, as is now all too well known, a sacred site called Welatje-Therre was identified

subsequently by Aboriginal people. It is, of course, the existence of that sacred site and the action and the reaction which occurred regarding that site which forced the 2 governments to an agreement to have a board of inquiry examine all aspects of the proposal to establish a facility in the vicinity of Alice Springs.

The Northern Territory government's submission to the inquiry argued strongly and, in my view, convincingly that the old telegraph station site is the most suitable when all considerations are taken into account. Not only would a dammed lake at that location provide a sizeable aquatic recreation area, it would also be in the closest proximity to Alice Springs - so close that it would be available to the youth and children of Alice Springs without the need for automotive transport. In addition, it would add to the recreational value of the old telegraph station site without changing the historical character of the facilities that are already there. It would be susceptible to management by the Conservation Commission management structure which already exists for the area. It would be the most attractive available site option in cost terms and have ancillary benefits, including the provision of cheap water for downstream parklands and would beneficially affect the aquifer of the downstream Todd River bed and provide much-needed flood mitigation for the town of Alice Springs.

Mr Speaker, it is perhaps unfortunate that more recent publicity regarding the old telegraph station site has focused on that location as providing a recreational facility only and that emphasis has diminished the importance of flood control and flood mitigation. The best evidence of the need for flood mitigation in Alice Springs was provided by the March 1983 floods which caused extensive and expensive damage to the town. The submission of the Northern Territory government points out graphically that a dammed recreational lake at the site would reduce the effect of a 1-in-100-year flood to that of a 1-in-20-year flood with a very significant impact on damage costs.

Mr Speaker, having considered all the evidence, including the submissions which were before it, the board of inquiry makes the following recommendations at page 78 of volume 1:

1. The proposal of a recreational lake near Alice Springs should proceed as it would provide a desirable additional recreational feature for the residents of Alice Springs.

2. Note should be taken of the comparative comments made in relation to the 13 sites examined by the board.

3. The sites at Pyberinge, Jay Creek and Emily Creek provide the best locations for the establishment of a recreation lake.

4. Further work needs to be undertaken for both sites in terms of technical investigations and Aboriginal sacred sites implications to confirm that the sites are suitable and make a selection.

5. Action should be taken on other matters detailed in the conclusions at pages 75 and 77 of the report.

In reaching those recommendations, the inquiry first found that the order of preference of sites in terms of technical feasibility was: firstly, the old telegraph station site on the Todd River; secondly, Pyberinge at Jay Creek; thirdly, Ildjarabada at Jay Creek; and, fourthly, Emily Creek near Alice Springs. The board then discounted the old telegraph station site because of the existence of the Welatje-Therre sacred site, the fact that it had been afforded protection under Commonwealth and Territory legislation and what the board found

to be 'the unequivocal nature of the significance of the Welatje-Therre to Aboriginal women'. Similarly, the Ildjarabada site was discounted by the board because of sacred sites of great significance that occur in the area and the social effect which construction of a lake there would have on a number of people.

Mr Speaker, in framing its submission to the board of inquiry strongly in favour of the old telegraph station site, the Northern Territory government did not discount or in any way belittle the importance of the Welatje-Therre sacred site to Aboriginal people. Indeed, I refer honourable members to our submission which will indicate that that question was addressed in a most sympathetic fashion. The government has tried hard to reach an accommodation of all interests in this matter and we agreed to the conduct of this inquiry in a genuine attempt to have all points of view put forward for consideration so that differing opinions could be accommodated if possible. In the event, the board of inquiry has presented a conclusion which subordinates a wide range of technical, financial and community considerations so as to accommodate the interests of the Aboriginal custodians.

The government remains committed to the establishment of a recreation lake facility for Alice Springs. We have noted the conclusions in the report that the old telegraph station site is the optimum one in terms of recreational facility, accessibility, cost, flood mitigation and ancillary advantages. However, having received and considered the report of the inquiry, the government has reluctantly agreed to investigate the alternative sites recommended by the board. We have decided to proceed immediately with technical investigations of the Emily Creek site. Honourable members should note, however, that the Central Land Council indicated in its submission that consideration of a lake there would desecrate an Aboriginal sacred site. The board found that it would be necessary for all Aboriginal custodians to be identified and for sacred site implications to be determined. I have asked the Central Land Council to co-operate in determining these implications as soon as possible and I have directed the Aboriginal Sacred Sites Protection Authority to lend all assistance for that purpose.

Honourable members should also note that the resultant lake at that site should be comparatively small while comparative costs will be high. In regard to Pyberinge, the board of inquiry reports that Aboriginal custodians recommended that the site be left open as a real possibility pending the identification of all custodians and further consultation with them. That is to say that the Pyberinge site is not necessarily clear of sacred sites' barriers. I have also asked the Central Land Council and the Aboriginal Sacred Sites Protection Authority to determine those implications as soon as possible. Again, comparative costs will be high.

The table at page 72 of volume 1 of the report indicates that the Pyberinge and Emily Creek options would involve a significant increase in costs. In 1983, when the Minister for Aboriginal Affairs proposed the establishment of the board of inquiry, he indicated his willingness to go to the Commonwealth government if the recommendations of the board of inquiry entailed additional costs over and above those for the old telegraph station option. I advise honourable members that I have now asked the minister to confirm the Commonwealth's commitment to meet any extra costs involved in an alternative site option.

Mr Speaker, another advantage of the old telegraph station site is that it is not on Aboriginal land and so would not therefore require negotiations with Aboriginal people for access and leases and so on. Such, of course, is not the case with Pyberinge. I say now for the record that, if it becomes necessary for the Northern Territory government to negotiate on the Pyberinge site, certain

conditions must be understood and accepted. These conditions will include: firstly, a lease for 99 years over all necessary land including access roads and associated facilities at a nominal or peppercorn rental; secondly, the construction of the facility would be by the Department of Transport and Works and or its agents; thirdly, management and maintenance of the facility would be by the Conservation Commission of the Northern Territory with control to be solely under relevant Northern Territory legislation, such as the Territory Parks and Wildlife Commission bylaws; and, fourthly, access to the facility will be unrestricted for all persons subject only to the legislative control I mentioned.

The Central Land Council, in its submission, examined 11 possible site options but said in relation to most that construction of a lake would desecrate known Aboriginal sacred sites. The council's basic recommendation to the board of inquiry was that, as an alternative to a recreation lake, there should be established in Alice Springs a multi-purpose water gardens complex. I wonder whether there would be any sacred sites wherever we decided to put that too?

Mr Speaker, as I have said, the government is committed to the establishment of a recreational lake facility and seeks the cooperation of the Central Land Council and all other parties in meeting that commitment. The government is genuine in its intentions to examine Emily Creek and Pyberinge and will genuinely seek to accommodate all interests just as it has throughout this long exercise. But if the alternative sites prove not to be feasible for technical or other reasons, and all else fails, the government may be forced to a re-examination of the old telegraph station site to ensure that the long-standing commitment to the people of Alice Springs and the primary recommendation of the board of inquiry is honoured.

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

Mr BELL (MacDonnell): Mr Speaker, it is really impossible to listen to all of that without rising to make some comment. The most illuminating aspect of the Chief Minister's statement was not actually on the written statement that was passed around but his little aside in relation to the suggestion that there be a water gardens complex in Alice Springs. He suggested that we would surely find a sacred site there too.

The comments of the Chief Minister in this regard put me in mind of the relationship between supposedly temperate politicians and their more extreme counterparts. We saw an example of that with the federal opposition in relation to the immigration debate. The Prime Minister said: 'People who seek to put themselves up as statesmen frequently prefer not to get down into the gutter. But those very same people surround themselves with people with somewhat more supple loins who are prepared to get down into the gutter'. In that context, the Prime Minister was referring to Mr Michael Hodgman of Tasmania who has been prepared to get down into the gutter for the sake of the federal Leader of the Opposition. In the Chief Minister's case, he has a little organisation in Alice Springs that calls itself the Alice Springs Progress Association. They are the people with the supple loins who are prepared to degrade themselves and pull down a section of the white community in Alice Springs by involving themselves in absolutely tasteless, racist politics of the most offensive sort I have yet seen. I will return to that theme in a minute.

The fundamental point I wish to start with is that this statement today is part of the Chief Minister's very subtle attempt to encourage white Territorians to believe that their interests generally are with that minority of ignorant white Territorians who are not prepared to take Aboriginal aspirations into consideration. This statement has been made in a tone that, over 3½ years, I have come to observe on all too frequent occasions. It is a dreadful whingeing tone;

he is a past master at whingeing. He set up this board of inquiry. He agreed to the terms of reference. As I recall it, there was some considerable haggling over the terms of reference and the composition of the board of inquiry with the federal Minister for Aboriginal Affairs. In this particular statement, the Chief Minister was wasting the time of the Legislative Assembly by stating the obvious. The board's recommendations have been made and evidently the recommendations have been worked out. We all knew from previous public statements that alternative sites are being considered for this recreation lake and negotiations are going on. Basically, there is no news in this statement.

I think the Chief Minister is just attempting to set the groundwork for what he has announced to be a more thorough-going attack on the recognition of Aboriginal sacred sites within the context of the planning process in the Territory in general and, in particular, in Alice Springs. We have heard his recent announcement that he is attempting to put pressure on the Sacred Sites Protection Authority to ensure that there are more, not fewer, difficulties with considering Aboriginal aspirations in relation to the planning process.

In that context, I would like to draw honourable members' attention to the descriptions he made of the Emily Creek site and to the Jay Creek site. He said that the Northern Territory government has decided to proceed immediately with technical investigations of the Emily Creek site. Then he went on at some length as though it is a dreadful imposition that the Central Land Council has to negotiate and consult with traditional owners. This is a legitimate burden to be contrasted with the unreasonable imposition, in the Chief Minister's view, that Aboriginal aspirations have to be taken into consideration. He has a lot to learn; he really has. He has a lot to learn if he is interested in planning for the orderly development of the Northern Territory. Of course, the Chief Minister does not really have an interest in that because he knows that his future as a candidate for the Country Liberal Party in the Northern Territory is quite dependent on his keeping the heat on and not resolving difficulties that occur in that regard. I have said in this Assembly time and time again...

Mr Vale: Ad nauseam.

Mr BELL: Mr Speaker, the honourable member for Braitling said that, in considering planning restraints, I have said this ad nauseam. Given his capacity for failing to understand what may or may not be involved in such issues, I am forced to repeat it time and time again. If I do repeat it, it might get through his thick head eventually.

The fact is that we have a large number of environmental constraints in Alice Springs. Alice Springs is a beautiful place. It is a place with hills, mountains and trees, unlike Darwin with its very flat topography. My recollection, Mr Speaker, is that you suggested at one stage that we build a mountain of motor cars in order to give Darwin a little three-dimensionality. We already have that naturally in Alice Springs and, quite rightly, we intend to preserve it. I recall that, when the Chief Minister was Minister for Conservation and the Environment, he introduced the Environmental Assessment Bill which describes the various criteria for consideration under environmental assessments. One of those is cultural and social attachments to particular land. Perhaps the Chief Minister, when he replies, might explain to me why he is evidently so unable to give a balanced interpretation of the technical needs and cultural needs of different people as they relate to land use, particularly in this regard.

Mr Speaker, the last few comments I wish to make relate to the Alice Springs Progress Association. I am afraid that I do not have with me the particularly offensive material that the people involved with this organisation have used. One of the people who has been identified principally with this particular

organisation is Mr Peter Wilkins. Mr Peter Wilkins, I understand, has had some experience as a printer and, my word, Mr Speaker, what dreadfully offensive material that man has been able to produce. I am quite sure that government backbenchers, and even the member for Araluen, will recall the deeply offensive map of Ayers Rock that that particular man was responsible for at the time of the last election. The very fact that it was produced in the context of the last election indicates that my explanations of the way the Chief Minister is doing his political sums is quite accurate. If some honourable members have not seen that map, I am prepared to show it to them and, if any of them is prepared to say that it is not offensive, I would be extraordinarily surprised. I brought a copy up with me and I am quite sure that anybody would find it as deeply offensive as I did.

One of the other prime movers in this particular organisation that lends its supple loins to settling down in the gutter in order to assist the Chief Minister in this regard is Mr Ted Skuse. I hasten to add, to allay the Attorney-General's concern, that I am saying no more than I have said publicly and, if he or anybody else would like to check that out, he is most welcome to. Mr Ted Skuse attended public meetings and was a prime mover, 4 or 5 years ago, in organising the so-called Citizens for Civilised Living group. Mr Speaker, I am not sure whether you are aware of that little organisation or not. In 1979, arrangements were made for housing Aboriginal people within the town area of Alice Springs itself. There was a government program to build a certain number of houses for Aboriginal people who required housing in Alice Springs. I think I have heard this very proposal endorsed by the honourable member for Sadadeen. The Citizens for Civilised Living conducted an extraordinarily virulent public campaign in order to stop those people being housed. They referred to those people as 'substandard tenants'. That is the kind of organisation with which Mr Ted Skuse, who I understand is a loyal Country Party member, involves himself.

They are the nasties that the Chief Minister has to associate with because he believes that that will pull in the votes for him. I think that is outrageous. I am quite sure that at least some honourable members on the government benches will find that offensive too. This so-called Alice Springs Progress Association has conducted another campaign in order to overturn the findings of an independent board of inquiry to which this government has agreed. By this statement, the Chief Minister is attempting to give them a bit of encouragement. I think that that is unfortunate. Basically, the Chief Minister had no need to make the statement. All he needed to say was that negotiations are continuing. The government is very good at Dorothy Dixers. I do not think it really needed a statement of this length; it could have been done in question time.

Mr Speaker, I am aware that there are continuing negotiations on the site and that the lake appears not to be going ahead at Welatji-Therre. I certainly made a submission to the board as did the honourable members for Braitling, Sadadeen and Flynn. I am not sure which sites they were recommending. Since I have referred to the member for Flynn, I would sincerely congratulate him for not associating himself with the Alice Springs Progress Association. A newspaper report appeared several weeks ago suggesting that the honourable member would be associated with that particular organisation. Messrs Skuse and Wilkins said that they would make approaches. Because there have been no public statements in that regard from the honourable member, I understand that he will not be associated with it. For that, he is certainly to be congratulated.

The basic issue is that this statement was not necessary. The negotiations are proceeding. I look forward to the creation of a recreation lake in the Alice Springs region. I am sure that, when that is negotiated, the question of

flood mitigation control can be considered as well. I am pleased that we have one example of planning in an orderly fashion that takes into consideration all the aspirations of the community.

Mr VALE (Braitling): Mr Speaker, I wish to speak in support of the Chief Minister's statement. It is interesting to note that the member for MacDonnell said he did not have much to say and then took nearly 20 minutes to say nothing, which is about par for the course for him.

Mr Speaker, for over 20 years, Alice Springs residents have waited, and waited patiently, for a lake either for irrigation or recreation purposes. I believe that, until the most recent times, their main interest has been recreation. However, since March 1983, when those devastating floods hit the town, I believe that the main concern has swung from that of a recreation facility to one which will provide some type of flood control. If the recreation lake does not proceed in the Todd River, then I believe some type of flood control will be needed upstream from the old telegraph station to control future flooding problems in the whole of the town area. In March 1983, Alice Springs residents were fortunate that the Charles and the Todd Rivers did not peak together for, if they had, the flood damage in central Australia would have been much worse. Indeed, the many Aboriginal residents living along the banks of the Charles River on blocks of land and in houses which they chose would have been the first people affected. The flood control of the Todd River would benefit not only the white population, as the honourable member for MacDonnell tends to infer, but indeed the entire population.

Mr Speaker, the inquiry report states on page 76 that some sort of flood control should be investigated on the old telegraph station site. I quote from that report at chapter 8 paragraph 6.4:

> *A study should be undertaken to assess the best means of alleviating flood problems in Alice Springs. Even if the recreation lake is not feasible on the Todd River, it is possible that a flood mitigation dam could be constructed at the same site without affecting Aboriginal sacred sites.*

Mr Speaker, the Todd River site is or was a site of significance but it has been destroyed. Under Aboriginal law, people, black, white, blue or brindle, certainly do not camp on a site of significance. Whilst Charles Perkins was the most recent publicly-known figure who has done that, there have been many people who have camped on this site in years past. The honourable member opposite may well be an expert in the Pitjantjatjara country and I do not claim to have his alleged expertise. But I have spent many years in central Australia and Professor Strehlow who is regarded by most people as a world expert on central Australian Aborigines, indicated that a sacred site or a place of significance is not one on which people camp. To do that destroys it in terms of Aboriginal law as a site of significance. Incidentally, there is no word in the Aboriginal language which means 'sacred' or which translates into the word 'sacred'. I believe it is an anglicised word which comes, of course, from the word 'secret'.

Mr Speaker, I believe also that certain groups in central Australia have shown gross disloyalty in not negotiating directly with the traditional owners. There may well be a number of traditional owners but there are only 2 people in that clan group who are authorised under Aboriginal law to speak on behalf of them: 2 senior men, the owner and their manager. Traditional owners could become steamed up if land councils and others carry on with negotiations concerning their land and they are not involved. Compare it to a proposal to develop a block of land in central Australia that is owned by a resident and

someone talks to the Alice Springs Town Council without talking to the owner. Quite naturally, that owner would become fairly irate. I believe that this is where a number of organisations and groups have gone wrong; they are not identifying and speaking to the traditional owners. I believe that the sites of significance in the proposed Todd River area are still open for negotiation with the traditional owners who could, and I believe should, be identified. This must occur if any sanity is to emerge in discussions between the government and Aboriginals.

Indeed, the board of inquiry was scathing about the submission that the Central Land Council made. I would like to quote from 2 pages of that report. On page 17, the report states:

> *With hindsight, it is now clear that the confrontation over this site could have been avoided if the Central Land Council had been more experienced in the process of identification of custodians and at the time had engaged in meaningful consultations with women.*

I turn to page 29. This is the most scathing section of the board's comments concerning the activities of the Central Land Council:

> *The Aboriginal Sacred Sites Protection Authority provided the relevant material which the inquiry needed but the inquiry was disappointed that the Central Land Council did not present anthropological information which it is understood was available to them. The situation was also made more difficult by the fact that the Central Land Council concentrated its efforts on engineering aspects rather than carrying out full-scale anthropological studies on the site and that once again Aboriginal women do not appear to have been consulted.*

Mr Speaker, that would tend to emphasise the general activities of the Central Land Council in central Australia. It ventures into areas outside of its direct concern and concentrates on politicking rather than representing its true constituents.

In talking about the identification of the traditional owners, it is interesting to note that, for almost all of the alternative sites proposed and discussed with the Central Land Council, the land council said that all of them would have sacred sites which may be destroyed by any proposed lake. These were mentioned on pages 48 and 45. The one time that the board was able to hold discussions with traditional owners in the Jay Creek area - and this is shown on page 43 - the traditional owners indicated that they knew of no impediment to a lake being constructed in that area. This would support my contention that negotiations on any issue in central Australia must bypass the land council which has failed dismally in its duty. Such negotiations must be on the basis of government to the traditional owners.

Mr Speaker, the land council suggested the absurd proposal that, instead of a recreation lake, we could have a water slide on a park somewhere in central Australia. Only a few months ago, 75% of the voting population in Alice Springs signed a petition in support of the Todd River site. The petition was organised by the then alderman, Ray Hanrahan, who is now a member of this Assembly. It is interesting to note that the petition contained the signatures of hundreds of people in central Australia who are of Aboriginal descent.

Mr Speaker, most residents in central Australia are sick and tired of having to bear the burden of the alleged sins of their forefathers in relation to proposals supported by land councils and people such as the honourable member for

MacDonnell. I said in here many years ago that the passage of the Aboriginal Land Rights Act was an invoice for the debt of conscience of the nation for its past treatment of Aboriginals. I still believe that. Mr Speaker, it would appear that Northern Territory residents in central Australia are again to be the nation's conscience concerning alleged treatment of Aboriginals.

I will quote from a number of submissions made to the inquiry - pages 7 and 8 - by people outside of central Australia who, for some reason, decided to make submissions to the inquiry opposing the lake site on the Todd River dam. They included the Action for World Development, the Campaign Against Racial Exploitation, Community Aid Abroad, El Colegio de Mexico and Elsie Women's Refuge. The list goes on and on: Feminist Bookshop, Friends of the Earth, Fringe Dwellers of the Swan Valley Western Australia, the Gold Coast Aboriginal Support Group, the New Zealand Catholic Commission for Evangelisation, Justice and Development, the North Coast Environmental Centre, the South Australian Campaign Against Racial Exploitation, Survival International London, Technical Teachers Union of Victoria, the Victorian Builders Employees Federation and the Women's International League for Peace and Freedom, South Australian Branch. Most of the organisations are of course permitted under our democratic system to oppose this proposal but what knowledge do they have of the local areas and of people's wishes and what expertise do they possess concerning dam construction and flood control? As I said before, I believe that the vast majority of residents of central Australia of both races support the need for a recreation lake and still favour the Todd River site.

Mr EDE (Stuart): Mr Speaker, I was not going to rise on this matter but a couple of issues were raised that just cannot be left to stand. Nothing in what has been stated by the member for MacDonnell or in the submissions by the land council would give anybody the slightest indication that the opposition has anything against flood mitigation. That is the most ridiculous statement that I have heard for quite some time.

It has been satisfactorily established that the floods we experienced in 1983 were mainly caused by problems in the design works in the Sadadeen area not by the flooding that came through the Todd.

Mr Dondas: It has been flooding for years.

Mr Vale: The inquiry recommended it.

Mr EDE: The possibility of the Todd and the Charles Rivers peaking to anything like a 1-in-50 year flood at the same time is regarded by most engineers as being extremely remote because of the different nature of the watersheds of the 2 river systems. However, there are many different proposals as to what can be done for flood mitigation without a lake of the size which would destroy the sites at Welatje-Therre.

The member for Braitling, not being satisfied with leaving it there, then went on to state, given all his expertise as an anthropologist, that it is not in fact a sacred site. He used a statement from Professor Strehlow, which he has not referenced, to back this up. I myself would prefer to listen to the Aboriginal people as possibly being even more expert than the people that he calls on in this issue.

He has asked to talk to the men, as he states, who are owners and managers. This, in fact, is a women's site. I myself was told at various times not to speak of the site before it came under major threat because it was a women's site. The Chief Minister may recall a meeting with residents of communities and community advisers which was held at the college in 1979 when this issue was

raised. At that meeting, Wenton Rabunja stated that it was women's business and told another traditional owner there, who had previously spoken with the Chief Minister, that he was not to talk on the Welatje-Therre site and that discussion should go back to the women who had the authority to speak on it.

The matter of who can speak on issues of this nature is very interesting. I find it interesting that things move from being local issues to being national issues, depending on how people think they can affect the outcome of these. It is possible that this is a legitimate means. If the member for Braitling can say that it is a local issue, why not say that it is localised to the actual area concerned. We could get down to the actual people themselves who were camping on the site some months ago. You would find that there was a definite majority amongst those people in favour of preserving the site. How local or how wide a group is involved before it becomes a democratic decision seems to be a matter that he has not fully considered. It is fairly certain in my mind that the site itself would come under the terms of the federal Land Rights Act. If we were to refer to people generally throughout Australia, there is no doubt that they would not like to see that site destroyed. I myself would be quite certain that the petition circulated by the member for Flynn was, in many people's eyes, an assertion that they wanted a recreation lake. It was not stated clearly that they could only have this recreation lake at the expense of destroying a particular sacred site. I very much doubt whether the majority of people who signed that petition had that in mind. I believe that people were stating what many of us have stated over the years: 'Given that everybody else seems to get these recreation dams, where can we have one? Let's get ourselves a recreation dam somewhere around the Alice Springs area but let's not do it at the expense of the traditional owners who are trying to adjust to life in central Australia today and can do it without being subjected to the heavy hand of the elements that have surfaced recently in Alice Springs'.

Mr HANRAHAN (Flynn): Mr Speaker, members would no doubt be aware that, for some considerable time, I have been a very keen proponent of the development of a recreational lake and flood mitigation facility at Alice Springs. The honourable member for MacDonnell sought this morning to congratulate me on my non-involvement with the Alice Springs Progress Association. I would have thought, as I will point out a little later, that an apology from the member for MacDonnell would have been more appropriate.

Mr Speaker, the aspect that has most concerned me with this proposed facility is flood mitigation. The member for Stuart said that comments by the Central Land Council and various Aboriginal organisations at no stage have denied that flood mitigation is an important issue. From reading the submissions, I would agree that they have addressed that issue. The issue that I wish to spend some time on is not the specifics of where we stand today because, regardless of what honourable members opposite have to say, the Chief Minister has made a statement to this Assembly. That statement gave a very clear indication of the intentions of the Northern Territory government. It has addressed certain criteria that the Northern Territory government will follow and those criteria will depend on the results of further investigations and negotiations.

The question that needs to be addressed is why there is so much friction on issues mainly concerning racial harmony in Alice Springs. I believe that it is fair to say that there are proponents, such as the members of the Alice Springs Progress Association, who become involved emotionally because they see their lives and ambitions threatened. On the other side of the fence are the Aboriginal proponents of their ideals and their society. There seems to be no middle ground any more. Negotiations are breaking down simply because a situation of non-negotiation has gone on for too long. But, Mr Speaker, we have a problem with the Sacred Sites Protection Authority in that it has the use of a veto.

The honourable member for MacDonnell talks about input from Aboriginal people to planning. As the situation is now, the Aboriginal custodians of sacred sites on all proposed alternative sites for a recreational lake in Alice Springs could veto a site. There is no question about that. Is that fair input to any study or negotiaton? I do not think it is, Mr Speaker. I support the Chief Minister's statement. I see that there are problems and those problems will increase. If the member for MacDonnell had taken the time to read the submissions fully, I think he would know what he is talking about.

Mr Speaker, I have addressed very briefly some of the issues that I think create racial tension in Alice Springs and I will come back to the Alice Springs Progress Association. At no time have I ever stated, publicly or privately, that I am involved with such an organisation. Yet, the member for MacDonnell seeks to say that it is creating all of the tension and that its members are the people who are causing all this trouble. I would like to point out to members that the actions of the member for MacDonnell put him in exactly the same class, by his own definition, as the people he accuses. The member for MacDonnell wrote me a letter adjuring me, to use his words, not to be associated with it in any way, shape or form. It came as quite a surprise that, scarcely before I had opened the envelope, the letter appeared in the local press. It was presented in such a fashion that it conforms absolutely to the definition that the member for MacDonnell wishes to apply to the Alice Springs Progress Association. Have a look at it: 'Bell Warns Hanrahan to Ignore Black Bashers'. Is that what we require to achieve racial harmony?

I would suggest that the honourable member for MacDonnell should not only apologise but also make a very clear and unequivocal statement to the press that he has been absolutely wrong. He should address himself to the reasons behind racial tension and the reasons why groups such as the Alice Springs Progress Association come to fruition. He should do it honestly with an open mind and be prepared to accept the fact that there are 2 sides to every story and not only his tunnel vision version.

Mr Speaker, the member for Stuart suggested a hypothesis as to why people signed the petition that I promoted back in February and March 1983. I would like to clarify a few points in that petition. The petition referred very clearly to flood mitigation and the telegraph station area. In fact, I will read it:

> *To the honourable speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain residents of Alice Springs and the Northern Territory respectfully showeth: (a) that the construction of a recreation lake in the vicinity of the old telegraph station in Alice Springs is a project having wide local support; and (b) that the construction of a lake as aforesaid is necessary both as prevention against the possible effects of 100-year frequency flooding and as a recreation facility.*

Mr Ede: It did not mention the sacred site, did it?

Mr HANRAHAN: It did not mention the sacred site. I did not think, and I still do not think, that there was any need to mention the sacred site. There was a clear indication from prior correspondence - that is more than likely available to anybody who likes to seek it - that agreement was reached with various parties to proceed to build the lake at the telegraph station site. That was subsequent to the commitment made by the Northern Territory government in 1978 and 1979. The sacred site is now registered not only under the Northern Territory legislation but under Commonwealth legislation - the Heritage Act -

and that is fair enough. That is not my argument. I have simply said that I support the recommendations that the Chief Minister has set out in his statement.

Let me just say this to the honourable member for Stuart: his hypothesis on what could possibly happen in a 100-year flood in Alice Springs is wrong. The flood in March 1983 was a 1-in-20 year flood. The likelihood of a 1-in-100-year flood is that it will occur in ...

Mr Ede: Once in a 100 years.

Mr HANRAHAN: I thank the honourable member for his assistance.

I think it was the 1937 flood on which the various departments have based the 1-in-100-year flood. I would ask honourable members opposite if they have any idea where the people of Alice Springs took refuge at that time. They took refuge on Billygoat Hill which is opposite the Honda Centre by Railway Terrace. The whole of the CBD area, most of the racecourse, part of Gillen and all of the Gap and the east side would be under water. That is what they base a 1-in-100-year flood on. If you look at the flood levels of March 1983 and multiply them by 5, you would have something like 2 m of water going through the CBD of Alice Springs.

Flood mitigation is an important consideration. What we need to address ourselves to is this: if no development proceeds on the telegraph station site, who will pay for the flood mitigation and when will flood mitigation programs be developed? Is it fair that the people of the Northern Territory should be expected to pay for, not only the further relocation and additional costs attached to the recreational facility but also for flood mitigation facilities. Honourable members are aware that the federal Minister for Aboriginal Affairs gave a very clear and concise indication that his government would be prepared to consider extra costs. That is why the Chief Minister has made this very statement. He has set out the criteria as to how the Northern Territory government will proceed if we are messed around any further by Mr Holding.

The statement deserves support. I would like to close my comments by simply saying that I believe the member for MacDonnell should first apologise for his outrageous behaviour. Have a look at it: is that a promotion of racial harmony? Isn't that evidence that the activities of the Alice Springs Progress Association are on a par with what the member for MacDonnell is doing? I apply that statement only in the context of his very own definition.

PERSONAL EXPLANATION

Mr BELL (MacDonnell): Mr Speaker, I seek leave to make a personal explanation under standing order 48.

Leave granted.

Mr BELL: At no stage, Mr Speaker, did I suggest that the member for Flynn was in any way associated with the Alice Springs Progress Association. I said that his name had been raised in public by the people to whom I referred. I wrote to him discouraging him from developing any association with those people and I am delighted that he has taken my advice.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I rise in support of the statement. I approached the people on the committee both in writing and in person. The most important thing to me is the matter of flood mitigation. The lake proposed at the telegraph station site is 3 times the area and 10 times the volume of water of the Mary Anne Dam in Tennant Creek. The thing that impressed me most when I

studied the work of the Snowy Mountains Authority is the passive potential that such a dam has to protect our town. The town is built upon a flood plain. The Snowy Mountains Authority is a world-recognised body. It made a scale model of the whole area, ran physical tests and then scaled them up to the real thing.

I would correct my friend, the member for Flynn. The flood in March last year was not a 1-in-20-year flood; it was a 1-in-15-year flood. It certainly did enough damage. Without flood mitigation, during a 100-year flood, there would be water at least 2 m deep from beyond Bloomfield Street in the west to well over on the east side of the Todd River. That 2 m of water would not be sitting still; it would be moving at a tremendous rate. The central business district of Alice Springs would suffer considerable damage. It was the considered opinion of the Snowy Mountains Authority that the telegraph station itself, which one could say was a sacred site - I certainly think it is an area of national significance - could be destroyed. I would not say there would be a very high probability that the buildings at the telegraph station would be destroyed. If those buildings were destroyed, what would happen to the rest of Alice Springs? It is a minor comfort to realise that my friend, the honourable member for MacDonnell, lives closer to the river than I do. There is no great comfort there really.

Mr Speaker, the point is that people in Alice Springs understand the problem. I do not see it as a purely black and white issue. That seems to be the feeling of the members opposite: it is whites against blacks. The Aboriginal people and part-Aboriginal people in Alice Springs certainly understand the flood mitigation potential of this lake. Let me try to describe it for the record. There is no need to pull any plugs on the dam wall or anything like that. The proposed dam wall was to be built in the hills. It would hardly be noticeable from the telegraph station site, particularly with a little landscaping.

A flood from our river systems on the northern side of Alice Springs would come down the narrow gorge at quite a great depth. It is called the pressure head. It would go through our town in a very short time and peak in a matter of a few hours and then it would die away in a very short time. A lake built at that site would change this even if the dam was full. The water coming down the narrow gorges upstream would come to the lake and would spread out over a much larger area. The pressure head or height of water in the lake would be considerably lower than what it would be in the narrow gorge. It would then come to a spillway which has the same proportions as the gorge further upstream. It would go over that spillway with a much smaller pressure head. Even though the same amount of water would go through the town, it would go through at a slower rate and over a much longer time. It would be a purely passive device. Even if the whole lake was filled up with sand, as some of the scaremongers would have it, that would not make one iota of difference. There would still be a large area over which that water spreads. The pressure head over the spillway would be fractional compared to the pressure head coming down the gorge without a dam. Therefore, the town would be protected. It is a simple and very interesting device from a physics point of view.

The people in Alice Springs understand. I talked to Aboriginal groups in the town. They have seen the models that the Department of Transport and Works has made. They understand the problems of a big flood. We are all living in the town together; it affects all of us. I know that they are concerned about it. Leaving sacred sites aside for the moment, as far as I am concerned, there is only one sensible place for the lake: the telegraph station site. From the point of view of flood mitigation, it is most suitable. The sun shines often in Alice Springs and we forget about floods but tremendous damage could be done to

our town if we do not have flood mitigation. Suggestions about second-rate flood mitigation in the report leave me pretty cold. It should be done properly.

The other point is the recreation potential of this lake. It could not be in a better position. It is only a mile from the town centre. It would be the easiest thing in the world to put bike paths and walking paths along the banks of the Todd for the kids to go up there after school in the hot weather. It would be accessible and a great improvement upon the Mary Anne Dam in Tennant Creek. All people in Alice Springs would use it. At 3 times the size of the Mary Anne Dam, it would be a facility which we could be very proud of. If the dam were situated anywhere else, the usage rate would fall dramatically.

On the subject of tourist potential, it has been said of late that central Australia does not have enough things to hold people for those extra days in Alice Springs. Such an area could indeed be developed so that families coming to central Australia would certainly spend at least one more day. They might even want to spend 2 or 3 days in the area and add to the financial viability of tourism in the Territory, which is considerable.

I fully accept that the Welatje-Therre site is of significance to women. I have discussed this with them and I am satisfied in my own mind that it is not one that has been dreamt up for the occasion. However, as the member for Braitling has suggested, the significance of that site has been considerably reduced. Firstly, there is a story - and I have heard many different accounts - that one of the sacred objects, one of the breasts that was cut off, was actually stolen some time ago and a substitute put in its place. I know that is of concern to some of the people involved. We also have the matter of camping in that particular area, and we do not need to mention any names. Also, a very sad event occurred there while the protests were going on. There was a camp fire and the stories associated with that make that a very sad site indeed.

There are precedents in Aboriginal culture for the movement of sacred objects. It has been explained to me that that has been done in the past. Of course, this is something that has to come from the caretakers of the site. These are the people whom we should be taking notice of. I think governments and other organisations have made the big mistake of setting up bodies such as land councils to act for various people. The people whom the government should be talking to are the caretakers of those particular sites. With the sad events that have occurred at this particular site, those people may consider moving them. They appreciate the dangers of the flooding that could occur in Alice Springs and which could claim many lives. I do not think I am being melodramatic; the Snowy Mountains Authority's reports are there for all to see. I have a feeling that these traditional owners and caretakers of the sites, if they were left to decide for themselves, may consider moving them or taking some other course of action.

However, I do not believe that these people are free agents. They are being pressured from all sides of the fence. I would include some political involvement by our opposition. If we had a lake built at the telegraph station site, it would be 100% successful in the eyes of all people in central Australia. That would not help the cause, would it? There are organisations of that particular colour who would put every bit of pressure they could upon the traditional owners.

If the Aranda people of Alice Springs made some arrangement that would clear this particular site for us, we would indeed be indebted to them. They are a very generous people. They have made way for almost every other Aboriginal group in central Australia and indeed from South Australia. In traditional

times, the Pitjantjatjara did not even move into central Australia or even into the Territory, let alone as far as Alice Springs which is 190-odd miles further north. They graciously made land available for the many camps for people from that area.

I do not see that this cause is without hope. It will be entirely up to the graciousness of these people. Fortunately, they have some good speakers amongst themselves. They do not need people from land councils to talk for them; they are eloquent, thinking and capable of organising themselves. If these people came to the conclusion that they could make arrangements for the facility to be built at the telegraph station site, that would do something for race relations in central Australia. It would kick the can from under many people who have been bashing Alice Springs for a long time. The ball is indeed in their court. If they were left to themselves, there is every chance of resolving this situation in a very amicable manner.

Motion agreed to; statement noted.

MINISTERIAL STATEMENT

Agricultural Development and Marketing Authority Review - Martin Corporation Report

Mr TUXWORTH (Primary Production)(by leave): Mr Speaker, I present the Martin Corporation Report. In August of last year, I foreshadowed a review of the operations of the Agricultural Development and Marketing Authority. Accordingly, the government commissioned Martin Corporation Ltd in January 1984 and its report was received on 22 May. The terms of reference included a review of the objectives and policies of the authority, a review of the operations of the project farms and farmers under contract and a detailed review of the operations of the authority.

It will be recalled that ADMA was established by the Agricultural Development and Marketing Act in 1980. In his second-reading speech, the then Minister for Primary Production, now the present Speaker, stated: 'I have included a sunset clause in the legislation to provide for its expiry on 30 June 1985. This will enable a full review of its operation and a decision by the Assembly of the day of the worth of the program and the need for its continuation'. This review by Martin Corporation Ltd will form the basis of the Assembly to consider the future of the authority. I have already indicated that legislation will be introduced to extend the life of the authority. The purpose of this legislation will be to maintain the institutional framework so that farmers and staff have a firm basis for the future.

The most important activity of the authority is stage 1 of the Douglas-Daly project. The first crops were grown in 1981 and 1982 and 4 additional farms commenced in 1982-83. After reviewing the progress of the Douglas-Daly project, Martin Corporation Ltd concluded that another 5 years is required before a reasonable judgment on the viability of the industry can be made and the possibility of the necessity for long-term support must therefore be recognised. Further, the present organisational structure of the authority and detailed functional statements appear to be appropriate for the current levels of activity of ADMA. It is therefore essential for the government to continue to support the Douglas-Daly project to enable a conclusion to be reached about the practicability and financial viability of broad acre, rain-fed cropping in the Top End. The single most important issue, the continued operation and support of the project, can be managed effectively by continuing the operations of ADMA. The report has identified other issues which can only be considered once the life of the authority has been extended. I foreshadow that there will be further statements to the Assembly.

Mr Deputy Speaker, I turn now to the results of the 1984 harvest. With the exception of small quantities held for use on farm, the authority received at its Douglas-Daly and Katherine depots all of the maize, sorghum and soya beans produced in the Territory. Maize receivals totalled 2847 t compared with 1676 t last year, an increase of 70%. This increase is due to greater production on the farms. Sorghum receivals were 2802 t. This is a decrease from the 3543 t received last year due to lower production by other than ADMA farmers. Soya bean receivals totalled 757 t, an increase of 270% over last year and this increase has been due to increased production by the ADMA farmers. 118 t of soya bean seed from the 1984 harvest has been cleaned by the authority and has been stored at the authority's Katherine cold store for sale as seed for the 1984-85 crop.

ADMA has handled 131 t of mung beans, including 34 t of seed which has been cleaned and held in cold storage in Katherine. Territory farmers have always had the option of selling mung beans to the authority or privately and many elected to use the services of private companies in Queensland during the 1984 year.

The Grain Marketing Advisory Group was established in 1983 to enable the Territory farmers to set marketing policies for their crops in conjunction with the board at ADMA. Sales policies have become more aggressive which has improved local market share in line with expectations. Local consumers who have signed take-or-pay contracts for maize and sorghum are committed to purchase a total of 3660 t. Cash sales are expected to account for a further 200 t from the 1983-84 crop. There are positive expectations of additional local sales as well as interest from overseas. All of the soya bean crop has been sold and all mung beans delivered to the authority have been sold. This performance is solid evidence of the success of the Grain Marketing Advisory Group.

Mr Deputy Speaker, I have pleasure in tabling the review of the Agricultural Development and Marketing Authority by Martin Corporation Ltd. I move that the Assembly take note of the paper.

Debate adjourned.

MOTION
Appointment of Ombudsman

Mr EVERINGHAM (Chief Minister)(by leave): Mr Deputy Speaker, I move that this Assembly recommend to His Honour the Administrator that he appoint Kenneth Whitwam Rhodes to hold the office of Ombudsman for the Northern Territory with effect from 9 December 1984.

As the present incumbent of the office of Ombudsman is due to retire on 9 December, the forthcoming vacancy was advertised nationally. Following a series of interviews, the members of the parliamentary interviewing committee for this Assembly were unanimous in their view that Dr Rhodes is the most suitable applicant for the position.

Section 4 of the Ombudsman Act provides that the Ombudsman ceases to hold office when he turns 65. Dr Rhodes will attain that age on 13 June 1989 and it is proposed that his term of appointment continue until that date.

Dr Rhodes has high educational qualifications. He is a Batchelor of Arts and has a Diploma of Teaching from institutions in New Zealand. He is admitted to practise as a barrister through the Queensland Barristers' Admission Board.

He has the further qualification of Doctor of Jurisprudence from the Thomas Jefferson College of Law in California and is also a graduate of the California Stanford University Advanced Management Program. His professional credits include Fellow of the Royal Geographic Society, Fellow of the New Zealand Institute of Management and Fellow of the Australian Institute of Management.

From 1950 to 1961, Dr Rhodes was involved in education in both New Zealand and Western Samoa as a high school master, head of department and principal at various times. In 1961, Dr Rhodes was appointed technical manager for New Zealand of a medium-sized company affiliated with an American corporation. By 1967, he had risen through the executive ranks of that company to the level of managing director for Australasia. He was also, by that time, the chairman of subsidiary company boards and deputy chairman of the holding company in Australia. From 1969 to 1971, Dr Rhodes was New South Wales manager and attorney of a major Australian company with responsibility for 13 subsidiary companies engaged in manufacturing, distributing and retailing. In 1971, Dr Rhodes took an academic appointment as senior lecturer and head of the Department of Economics and Management at the Hawkesbury College of Advanced Education. He was subsequently also appointed executive director of the Management Applications Centre within that institution. He was also awarded an Australian Commonwealth government scholarship to investigate certain aspects of the dairy industry and to examine the development of extension services.

From 1972 to 1976, Dr Rhodes was the executive general manager of a major New Zealand corporation with a staff in excess of 3000. He resigned when invited to join a United Nations project. For the next 2 years, Dr Rhodes was a project team leader in the United Nations Industrial Development Organisation in charge of a project in Turkey to train and develop middle senior executives in the public service for the management and development of Anglo-industries on a national scale.

Mr Deputy Speaker, from 1978 to the present, Dr Rhodes has held the post of senior lecturer in management at the Brisbane College of Advanced Education, a tertiary institution attended by some 8000 students. In 1982, Dr Rhodes assumed the position of chief executive officer of the Queensland Bar Practice Centre which is concerned with the training of newly-qualified barristers in practices for admission to the bar.

Dr Rhodes also holds various appointments on government and quasi-government instrumentalities including: ministerial appointee on an advisory committee to the Queensland Minister for Health; Queensland state chairman of the Commonwealth government Department of Science and Technology program on information technology; chairman of the Commonwealth Law Reform Commission hearings on privacy in Queensland; member of the Committee of the Queensland Government Board of Advanced Education for the review of management training in tertiary institutions; and a representative of the council of Brisbane College of Advanced Education on a special government committee set up to redraft bylaws for the selection, appointment, discipline and dismissal of staff in Queensland tertiary institutions.

Dr Rhodes has undertaken numerous consulting assignments in corporate management in the private sector. He is also a frequent guest speaker at conferences. Dr Rhodes acts as legal adviser to, and is the director of, the Brisbane College of Advanced Education and is a member of the education committee of the Queensland Bar Association. In his spare time, he also engages in practice as a barrister. Dr Rhodes has researched and published a series of papers concerned with applied management and administration.

Mr Deputy Speaker, it will be apparent to honourable members that Dr Rhodes is well qualified to undertake the duties of Ombudsman in the Northern Territory.

In closing, I wish to record my personal thanks for the valuable work done by the outgoing Ombudsman, Mr Watts, who has performed his duties during his 6 years of office without fear or favour in a most creditable manner. I would also like to thank the interview panel that travelled around the country interviewing the various applicants for this position: the member for Millner, the member for Ludmilla and the Minister for Community Development. Mr Speaker, I commend the motion.

Mr SMITH (Millner): Mr Deputy Speaker, I think it is quite obvious that the parliamentary committee made the right decision. As well as reading well, he interviews very well. I think we will have a very good Ombudsman in the Northern Territory.

One of the things that impressed me about him was his answer to one of the questions that we asked every interviewee. We asked how they would relate their message to Aboriginals and migrant groups. His response to that was that he had had experience of being in a minority position through his 2 or 3 years in Turkey and he felt that he could empathise to a large extent with minority groups of whatever culture. I thought that that was a very intelligent response to the question. His approach should go a long way towards helping him have a proper and a good relationship with the minority groups that we have in the Northern Territory.

On the whole, the candidates were very impressive people. Dr Rhodes and one other person were older people. The others were in their late 30s and early 40s. What I had not come across before was that all of those people saw their application as being for a very short period of time - such as 5 years - in the Northern Territory. They saw it as a means of gaining wide-ranging experience in the Territory that would suit them for something else later in their professional careers. I had heard about that sort of professional mobility but really had not come across it before. It certainly made me start to think about what I wanted to do with the rest of my life. The conclusion that I came to was that, after a period in government, by about 1991-92, I would probably be free to move on to something else, Mr Speaker.

I must relate probably the funniest story of the whole trip. One of the people we interviewed was asked: 'How would you communicate your message to minority groups, particularly Aboriginal groups?' His response was that he would speak more slowly to them. I guess it makes a pleasant change because most people of that ilk would respond that they would speak more loudly to them. It was a unanimous resolution of our committee that that person would not get the job.

Mr Speaker, with those few words, I say once again that the opposition believes that a very fine person has been appointed to the task and we look forward to the arrival of Dr Rhodes in Darwin.

Motion agreed to.

MINISTERIAL STATEMENT
Review of Department of Community Development

Mr MANZIE (Community Development)(by leave): Mr Speaker, I table the report of the Review of the Department of Community Development.

Mr Speaker, members of the Assembly expressed suitable interest in the recently-conducted review of my department. This interest is not surprising since the Department of Community Development is a major government department delivering a wide range of programs to the community. Important programs delivered by the department include the provision of services to Aboriginal communities, child protection, income maintenance, consumer affairs, the operation of juvenile detention centres, the supervision of community service orders for juveniles, provision of municipal services to unincorporated areas, heritage, the arts, adopting and fostering. The department administers many significant areas of government legislation including the Local Government Act, the Community Welfare Act, the Juvenile Justice Act and the Consumer Protection and Weights and Measures Acts.

The Department of Community Development was formed at the time of self-government and comprised 4 divisions: Community Welfare, Community Services, Local Government and Correctional Services. In 1979, the Community Government Division was created to facilitate the establishment and funding of community government councils. 1980 saw the establishment of the Library Services Division and the transfer of responsibility for the provision of essential services to Aboriginal communities from the Department of Aboriginal Affairs. The responsibility for town maintenance and public utilities in remote communities was transferred from the Department of Aboriginal Affairs in 1981.

The social significance of the programs administered by my department, the acquisition and devolution of the functions in the 6 years since self-government and the changing needs of the community were fundamental in identifying the need for a comprehensive organisational review of the Department of Community Development. The opportunity was taken therefore with the appointment of the new secretary in February 1984 to undertake a total review and to report to the government on steps that would need to be taken to improve the delivery of services and programs by the department.

Mr Speaker, the rationale for the organisational review is included on page 276 of the report in the section titled, 'Terms of Reference'. I draw the attention of honourable members to this section of this report. The 3-man review team commenced its deliberations on 12 March 1984. During the course of the review, the team visited all regional centres, interviewed 160 departmental employees, conferred with representatives of 27 organisations external to the department and examined 28 written submissions from interested parties. The consultative process with staff associations included advice on the intention to conduct a review, the invitation to comment on summary reports during the review, briefing on broad recommendations arising from the report and an invitation to make submissions to the review team during the period of the review. The submission of the review to Cabinet was extended by 3 weeks at the request of staff associations to allow them to comment prior to Cabinet consideration of the report.

Mr Speaker, the major changes approved by government as the result of the review team's recommendations are as follows. Firstly, there is the restructure of the department for operational purposes on a regional basis - north and south - headed by an assistant secretary in each region, with a corporate structure for administration, policy and planning providing support to the operational functions. This restructure will provide for a higher quality and a more responsive range of programs and services delivered by the department throughout the Territory. The second recommendation is for the creation of the Northern Territory Committee for Co-ordination of Aboriginal Programs. This committee will involve all departments with functional responsibilities impinging upon Aboriginal remote communities and will have a charter to coordinate and plan for the development of communities throughout the Territory.

The need for NTCAP is a reflection of changing community demands and aspirations and the growing number and diversity of services now delivered to remote communities. The difficulties in coordination of service delivery are exacerbated by the large number of federal government agencies and independent organisations now involved in Aboriginal community development. An illustration of this situation is given on page 49 of the report. The establishment of NTCAP will therefore enable us to ensure that we have a unified Territory approach to remote communities and that, as a government, we become even more active in the ongoing development process.

The third recommendation is for the transfer and devolution of a number of functions from the Department of Community Development to other Northern Territory departments, local government authorities and community organisations. The devolution of functions is consistent with the government's policy of encouraging and assisting local government authorities and community groups to assume responsibility, wherever appropriate and practicable, for the provision of community services.

Mr Speaker, following Cabinet's approval of the major recommendations arising from the report, as announced by me on 23 July, action has now commenced on the implementation of the new arrangements and I am pleased to advise that it is proceeding smoothly. A critical step in the implementation of the review findings is the selection of persons to fill the 2 positions of assistant secretary. This process is nearing finalisation. A short list has now been compiled from 29 applicants for the 2 positions and interviews will be conducted this week.

As during the review process, emphasis has been placed on consultation and, in fact, 4 meetings have already been held with key staff associations. The outcome of these consultations has been constructive and positive and, to date, there are no issues outstanding which we have not been able to resolve with staff associations. Departmental staff have been kept informed by circular on implementation progress on a weekly basis. In addition, the secretary and the review team leader visited all regional offices of the department to brief staff on the review results and the implementation plan. All employees have been given the opportunity to meet individually with nominated senior officers of the department to discuss the organisational changes in detail. During this week, senior officers are interviewing employees in the welfare area as to their preferred options concerning placement within the new structure.

Mr Speaker, my department is on target with the implementation plan set out on page 43 of the report. For example, the Community Services Division has been established as well as units in the Divisions of Policy, Planning and Review and Corporate Administration. A secretariat has been established and detailed planning has commenced for the upgrading of information systems and computer technology. Progress has also been made in rationalising office structure and it is our intention to consult with staff associations on these arrangements during the course of this week.

In conclusion, the review of the Department of Community Development was designed essentially to improve the delivery of services to the community. The constructive criticisms contained in the report do not in any way diminish the considerable record of achievement of the Department of Community Development since self-government. I am confident that changes introduced by the government, as a result of this organisational review, will further enhance the capacity of the department to play a significant role in the development of the Northern Territory.

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

Debate adjourned.

MINISTERIAL STATEMENT
Review of Correctional Services

Mr MANZIE (Community Development)(by leave): Mr Speaker, in announcing the outcome of the review of the Department of Community Development on 23 July, I indicated that a review was to be undertaken of correctional services. I now wish to advise members that the review of correctional services will commence on 17 September. The terms of reference for the review have been prepared and cover all aspects of correctional service operations. To head the review team, the government has secured on secondment from Victoria Mr Barry Apsey who is currently Director of Prisons in Victoria and is highly regarded, experienced and qualified. Mr Apsey has a Bachelor of Arts Degree, Diploma of Criminology and Diploma of Public Administration.

The government has been discussing with prison officers and senior prison officers the need to undertake a review and I am pleased at the degree of support which has been forthcoming. Therefore, I have requested the Senior Prison Officers Association and the Prison Officers Association each to nominate an employee representative on the review team. This will lend considerable experience and expertise to the review team's task. Other full-time team members will be Mr Barrie Barrier, the Deputy Director of Correctional Services, and Mrs Eve Teague, Finance Officer with the Department of Community Development. The review team will also have the services, on a part-time basis, of consultants, Ms Rosamond Wood and Mr John Montz, the Assistant Director, Welfare, Department of Community Development.

As honourable members will see, the terms of reference for the review are wide ranging and completely adequate for the purpose. The review team will have access to all manner of reports and studies and to government departments and correctional services' staff. I expect that the review team's findings will result in changes to legislation to bring about a more effective and efficient administration of correctional services in the Territory. I am confident that, as a result of this worthwhile exercise, the government will emerge with a comprehensive corporate plan for correctional services in the Territory for the next decade.

Mr Speaker, it is intended that staff and all interested parties will be given the opportunity to make confidential representations to the review team which is required to present its report and recommendations to government by the end of December this year.

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

Motion agreed to.

SOURCES OF THE LAW BILL
(Serial 69)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This is an unusual bill,I would think, for any Attorney-General to have to

present to parliament. For some time now, the sources of law in the Northern Territory have not been entirely certain. The problem appears to have arisen when a judge of the Supreme Court recently made comments to the effect that some early law of New South Wales continued to apply in the Northern Territory after its annexation to South Australia in 1863. That view was in conflict with a view which has been widely held that all South Australian law capable of application to the Territory was applicable to the Territory from 1863 to the total exclusion of New South Wales law. After much detailed research and advice, it is the government's view that the law of South Australia applied to the Territory as at 1863 to the exclusion of New South Wales law and that imperial law applied to South Australia and therefore to the Northern Territory as and from 28 December 1863. However, some small degree of doubt remains because of the judicial comment to which I have referred.

Mr Speaker, the bill currently before this Assembly makes clear the law applying at certain points during the course of the Northern Territory's development and, therefore, makes clear the present law in the Territory. The bill removes any doubt and clarifies that South Australian law - except for those statutes listed in the schedule to the bill - in force immediately before 1863 became and continued to be the law of the Northern Territory subject to any later appeals and amendments and that imperial law was established in the Territory, as in South Australia, on 28 December 1863. I commend the bill to honourable members.

Debate adjourned.

ADMINISTRATION AND PROBATE AMENDMENT BILL
(Serial 71)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the practice of the Public Trustee at present is to file the accounts of an estate with the Supreme Court in its probate jurisdiction before taking the commission due to that office of the Public Trustee. The accounts are not actually passed by the court. This is the practice in many other jurisdictions. However, it has been suggested as a result of some conflict-which I will come to later-that that Public Trustee should both file with and have passed by the court the accounts of an estate before proceeding to commission.

To clarify the matter, it has been decided to introduce this bill. The bill is based on a provision of the New South Wales Public Trustee Act and makes it clear that the Public Trustee is not obliged to file or file and pass accounts unless ordered to do so by the court. There is also provision in the bill validating the Public Trustee's practice in the past.

Mr Speaker, that is the extent of the second-reading speech as I had it but I think it would be useful for honourable members if I canvassed the issue a little further. If honourable members refer to section 74(1) of Public Trustee Act, they will find that it provides that the Public Trustee is entitled to fees in respect of estates administered by the office holder of that statutory appointment without reference to the court. On the other hand, if honourable members refer to the Administration and Probate Act, at section 102(2), there is an implication that it would require a clearance of the court to pass those accounts for payment. As I indicated earlier, to date, the Public Trustee has filed those accounts with the court but, as a matter of practice, the court has not passed them formally for payment. Having regard to the fact that the

situation needs clarification and that this amendment will have an effect on the practice, it is obviously necessary that validating legislation be enacted. It is not to validate a mistake which has existed in the past but rather to clarify that the practice which has been applied would not be made invalid by the passage of this legislation.

Debate adjourned.

LOTTERIES AND GAMING AMENDMENT BILL
(Serial 65)

Bill presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the present provisions of the Lotteries and Gaming Act do not allow for lottery promotional and administrative costs to be charged directly to the Lotteries Fund. They must first be paid by the Racing and Gaming Commission from its operating trust fund, which is funded by appropriation, and then reimbursement made direct to the Consolidated Fund from the Lotteries Fund. The procedure is illogical and unwieldy and has been subject to critical audit comment. This bill seeks to simplify procedures by allowing costs to be charged directly to the Lotteries Fund in the first instance. The second amendment facilitates the disbursement of profits from certain lotteries. When the Lotteries and Gaming Act was introduced in 1972, provision was made for a Sports and Recreational Development Fund into which were to be paid funds remaining in the Lotteries Fund from time to time. This allowed proceeds in the new Sportslotto and Instant Sports Lottery games to be disbursed for sports and recreation facilities by the responsible minister. Since that time, the government has introduced the successful Territorian lottery. The proceeds from these lotteries may be determined from time to time for allocation to charitable institutions and welfare organisations outside the scope of the sports and recreation areas. This bill allows for the proceeds from the Territorian lotteries to be paid directly from the Lotteries Fund instead of through the Consolidated Fund. I commend the bill to honourable members.

Debate adjourned.

PLANNING (VALIDATION) BILL
(Serial 73)

Bill presented and read a first time.

Mr PERRON (Lands): Mr Speaker, I move that the bill be now read a second time.

This bill seeks to validate various administrative procedures which have been followed in advertising draft planning instruments since January this year. Honourable members will recall that, in November last year, amendments to the Planning Act were made by the Assembly. Provision was made for various parts of the act to be commenced at different times. In January this year, a number of sections were commenced. Other sections of the amendment act were commenced, together with the Environment Assessment Act, in July this year.

The only section of the amendment act which has not been commenced is section 10 which relates to various advertising procedures. Honourable members may recall that this section instituted the following changes: the need to advertise a draft planning instrument for 28 days rather than 90 days as before;

the need to advertise only twice in the newspaper rather than 4 times; and the need to place a sign on the land notifying the general public that a draft planning instrument was on display. Regulations were required to prescribe the type of sign, where it should be placed and so on.

Unfortunately, since January 1984, draft planning instruments have been advertised as if this section, apart from the need for signs, had commenced and there is, therefore, a technical default in all draft planning instruments which have been advertised since then. While there has been a technical default, I would like to reassure all members and the public that there has been no disadvantage to those people who have sought to make submissions on draft planning instruments.

Honourable members should know that the act as it now stands allows the minister to reduce the 90-day exhibition period to 28 days. As a general rule, I or my delegates did so and, for all practical purposes, draft planning instruments were exhibited for a lesser period than 3 months and usually for 28 days. The amending legislation sought to recognise this practice and allowed all draft planning instruments to be exhibited for 28 days unless the minister required a longer period. All members of the Assembly supported the wisdom of this move and acknowledged that only very important and significant draft planning instruments should be advertised for a period longer than 28 days.

I would also like to point out that, for all draft planning instruments, the practice of newspaper advertising has been continued. The great majority of draft planning instruments have been advertised at least 4 times and, in no case has there been less than 2 advertisements in the local press in addition, in all cases, to the required advertisement in the Government Gazette.

What I would like to stress is that, although it was believed that the law had been changed, there has been little or no practical difference in the treatment of draft planning instruments. The government regrets having to introduce legislation of this sort but believes that, in the circumstances, it is the honest thing to do. We could not countenance the alternative of re-exhibiting every draft planning instrument which has been on display since January with the resulting uncertainty, confusion and delay that would cause. Neither, of course, could we have stood by and done nothing. This would have placed in doubt many significant developments which have been undertaken or will be undertaken by people relying on changes to town plans which they believed had taken place.

Finally, I would like to inform members of the Assembly that the regulations prescribing the nature of signs on the land advertising draft planning instruments have been gazetted and there is no impediment to the remnant section of the act being commenced. I expect this to occur fairly soon.

Mr Speaker, honourable members will have heard your announcement this morning that you have accepted the case put forward by the Chief Minister pursuant to Standing Orders that this legislation should pass all stages during this sittings on the grounds of hardship. Indeed, that should be the case because the uncertainty and possible challenge by different people would be most unfortunate if this legislation is not passed with some haste. I commend the bill to honourable members.

Debate adjourned.

AGRICULTURAL DEVELOPMENT AND MARKETING AMENDMENT BILL
(Serial 67)

Mr ROBERTSON (Attorney-General): Mr Speaker, I seek leave of the Assembly to move on behalf of the Minister for Primary Production a notice standing in his name. As you announced this morning, Sir, there is a sad occasion this afternoon and the honourable minister is still at that occasion.

Leave granted.

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the bill be now read a second time. The Agricultural Development and Marketing Authority was established by the Agricultural Development and Marketing Act which came into operation on 30 May 1980. The task of the authority was to commence a 2-stage program to promote agricultural development in the Territory. Stage 2 of the program will not commence unelss its implementation is justified by the results of stage 1.

Section 3 of the act provides that the authority shall cease to exist on 30 June 1985. The reason for the sunset clause was to enable the Legislative Assembly to review the activities of the authority and consider the need for its continuation after 5 years of operation. As already advised to honourable members, Martin Corporation Ltd was commissioned by the government in January 1984 to conduct a detailed review of the authority and the industry it supports. In its conclusion, Martin Corporation Ltd held that another 5 years would be required before a reasonable judgment of the viability can be made. In view of these matters, the government has decided to introduce this bill to extend the life of the authority for 5 years up to 30 June 1990. I commend the bill to honourable members.

Debate adjourned.

PETROLEUM BILL
(Serial 70)

Continued from 23 August 1984.

Mr LEO (Nhulunbuy): Mr Speaker, this bill is similar to another bill, Serial 61, which was debated last week. Some of the amendments caused me concern and I hoped that the honourable minister would be back in time to answer those for me.

My principal concern relates to clause 108 in this bill. The clause relates to certain operations being prohibited. I will quote the relevant parts of the clause in the previous bill:

> *No permittee or licensee may carry out operations, which would otherwise be permitted by this act, upon private land that is -*
> *(a) used as, or within 50 m of land being used as a residence, yard, garden, orchard or cultivated field.*

The clause in this new bill reads: 'Lawfully used as ...'. The significant difference there is the inclusion of the word 'lawfully'. I am not too sure what is the status of Aboriginal town camps. Before this debate is over, I would like the Attorney-General to reassure me that Aboriginal people living in somewhat precarious situations where an oil lease may be taken up will not be

moved off or have a well sunk through their front living room. I doubt that that would be the case. I doubt that any mining company would like to do that. Frankly, I think that the chances of that happening are very remote.

However, the next subclause concerns me somewhat more because the chances of it happening are somewhat less than remote. The original provision read: 'No permittee or licensee may carry out operations, which would otherwise be permitted by this act, upon land that is used as, or within 200 m of land being used as, a cemetery or burial ground'. The amended clause reads: 'used as, or within 200 m of land being used as, a public cemetery within the meaning of the Cemeteries Act or burial ground'. I notice that there will be an amendment moved in the committee stage which will insert after 'in the case of a public cemetery' the words 'within the meaning of the Cemeteries Act'. I am still wondering where that will leave the words 'or burial ground'. I would hate for controversy to rage over some aspects of this bill. This bill should be welcomed by all Northern Territorians. I would hate to see any aspect of this bill used or be seen to be used controversially. I hope that the minister can explain those difficulties.

I was concerned about some of the changes that were made. I must thank the minister and the officers of his department. They explained most of those difficulties for me. However, I have not yet received an answer on the proposed changes to clause 117 which will allow a present licensee under the old act to take out a licence under the new act. The intention is for a licence to expire after 15 years. The changes that have been made to clause 117 will allow a licensee who, for example, has held a licence over land for 10 years to roll-over his licence under this new legislation and gain another 15 years giving him access to a licensed area for some 25 years. I know that that is not what the minister or his department intended. Certainly, I have put those questions to the minister in private. Unfortunately, to date, I have not had an answer. I hope that the minister will be able to answer my query.

There is another query. Perhaps the Attorney-General can answer this question for me. The problem is with clause 116 of the new bill. It is the word 'lawful' again. I am not too sure why it has to be pursued with such vigour. It is subclause 116(p): 'the protection of the environment and people who have lawful access to the permit or licence area'. I know the intention is not to use this legislation to prosecute people who are there accidentally. I am not too sure of the definition of 'lawful'. I am not too sure what connotations the word 'lawful' has and whether people can trespass quite unknowingly and be prosecuted for that. I am a little uncertain of its meaning. Perhaps the Attorney-General could comment in his reply.

Mr Speaker, I had a number of other problems which have been answered adequately by the department's representatives. Other than those few considerations, I would like to reiterate the opposition's support for this legislation. Certainly, it will be enduring legislation that will signal to oil drilling interests or petroleum people that the Territory is very interested in pursuing what wealth we may have and, hopefully, they will take advantage of this legislation which will become a model for a number of states around Australia.

There is one other matter I would like to comment on very briefly. The manner in which this legislation has been prepared is something that other ministers should examine. As I understand it, there has been a great deal of consultation across the spectrum of people involved in the petroleum industry. This legislation has been achieved with absolutely no illwill on anybody's part and I believe that all ministers should take note of this. Perhaps this demonstrates the way in which legislative changes should be pursued in future.

Debate adjourned.

FEDERAL HOTELS CASINOS (COMPENSATION) BILL
(Serial 68)

Continued from 21 August 1984.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr PERRON: Mr Chairman, I move amendment 20.1.

By way of explanation, reference is made in schedules 2 and 3 to consumables, some of which are to be acquired whilst others are not. The inclusion of the definition of 'consumables' is desirable to make it clear what kinds of things are included.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 20.2.

The definition of 'mortgage' has been changed so that it is wide enough to include securities for obligations other than monetary loans. It is not known at this stage whether any exist but it is wise to recognise the possibility in view of the variety of property being acquired.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 6 agreed to.

Clause 7:

Mr PERRON: Mr Chairman, I move amendment 20.3.

This is a drafting amendment and does not change the sense of the original clause.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr PERRON: Mr Chairman, I move amendment 20.4.

Clause 8 is identical in all material respects with the equivalent provision in the Commonwealth Lands Acquisition Act. In transcribing subclause (7), the references to the omitted subsections were included inadvertently and not adjusted to take care of the variations between the schemes envisaged by that act and this bill. Quite a number of clauses in this bill have been direct lifts from the Commonwealth Lands Acquisition Act and, in some cases, there were a couple of references in that clause that should not have been there.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 13 agreed to.

Clause 14 negatived.

New clause 14:

Mr PERRON: Mr Chairman, I move amendment 20.5.

I point out that this was a suggestion by Federal Hotels. The clause was expressed to allow the minister a degree of flexibility in making payments on account of compensation to be later agreed or determined. At the time that the bill was being drafted, this was thought to be desirable in view of the vast differences in the various preliminary evaluations undertaken. On reflection, and following consultation with Federal Hotels, it is no longer seen to be such a problem and the government is prepared to bind itself to making a 90% pre-payment not only in respect of the casinos themselves but also in respect of other property acquired. It was always intended that this should be done and it could probably be done whether or not the clause in either form was included. It should be noted that the Commonwealth Lands Acquisition Act does not impose any such obligation on the government's acquiring property in this regard.

New clause 14 agreed to.

Clauses 15 to 23 agreed to.

Clause 24:

Mr PERRON: Mr Chairman, I move amendment 20.6.

The inclusion of subclause (3) adds a degree of certainty as to the rules applying at a particular time and is thought desirable to avoid the possibility of dispute. This adds a third subclause to clause 24.

Amendment agreed to.

Clause 24, as amended, agreed to.

Clause 25 agreed to.

Clause 26:

Mr PERRON: Mr Chairman, I move amendment 20.7.

The inclusion of subclause (2) is primarily to ensure that no challenge can made to the tribunal continuing on with the hearing if an attempt at conciliation fails. It is in the interests of all parties to have matters of difference between them settled by agreement and there should be no impediment placed in the way of this happening.

Clause 26, as amended, agreed to.

Clauses 27 to 30 agreed to.

Clause 31:

Mr PERRON: Mr Chairman, I move amendment 20.8.

The object of clause 31 is to get to the root of the differences between the parties as quickly as possible. The inclusion of subclause (3) is to allow the tribunal to compel the parties to exchange useful information. A valuation expressed in terms such as 'we value the property at $x and nothing more' would be helpful to no one at all.

Amendment agreed to.

Clause 31, as amended, agreed to.

Clause 32:

Mr PERRON: I move amendment 20.9.

This is one of the amendments which Federal Hotels suggested to us and we have agreed to include. The inclusion of the extra words into clause 32 will make it clear that the company is not expected to maintain the casino businesses after the date of acquisition.

Amendment agreed to.

Clause 32, as amended, agreed to.

Clause 33:

Mr PERRON: I move amendment 20.10.

By way of explanation, these words were omitted inadvertently and, if the clause were left unamended, all liquor licences held by the company in the Territory would cease to have effect, not only those in relation to the casinos.

Amendment agreed to.

Clause 33, as amended, agreed to.

Mr PERRON: Mr Chairman, I move amendment 20.11.

The inclusion of subclause (2A) is to ensure that liquor licence fees can be assessed and apportioned even if the necessary disclosures are not forthcoming. A similar provision exists in the Liquor Act in relation to fees payable on the renewal of licences.

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 40 agreed to.

New clause 41:

Mr PERRON: Mr Chairman, I move amendment 20.12.

The rule-making clause envisages the making of rules relating to costs but there is no special sanction provided to enforce the payment of costs. The inclusion of the new clause will overcome this deficiency. Clearly it would be impracticable to have a tribunal that could award costs but no power to enforce that award.

New clause 41 agreed to.

Schedules 1 to 3 agreed to.

Schedule 4.

Mr PERRON: Mr Chairman, I move amendment 20.13.

This is a drafting amendment only to emphasise the overriding obligation to ensure that the acquisition is to be on just terms.

Amendment agreed to.

Mr PERRON: I move amendment 20.14.

The inclusion of these words more accurately reflects the principles enunciated in decided cases. They are included as a drafting preference.

Amendment agreed to.

Mr PERRON: I move amendment 20.15.

This amendment is consequential upon the amendment to the definition of 'mortgage'.

Amendment agreed to.

Schedule 4, as amended, agreed to.

Preamble:

Mr PERRON: Mr Chairman, I move amendment 20.16.

By way of explanation, the addition of the word 'recreation' more accurately reflects the original announcement in which mention was made of a proposed inclusion of a marina and, possibly, an amphitheatre.

Amendment agreed to.

Preamble, as amended, agreed to.

Title agreed to.

Bill reported; report adopted.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the third reading of this bill is perhaps the last move that is to be played in what has been a long and sorry episode of bungled, mishandled negotiations by the Northern Territory government with Federal Hotels in the Northern Territory, irrespective of any of the intrinsic virtues that might be attached to the consequent development on the Darwin peninsula. Some of the contributions that were made during the debate have done the government no credit either, particularly the contribution made yesterday by the member for Nightcliff - the government's token member for private enterprise. Mr Speaker, the opposition predicted fairly accurately yesterday, before the debate started, who would contribute to the debate. I said that the Treasurer would speak, the Chief Minister would speak and, of course, they would kick the member for Nightcliff in the tail and make sure he spoke and that would be the end of it.

Members interjecting.

Mr B. COLLINS: Mr Speaker, it is interesting that all those members who were reluctant to rise to their feet are now contributing by way of interjection.

Mr Speaker, the government's record has been a sorry one indeed. I would simply point out the major problem that we have with this entire arrangement. The Chief Minister came back in April from an overseas trip and announced with a great deal of fanfare and, if I could quote the Treasurer, 'euphoria' that he had secured this marvellous deal in which Pratts and Aspinalls would come to the Northern Territory to build a multi-million dollar development at Myilly Point. I refer all honourable members, and in particular the honourable member for Nightcliff, to that major press statement put out conjointly with Henry and Walker. That statement said a number of things. It said that a land trust would be set up to acquire the casino properties. The land trust was to be 49% owned by Henry and Walker and 51% owned by the NTDC. I noted with great interest a very significant clause in the Henry and Walker press statement making it categorically clear that there was to be no recourse on Henry and Walker if anything went wrong.

Mr Speaker, according to the statement, the arrangements were that the land trust, being formed solely for the purpose of acquiring the existing casino properties, would then hand them over to a development consortium of companies which were not at that stage named. With a great deal of publicity, the Chief Minister gave a number of interviews. In those interviews, he stated quite categorically, and the record will show it, that the government's involvement in the development would be minimal. In reference to a question asked by Alan Knight, he said: 'I think, Alan, that the government will not be contributing a penny to it'. Those words stand on the record.

The government, of course, agonises and screams about questions raised quite legitimately in this Assembly by the opposition. I stress again that they are raised simply to get some sort of clarification of a whole series of misleading, confusing and contradictory statements from the Chief Minister of the Northern Territory. He stated quite categorically in that interview, and in a number of subsequent interviews, that there would be no involvement.

I availed myself of a briefing with Mr Alder of the Northern Territory Treasury which he was perfectly happy that I recorded. There was a press statement from the Chief Minister saying: 'We have offered a briefing and anything that the honourable Leader of the Opposition wants to know about Myilly Point' - and I still have the telex - 'will be revealed in the briefing'. In response to a straightforward question from me about Myilly Point, the Treasury official advised me that he was sorry but Treasury could not answer the question because it had not been involved in any way in the matter. I was told I would have to refer my inquiries to the Northern Territory Development Corporation.

We found from the budget papers yesterday that the Northern Territory taxpayers are making a gift of $1.5m in revenue forgone. I intend to send the Treasurer's statement of this morning to a few friends of mine in Treasury so that they can have a good giggle about his grasp of economics. Of course, he does not consider that to be a contribution by the taxpayers at all because it is money the government has not yet collected. What nonsense. We have yet to know - though I fear that we will soon find out - the full extent to which we are to be committed on behalf of a Chief Minister who stated, when he announced this proposal, that Northern Territory taxpayers would not be contributing a penny. That statement has now been demonstrated to be false. I wonder how much else of what the government has told the Northern Territory in dribs and drabs is false also.

Mr Speaker, irrespective of the benefits of this development, this entire episode has done the government no credit and, in particular, has done the Northern Territory's Chief Minister no credit whatsoever.

Mr PERRON (Treasurer): Mr Speaker, I simply want to make the comment in response to the Leader of the Opposition's little tirade that it has been interesting to note Federal Hotels' willingness to be used in this debate in what has been demonstrated many times to be simply an attempt to jack up the price. It is still going on. Honourable members should be aware from the information that Federal Hotels has provided to them exactly what the history of the financial negotiations are.

Mr B. Collins: They have provided us with nothing.

Mr PERRON: Come on, who are you trying to kid?

Mr B. Collins: Do you want to have a look at it? Here it is.

Mr PERRON: I think it is worth honourable members noting that we have a new champion of private enterprise in the opposition which is only too willing to become involved between the government and private enterprise. The slipping of a bit of information and perhaps even the taping of a conversation or 2 could help along the way. The opposition will help out at any time.

Mr EDE (Stuart): Mr Speaker, I cannot let that go without comment. The Treasurer said that the whole thing is an exercise in jacking up the price. Have a look at the amendment that he just put through. He inserted after 'willing', the words 'but not anxious'. That is the whole point. It lays to rest once and for all this supposed attitude of Federal Hotels towards the matter. It is not anxious to sell and it never was anxious to sell. It was in a bit of a financial hole some time ago. I will take up again what I said to the member for Nightcliff the other day: the figures he quoted were March 1983 figures and not 1984 figures as he stated. Since then, the company has divested itself of quite a number of loss-making operations. It has sold assets to put itself into a far better financial situation than it was then and was most anxious to continue in the Northern Territory for the benefit of itself and Northern Territorians.

Mr Speaker, I believe this is the end of an era. The government's actions in respect of Willeroo and the Rixons at Oolloo was seen by us out bush; we knew what the government was like. The government has now brought its heavy-handed bully-boy tactics from the bush into town. That is what the people of Darwin and Alice Springs will realise as a result of the actions that it is taking here. I say once again that this is the end of an era. The government has reached its high point and it is all downhill from here on.

Mr HATTON (Nightcliff): Mr Speaker, I must rise to comment on some of the distortions of the facts presented by the Leader of the Opposition. He referred to the press statement that was issued in April of this year in which there was a reference to the property trust. For the benefit of the Assembly, I will read in full the paragraph to which the Leader of the Opposition referred:

> *The statement went on to say that a property trust is to be formed in the near future to acquire the hotel casino properties. It is proposed that these properties will be the principal assets of the trust in the short term. However, the trust is also to take up an interest in large tourist and accommodation developments planned for sites adjacent to the 2 hotel casino properties.*

That is exactly what the Leader of the Opposition is saying now is new information. The Leader of the Opposition, in his usual way, is twisting facts to make a good story. That has been his contribution to this debate over this whole issue since the beginning of last week.

The Assembly divided:

Ayes 17	Noes 6
Mr D.W. Collins	Mr Bell
Mr Coulter	Mr B. Collins
Mr Dale	Mr Ede
Mr Dondas	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Hanrahan	
Mr Harris	
Mr Hatton	
Mr Manzie	
Mr McCarthy	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Robertson	
Mr Steele	
Mr Vale	

Motion agreed to; bill read a third time.

ABORIGINAL COMMUNITY LIVING AREAS BILL
(Serial 30)
NORTHERN TERRITORY DEVELOPMENT LAND CORPORATION (VESTING OF LAND) BILL
(Serial 40)
FENCES AMENDMENT BILL
(Serial 52)

Continued from 7 June 1984.

Mr LANHUPUY (Arnhem): Mr Speaker, let me make it clear from the start that the opposition is opposed to the linking of these bills. There is no logical reason, we believe, why the vesting of land bill should be tied to excision legislation which is perfectly capable of standing alone. But we have here a very neat piece of extortion, I believe, by this government and the Chief Minister. The vesting of land bill is aimed specifically at frustrating the Commonwealth's land rights legislation. As such, it is unnecessarily contentious. It is already the subject of a High Court challenge and, even if it is passed, it will wait a hearing of the full High Court before it can be assented to. We know that this government's success rate in the High Court is 100% total failure.

Mr Speaker, the opposition acknowledges that the question of claims over public land is a vexed and complex question that needs to be resolved. These matters are currently the subject of negotiations between this government and the federal government. Given the existing federal legislation, it is appropriate that they be resolved within that area. However, there is no reason why this present government will concede in the long term. There are quite a number of Aboriginal communities living on pastoral leases without any right of tenure. This has led to a situation where there is no legal entitlement to erect proper housing and facilities.

As a result, some of these communities live in conditions which are nothing short of appalling. Until the legal situation is changed and they have a right to the land on which they reside, no improvements can be made.

The Aboriginal Community Living Areas Bill addresses that problem. The legislation provides for the excision from pastoral leases of community living areas for Aboriginal groups. Eligibility extends to Aboriginals ordinarily resident on the land at any time before or at the time of the commencement of this legislation. I note that others can also apply with the lessee's consent. Grants will be by way of title in fee simple to a land trust which will not be able to alienate land without ministerial consent.

Mr Speaker, provision is made for conciliation of a disputed claim before it goes before a tribunal for hearing. The tribunal, made up of a Supreme Court judge, a nominee from each of the land councils and a relevant pastoral organisation, can report to the minister and make recommendations on resolution of the claim. The bill sets out the various factors to which the tribunal must have regard when formulating its report and recommendations. The decision on the claim is then taken by the minister. Unfortunately, the bill does not require the minister to give reasons for his decisions and there is no provision for a review of that decision. The opposition intends to introduce amendments to remedy both of these shortcomings. Such a provision exists in many enactments and ensures that justice is both done and seen to be done. Indeed, one could see such a requirement as protecting ministerial decisions which might not always be brought under attack. Similarly, there should be no reason why a minister should be reluctant to have his decisions come under scrutiny.

Accordingly, Mr Speaker, I will be moving amendments requiring the minister to table his decisions and the reasons for them so that they will be available for the scrutiny of this Assembly. In addition, I will be moving an amendment to extend the scope of the bill to cover parks and reserves under the Territory Parks and Wildlife Conservation Act. Aboriginals who live in parks and reserves can find themselves in situations similar to those on pastoral leases. Their situation requires a remedy and it is appropriate that these groups have access to this legislation. I will also be moving an amendment to ensure that applicants and their representatives have access to the land in question for the purpose of preparing the applications. Honourable members will see from the details in the application that such access would be necessary and is entirely reasonable in the circumstances.

Basically, the opposition supports the Aboriginal Community Living Areas Bill and the Fences Amendment Bill which makes provision for the cost of fences in cases where land is excised from pastoral leases. We will, however, strongly oppose the madness of the combining of these bills with the vesting of land bill. As I have already stated, there is no reason for these bills to operate together. The excision legislation can stand alone and, in the interests of justice, I would call on the government to reconsider its decision and allow the legislation to operate independently and commence immediately. In so doing, it will help relieve the appalling situation of some of the most disadvantaged groups in the Northern Territory who have waited for many years for this legislation. I would appeal directly to the conscience of the government members in this matter. Opposition members will strongly oppose the linking of the bills.

Mr HANRAHAN (Flynn): Mr Speaker, the member for Arnhem has addressed a few points along the lines that the Northern Territory Development Land Corporation (Vesting of Land) Bill and the Aboriginal Community Living Areas Bill are inextricably tied together by the very wording used to describe the

bills. Before I deal with that question, I need to review a little of the history that relates to these 3 pieces of legislation.

Honourable members would be aware that 'Seven Years On' by Justice Toohey was tabled in this Assembly last March. Justice Toohey had some very pertinent comments to make in relation to the claiming of public purpose land under the land rights legislation. In paragraph 146, he said: 'It is a reasonable inference from the report that, as the Territory government submits, Justice Woodward did not contemplate the transfer of government reserves to Aboriginal ownership except subject perhaps to some leasing-back arrangements'. In paragraph 147, Justice Toohey said: 'The question of land set apart for a public purpose under the law of the Northern Territory arises both in regard to existing reserves and land that may, at some future date, be set apart. At present, land so set apart includes public parks, camping areas, stock routes and reserves, commonages, public water areas and police stations outside towns'.

This legislation has been before honourable members virtually since October 1983. In fact, it lapsed with the proroguing of the Assembly in December. It was introduced again in a revised form in March 1984. The point I would like to make is that the Territory government has tied these 2 bills together simply because it does not accept the view that public purpose land in the Northern Territory is available for claim under the Land Rights Act of 1976.

Mr Speaker, I agree with the member for Arnhem that the Aboriginal Community Living Areas Bill seeks to implement a system whereby disadvantaged Aboriginal people living on pastoral leases will be able to gain title to land. That is fine but you cannot forever keep on giving with both hands; there needs to be balance. I do not believe that all Aboriginal people would agree with the claiming of stock routes and public purpose land. I see that very question as no more than a political argument. It is a political argument because the land councils have sought not to frustrate the attempts of the Northern Territory government. I would like to hear from honourable members opposite why they feel that public purpose land should be available for claim under the land rights legislation. The land rights legislation has seen a very large proportion of land in the Northern Territory come under the control of various Aboriginal groups yet we now find that they are seeking to use an anomaly - and that is all it is - in the Land Rights Act which is referred to by Justice Toohey as not being appropriate.

Turning to the Aboriginal Community Living Areas Bill, I agree with the member for Arnhem that it is a good bill. It seeks to achieve the aims of quite a large number of disadvantaged Aboriginal people. But I reiterate that it is not possible to keep on giving land away in the Northern Territory ad infinitum. There needs to be an end to the whole matter. I feel that there are 2 aspects of this bill that really need addressing. One is the use of the term 'ordinarily resident'. I think it should be changed to 'presently residing'. I will be talking about that issue at a later stage. Also, the bill needs to have a sunset clause whereby claims for excision areas on pastoral properties need to be lodged and finalised within a period of 2 years. We do not want to enter into the situation again where we are continually faced with this issue of land rights legislation. It could go on forever. I really believe that a provision that limits the time available to make claims is a good way to put the legislation on a sound footing.

Mr EDE (Stuart): Mr Speaker, the member for Flynn asked why there are claims on public purpose land. I will tell him why claims were put on stock routes, Mr Speaker. The reason was that people had no option. They did not have any way of obtaining land on many of those properties where they had been

living for generation after generation. They had lost the control of the land because the government had given it to a pastoralist. They were living in the sort of direst poverty that really I have not seen in most third-world countries. They are the conditions under which people are living in Australia today.

A group of people at Ammaroo in my electorate went to the pastoralist and asked to negotiate an excision. He said okay and they worked out 3 areas which were agreeable to both sides. They then put in applications to the Department of Lands which immediately chucked them out because one of them had a bit of a stock route in it. That is the degree to which the Northern Territory government is willing to go when you talk about negotiating on this matter. There is no negotiation as far as it is concerned. All it wants is a fight. We have seen that earlier today and we have seen it for goodness knows how many years.

The member for Arnhem has foreshadowed the amendments that he proposes to move. I want to go through a number of areas where there is some dissatisfaction with the bills. The Northern Territory Development Corporation (Vesting of Land) Bill is a pointless exercise, is manifestly illegal, is totally unnecessary and is provocative. It will make it that much harder for the government when it eventually comes to its senses and decides that it will sit down and negotiate in good faith. It will make it that much harder for it to do so because it is one more episode of bashing. Anyone of us on this side of the Assembly, I believe, could negotiate a solution to this whole bloody mess within a matter of a couple of months. The government is unable to because it is not interested in solutions.

There are enormous benefits to Aboriginal people in having decent excision legislation passed through this Assembly. The benefits to Aboriginal people are quite clear. There are benefits to the pastoral industry in removing the doubt and uncertainty that exists. While the benefits to tourism may not be as significant, they would still be there. The problem is that the Chief Minister would not have his drum to beat. This legislation is a politically-motivated exercise in cynicism. It is designed to fail and I, for one, will not have a bar of the vesting of land bill.

Let us turn to the Aboriginal Community Living Areas Bill. When the amendments foreshadowed by the member for Arnhem have been accepted, the bill will go some way towards repairing what has been a blot on the Northern Territory for many years. I am supporting the proposed legislation because I think it is probably as far as we can persuade members to go at this stage. I will refer to a number of clauses which, if there is good faith by the minister, may be able to operate successfully. I am drawing attention to them now because I am hoping that, next time the government has a review, it will look at these clauses.

I am worried about the lessee consent provisions in the bill. I can understand why this government may wish to have the pastoralists sit down with the people and give them a chance to work things out first. On the face of it, that looks to be quite a good idea. However, there is a very real danger. I have seen the way that people put pressure on other people. Subtle and not so subtle pressures are brought to bear to try to achieve the ends the people are aiming for.

I can tell members what can happen with the type of sweetheart deals that I am talking about. All it would require is for a pastoralist to contact a few mates. They might be distant relations or something like that. He would say: 'I agree to your having an excision there, an excision there and an excision

there'. There may be 150 people living there with whom he does not negotiate. When those people apply for a lease at a later date, he would say: 'Hang on, I have already given 3 blocks of land from my area and I cannot afford to give up any more'. You have 3 lots of people who may not even have been resident on the lease and who may have very little intention to reside for any length of time on the lease.

Mr D.W. Collins: That's drawing a long bow.

Mr EDE: The member for Sadadeen refers to a long bow. I can give instances where that will most likely occur. For his information, there are people in my electorate and in the electorate for the member for MacDonnell who have relations who are living in town and who have already made some move towards getting an excision back on the area where they grew up. If it is in the interests of the pastoralist to give land to those people in preference to the people who are living on the pastoral lease, we will have the situation to which I refer.

Mr Speaker, clause 4(2) purports to provide a role for the minister in determining the eligibility of people who can make these claims. I believe that this is unnecessary given the tribunal's function under clause 10 and clause 32(1)(b). It is also a direct contradiction of the views of Mr Justice Toohey expressed in paragraph 36 of his report. Furthermore, since clause 27 requires the minister either to approve an application or refer it to the tribunal, his role under clause 4(2) is redundant.

I wish to move on to the clause relating to the establishment of the tribunal. It refers to the different people who could be the tribunal's chairman. One of them could be a legal practitioner of 5 years' standing. I believe that this downgrades the importance of the task of the tribunal chairman to an extent where it flies in the face of Mr Justice Toohey's recommendation 78(h) that the chairman should be a Supreme Court judge. I know some legal practitioners of 5 years' standing. I referred to one this morning, but I certainly would not place him on any tribunal that I chose.

Mr Speaker, the reference in clause 5(3) for a representative of pastoral interests is predicated upon the application of this act solely to pastoral leases. We have mentioned the need for excisions to occur from other types of land such as Territory parks and we believe that that limitation should not be there. It may be that it would be more practical for somebody from the Conservation Commission to be appointed.

The bill indicates that the service of notices on the lessee must be effected personally. I believe that that provision is too narrow. I cannot see why it should not be done by certified or registered mail.

Clause 27 deals with the minister's consideration of applications. While it is appreciated that ministerial approval may result in speedier disposition of some applications, the clause provides no safeguard for interested parties. I refer back to the sweetheart deal that I was talking about earlier. For example, the minister may grant land to a group of people who have obtained that land under the sweetheart deal without the people who live on the land having the ability to become aware of the application or being able to intervene. The fact that other Aboriginal groups may have their interests directly affected by an application is recognised in clause 17. This recognition, however, is limited only to proceedings before the tribunal. If it does not go to the tribunal, there is no way that people can be notified that they are affected. They should have some way of becoming involved. There needs to be a mechanism

where they are advertised. When the minister receives a notice of an expression of interest by a third party, he should then ensure that it goes directly to the tribunal so that it can decide which of the groups should get the land.

In the recommendations to the minister, there is no standard of satisfaction prescribed by the bill. We are presuming that it is the civil standard. While we believe that the burden of establishing eligibility should be placed upon the applicants, when it comes to a question of the pastoralist saying that people cannot have that lease because of the economic viability of his property, he should have to prove that. There is a bald reference in clause 32(1)(b)(ii) to 'present need' which is unacceptable. The legislation must spell out that needs are not merely economic but may be spiritual, psychological and cultural. This is recognised in the Toohey report. I refer members to paragraph 20 where he states: 'The Aboriginals I spoke to thought of suitable living areas in terms of traditional links with the land'. In paragraph 24, he states: 'A very strong motivation for many Aboriginals was the desire to protect and maintain sacred sites'. In my experience, it is the spiritual need to be reunited with one's country which is the most important need of all.

Clause 32(1)(g) I believe to be irrelevant. It states that other claims for land which are outstanding by the group which is attempting to get a lease will be taken into account by the tribunal. It cannot be presumed that the mere claiming of a piece of land ensures that it will be subsequently acquired. Any group which has a land claim in train and applies for an excision may be penalised.

Mr Speaker, I believe there are very good reasons why the decisions of the tribunal should be binding upon the minister. This was raised by Mr Justice Toohey himself in paragraph 59. He conceded:

> *There are good reasons why the tribunal should be empowered to make decisions binding upon the parties. It should be borne in mind that, in the bill, both the NT government and the other interested parties are able to present their cases for tribunal consideration. For the government, therefore, to exercise discretion is to give it a second bite at the cherry if its initial arguments fail before the tribunal.*

I do not believe that that is acceptable. Additionally, this procedure takes the whole process behind closed doors. Behind those closed doors, the various parochial interests may be yelling in the ear of the minister and he might overturn the decision of the tribunal. Furthermore, there is no provision for aggrieved parties to appeal against the minister's decision. The failure to provide reasons has been raised by the member for Arnhem. That omission is also contrary to Mr Justice Toohey's recommendation in paragraph 78(k).

The member for Flynn spoke about the desirability of a sunset clause of 2 years. I would like to refer to the various time limits that apply in this bill. After it has come into force, no application may be made until 6 months from a request to negotiate. That is in clause 24. The minister has 90 days to consider an application before taking any action under clause 27. After referring the matter to the tribunal, the minister has 28 days before requiring the land council to nominate a tribunal member. That is in clause 30. The tribunal chairman is to set a date 'as soon as practicable'. That is open ended. After the hearing, the minister has another 60 days to accept or reject the tribunal's recommendations. Thereafter, the minister has 28 days to advise the parties of his decision. Then, as soon as practicable, action is to be taken under the lands acquisition act. As soon as practicable after acquisition, a fee simple title will be issued. Thus, we have a period of 10

months from the initial request for negotiation until the tribunal hearing. Then, we have a couple of 'as soon as practicables' of unknown length. Then, we have another 3 months and then a couple more 'as soon as practicables'. There would be Buckley's chance for anything to get through in 2 years.

Again the bill gives no definition of 'living area'. Judge Toohey considered this in paragraph 48: 'The notion of a community living area involves something wider than the mere provision of housing. It may include the concept of self-sufficiency. A useful guide is subsection 24B(2) of the Crown Lands Act'. I agree that the notion of a living area does include a concept of self-sufficiency. I realise that will create practical problems. I am not saying that we should go further than we have already stated about the viability of the lease being maintained. However, in determining the area, something more than merely the ability to tack up a number of houses should be taken into account.

The bill gives no protection of living areas from mining activity. The importance of that protection was first recognised by Mr Justice Woodward and it was reflected in the Aboriginal Land Rights Act. Mr Justice Toohey stated in paragraph 755 of his report:

> *The impact of mining activity will be greater than mere physical damage to the surface of the land. There may be social, spiritual and psychological consequences for residents of the land affected as well as traditional owners of the land and others with a traditional interest in the land.*

Given the relative smallness of the living areas that we are talking about compared to schedule 1 land claim areas, I believe that any mining activity would virtually be in a person's backyard. Any problems would be increased. The only provisions are under section 72 of the Mining Act and these are fairly ambiguous. At its best interpretation, it would prohibit mining operations 50 m from the applicants' vegetable patch and 200 m from their front door. Any suggestions that this safeguards Aboriginal people from the effects of mining would be ludicrous. It is essential that applicants be given some powers relating to decisions on the nature of mining within these areas. We are not talking about land which is equivalent to land under the Land Rights Act. It is an excision, and we accept that. However, I believe that there should be room for negotiation.

Mr Deputy Speaker, in conclusion, I would remind you that you are aware of the areas within my electotate which hope to gain some benefit from this legislation. I can refer to a place like Anningie which waited for years to obtain an excision. Lake Nash received national press at various times over the years. Bonya remains a blight on this nation's honour and so does Derry Downs. We may be coming out of the woods a little with a couple of the others such as Napperby. It has required an enormous amount of negotiation, given that there were virtually no powers with the federal government and no guts with the Northern Territory government. But I am supporting the legislation with the amendments proposed by the member for Arnhem for the simple reason that I hope that finally we can remove the blight that stains this nation's honour. I am talking about the current living conditions of landless people on pastoral properties in the Northern Territory.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, in speaking to these bills, it is appropriate to draw to the attention of honourable members that, in 'Seven Years On', Mr Justice Toohey gave the proposed legislation his support and saw it as being an appropriate means by which Aboriginal people could gain

freehold title to land and be provided with the security that that title brings to them. There are often claims voiced that this government is anti-Aboriginal land rights. I believe that this legislation puts to rest any such claims. Mr Justice Toohey states in paragraph 41: 'The provisions of the Land Rights Act apart, the grant of an estate in fee simple is as good a title as is enjoyed by anyone in the Territory and is better than any one of the various forms of leasehold'. The words 'as good a title as is enjoyed by anyone in the Territory' carry considerable weight. I am certain that this form of title will be acceptable to all genuine Territorian Aboriginal people.

It goes without saying that all Aboriginal people of Australia must have access to land of their own. This legislation will fill a gap in the Northern Territory that the Aboriginal Land Rights Act could not satisfy. It is unique. It is reasonable legislation and the concept will be acceptable to most people whether they are directly affected by it or not.

The matter of responsibility for fencing and maintenance of excised areas has been addressed in an amendment to the Fences Act. Continuing maintenance of fencing to excised areas would be an imposition on current leaseholders and a major cost burden if they are expected to maintain their responsibilities under the B-TEC program.

However, there are further questions to be answered in order to satisfy all interests. Station operators have cause for concern as to whether excisions are to be used for the purpose of running cattle, either killer or commercial herds. This possibility is seen by some as being a danger to the effective control of disease under the B-TEC program.

The possibility of multiple excisions is of concern to many people. There is a danger of multiple excisions from leases and that would create many problems for Aboriginal people eventually and certainly for the leaseholders of the land. This must be addressed in the legislation. Perhaps it can best be controlled by putting a time limit on applications for excision. I believe that both sides of this Assembly support the concept of a cutoff date for land rights claims and, if that is the case, there should be no problem with a sunset clause in this legislation. I submit that a time limit of 2 years is not an overall time limit to work out the claims; that was not suggested by the member for Flynn at all. The idea was that this would be the time limit on claims only. Nobody would suggest that all of these cases would be determined within 2 years. I believe that it is sufficient time for potential applicants to prepare their case. It is not the same as in the land rights situation. It will be very easy to identify the potential applicants for land under this bill.

The provision to disallow absentee landholders in this legislation should have had its roots in the Aboriginal Land Rights Act. It is a matter of great concern that land in the Territory has been granted to persons who have no genuine intention of living on or actively using that land. The provision to establish genuine residence on land is absolutely essential.

Mr Deputy Speaker, no hard and fast rule can be laid down as to the size or scope of living areas without taking into consideration any detriment that may result for the leaseholder. This should be satisfactory to all parties. But, there should be both a lower and an upper limit on the size of excisions that must be fixed by this legislation.

Land trusts will be established to accept responsibility for a granted excision. These will be made up of persons nominated by the local Aboriginal community as recipients of the land and appointed by the minister. The trust will be a body corporate and carry with it the responsibilities so implied.

Representation of the parties concerned on the tribunal to be set up by this legislation should provide for all aspects of the claim for excision to be heard and for rational findings to be made. As in the Aboriginal Land Rights Act, the relevant minister has the power to accept or reject the findings of the tribunal. However, the minister must decide within 60 days. It is unfortunate that that cannot be done in relation to the Land Rights Act. There are some people who are living with the prospect of land being given away over their heads and that is of real concern.

Mr Justice Toohey suggested in his report that, where land is acquired under this proposed legislation, compensation should be paid initially by the Northern Territory government but should be reimbursed from the Aboriginal Benefits Trust Account or by the Aboriginal Development Commission or otherwise as agreed. I would suggest that the ABTA is a suitable vehicle for picking up that cost.

This legislation is a big step forward for the future of Aboriginal people on pastoral leases and will provide them with secure tenure of their place of living. The Northern Territory government has a responsibility to all citizens of the Territory and the majority of land claims so far approved have had the support of Territorians and this government. However, certain aspects of some claims cannot realistically pass without opposition. I suppose it is natural for persons individually or as a group to want possession of all that can be obtained of any worthwhile commodity. What more worthwhile commodity is there than land? Tribal Aboriginal people are close to their land. In this, they are not unique. However, it is said that Aborigines have a different affiliation with the land than do other Australians. I support that view. However, I too have an attachment to the land. I am often inspired by its beauty, as strange as that might seem. I recall with deep feelings places that I have been and things that have occurred in particular places. In certain places, I have experienced a great uplift of spirit. I can recall flying low over that area of land that is to be turned into the Gregory National Park. If I could ever have written poetry, it would have been at that time.

I know that I am not on my own in that. I think that probably every member has felt that way. Having visited Kakadu or Uluru or Jasper Gorge, who could come away unmoved by the beauty of those places? I could not. I remember that, more than 20 years ago, I camped about 20 miles from Ayers Rock. I awoke in the morning and the whole surroundings were charged with red light. We were inside a caravan but the air inside was red. I think that I went rather crazy at the time, running around taking photographs. I still have hundreds of photographs taken at the time but, unfortunately, the colour of the air cannot be captured. It is absolutely beautiful. Such places are rooted in the spirit of Australian people, black and white, and must remain available to all Australians wherever that is still possible. Without question, due respect and acknowledgement of sites of genuine importance to Aboriginal people must be maintained. Such sites are already protected under legislation enacted by this government.

It is to my mind a great pity that the Northern Territory is forced to initiate legislation to retain title to such areas of importance to all Territorians as are contained in the schedule attached to this proposed act. I am convinced that it was not the intention of the draftsmen of the Aboriginal Land Rights Act that these areas would be available for claim. The actions of the Minister for Aboriginal Affairs in granting title to a stock route and to Ayers Rock and the fact that the beds and banks of rivers are available for claim point to the absolute necessity for this legislation. I am sure that even the honourable members opposite hope some day to have a state united within itself. That is a vain hope as things stand at present. It is possible that,

by the time this Territory reaches a stage at which it could reasonably expect to attain statehood, there would be little left for this Assembly to govern. The potential for development might be quite out of the control of government. Unfortunate as it is, this legislation is necessary if we are to aim for the future viability of a northern state in this Commonwealth, a state that is accessible to all citizens and controlled by their elected representatives. I trust that all honourable members will support it.

Mr BELL (MacDonnell): Mr Speaker, that was a load of nonsense, particularly the last part. I really find it difficult to understand how somebody like the member for Victoria River can represent an electorate such as his and still support the vesting of land bill. It is highly instructive of the government's intentions with regard to land administration in the Northern Territory that there are 3 bills that are spuriously joined together as cognate legislation. The opposition supports one and roundly condemns the others.

Mr D.W. Collins: Do you want to have your cake and eat it too?

Mr BELL: Let me answer that quite simply. I am not interested in cake. I am not involved in this. All I am interested in is seeking some justice for people who have been historically and uniquely disadvantaged within Australia generally and within the Northern Territory particularly. I see the member for Sadadeen pretending crocodile tears. Sometimes the member for Sadadeen impresses me as having a stroke or two of feeling, but let me say that I am quite revolted by his interjection.

It is a shame the member for Flynn has left. He talked about giving away land in the Territory. He said there needs to be an end to this. The point is that we are meeting legitimate needs of people within the Territory. It has been a 10-year process. I certainly would like to see the time when the issue of the recognition of Aboriginal land rights is not quite the subject for hot political debate as it is and has been in the Territory for the last 20 years. I do not think the debate should move out of the political arena merely because it is a particularly strong debate. Heaven alone knows that we on this side of the Assembly suffer far more in that debate than the members opposite. We have an interest in this debate attaining a far lower profile. However, the debate should not end simply because a few ignorant people are becoming a little disturbed because they perceive - as quite clearly the honourable member for Flynn perceives - this land as being given away.

I am in a uniquely privileged position to see within my electorate the whole gamut of the operation of the Aboriginal Land Rights Act, particularly in the western end of my electorate in the communities around Docker River and Kintore and coming back from there towards Papunya, Ayers Rock and so on. There is long-term association with that country that people have never lost. I am not saying necessarily that this is a subject for debate today but it is worth remembering that we need to consider the long and continual connection that people there have had with the country. This contrasts significantly, in traditional terms, with the impact on people who have lived on cattle stations that have been taken up over the last 100 years back towards Alice Springs and further east and north from there. I am not saying that that impact has been entirely bad. However, it would be a mistake to say that it has been entirely positive.

To come back to this legislation, as the honourable members for Arnhem and Stuart have so cogently explained today, there is a deep need for the Aboriginal Community Living Areas Bill. The opposition totally supports that legislation. However, I wish to place on record my concern that this is joined with the

vesting of lands bill. The attitude that the Chief Minister in particular has adopted in this regard - and I see that the member for Victoria River has joined him - has been to ignore substantially the real needs of the people who require excisions. He has done that for some short-term political gain.

Let us talk about public purpose land for a minute. Let us talk, for example, about Ayers Rock. Perhaps we are raking over old coals and I will try not to take up too much of the Assembly's time tonight. But I do not see how the recognition of title for Aboriginal people over Ayers Rock, for example, denies the public access to such places. During this sittings, we have already had comments about the use of Aboriginal land for the development of resources at Mereenie and Palm Valley. At Ayers Rock, certainly there have been some problems with the negotiations between the Commonwealth government and the Aboriginal community about the terms on which the title will be given. But let us be under no illusion that the possible recognition of title there has no implication for the tourist industry. There is no possibility.

Mr D.W. Collins: We will hold you to that one.

Mr BELL: The honourable member for Sadadeen will hold me to that. Let me say this. After talking to my constituents who live at Ayers Rock, I can indicate there is strong support for the continuing visitation of tourists to that place.

Mr Perron: Under what conditions?

Mr BELL: That is a matter for negotiation between the Commonwealth government, which has held the lease since 1976, and that community. Quite honestly, I am not au fait with every aspect of the conditions under which that title will be given. But I think the minister would be pretty hard put to suggest in the context of this debate that there are any particular problems with that.

Let me refer once again to the Aboriginal Community Living Areas Bill. It is a subject that is dear to my heart. I have taken some interest in it because, during the 3½ years that I have been a member of this Assembly, I have made representations on behalf of communities which have been disadvantaged because they have been unable to obtain adequate living areas on the basis of which they would be able to obtain adequate housing and community facilities of various kinds. For example, I remember Lake Nash and the difficulties that obtained there. I understand now that that situation has been resolved because of the intervention of the federal Minister for Aboriginal Affairs. Another area that I understand has been the subject of some concern has been Yarralin. I understand that there was some concern that the previous leasing arrangements would not continue under new ownership. It is those sorts of vagaries that this particular legislation will clear up. For that reason, we heartily endorse it.

There is one area in my own electorate, however, to which I would like to draw attention. I refer once again to the Kings Canyon National Park area. I have mentioned previously at this sittings that concern has been expressed by a number of people who have been making efforts over a number of years to obtain living areas in the vicinity of Kings Canyon. My understanding is that the Aboriginal Community Living Areas Bill will not apply in that regard and that is one situation that certainly needs to be clarified.

With those few comments, I conclude by stressing once again that the spurious connection that is made between the vesting of land bill and the Aboriginal Community Living Areas Bill is something with which the opposition

strongly disagrees. However, while I oppose the vesting of land bill, I am pleased to endorse the enactment of the Aboriginal Community Living Areas Bill.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I am pleased to rise to contribute to this debate. As far as I am concerned, the 2 bills before us are indeed inseparable. Very clearly, our friends opposite have decided they want to have the cake and to eat it as well. They have some supporters in fairly high places, including the Minister for Aboriginal Affairs it would seem.

The member for Stuart said that the people claimed the stock routes because they had no option. The bills before us give that option. They will give living areas on the pastoral leases to Aboriginal people who have bona fide claims. It was reported in the press and told to me by a lawyer in the Central Land Council that the claims were made originally because no excisions were available to the people on pastoral routes. These excisions will be made available. The Aboriginal Community Living Areas Bill will allow for that and, therefore, there will be no reason for claims upon stock routes and stock reserves which have resulted from an anomaly in the Land Rights Act.

Mr Speaker, I give 100% support to the Aboriginal Community Living Areas Bill. I have witnessed, sometimes in the company of another honourable member, the situation where Aboriginal people have come to an agreement with the station people and have been given land of their own. I recall particularly Alcoota where this was done by the Webb family. The planning of the village was excellent. The people had designed it themselves and it was clean and tidy. In case anybody thinks I am being patronising by calling it clean and tidy, there are plenty of these places that are anything but clean and tidy. Obvious pride was being shown in it. People were establishing gardens and planting trees and creepers; it was a hive of activity. In fact, on that particular day, I went out there with the member for Braitling to help plant a grove of trees. We had planted only a half a dozen or so to show the men of the community when they took over and planted the rest. I look forward to the day when I can return to Alcoota to see how well those trees are growing because the member for Braitling tells me that they have been well looked after and have added greatly to that community. There was an air of self-sufficiency about the community. Members had organised a fencing contract and other projects. The ownership of land is a fairly big incentive for most people. I know it is for European people and I believe it is for Aboriginal people as this case demonstrates. The fact that they are a Christian community possibly added to the harmony which was there.

I have spoken to quite a few pastoralists and they take a realistic attitude to what the government is doing. One said to me recently: 'It is quite clear that we are all here. We have to live together and there is no point in having more difficulties than we need to. We support the idea of these living areas'. I believe that any genuine claim will be supported by the pastoral industry. However, one can understand that pastoralists would not want to have a continual barrage of claims. I strongly support the member for Flynn's comment that there should be a time limit on applications. I stress the word 'applications'. I know the decision on an application may well go beyond a 2-year limit. However, we should take away that uncertainty of how long we can expect further claims. We have complained about it in relation to the Land Rights Act.

We must not put the same problem into our own legislation. The pastoralists should be quite clear that, after a time, there will be an end to claims. No doubt, there will be many claims. Of course, there will be people urging other people, who have had very little connection with the land for many

years, to make claims. I hope the tribunal will take a fair and reasonable approach on this. People who might have had a fleeting connection with an area must not be in a position to make a claim which is likely to be upheld.

Other members have discussed the basic provisions: the use of a tribunal if agreement cannot be reached, how applications are to be made, methods of processing, the excision and the granting of title in fee simple to a trust. I will not go into those in any detail. I agree with the member for Victoria River that there should be some clear guidelines available regarding the size of excisions. He suggested a minimum and maximum area. I believe that is well worth supporting. We are concerned with a living area for people. I do not see that as something where the houses are cluttered together. There has to be room for various other purposes such as recreation. However, I do not see it as a cattle station. I believe there should be guidelines, particularly because certain people will try to build up the expectations of people to impossible levels. It should be fair on the Aborigines who will make these claims so that they have some idea of the amount of land they would be entitled to.

As I understand it, there will be a land trust for each claim area. Mr Speaker, in the Alice Springs region, I am well aware of the numerous Aboriginal organisations and the power brokers who are trying to gain power one over the other. I would ask that the sponsor of this legislation propose an amendment that no person should be a member of more than 1 land trust. I cannot see any real problems with that but I can see considerable advantage. You cannot have 1 person having a finger in many pies. It would be a very wise move to cut the power broking in this particular manner.

Regarding the vesting of land bill, I am a very suspicious person, Mr Speaker, and I would want assurances in writing from the Minister for Aboriginal Affairs that he would not interfere with this legislation before we pass the excision bill. As I explained before, excisions remove the only legitimate claim that people had for explaining why stock routes and the like were claimed in the first place. I believe that we should obtain that guarantee before we go ahead. I hope the Minister for Aboriginal Affairs can appreciate that the people are living in very poor conditions.

At this point, I would like to comment upon something that the member for MacDonnell said about Lake Nash and how the minister had solved the problems there. I have it on very good authority from Aboriginal people that the Lake Nash situation could have been sorted out years ago had it not been a political hot potato. It was lovely to be able to take photos and make television films of Lake Nash and beam them all over Australia and the world. Agreement had been reached by the people there with the station people for areas suitable to both but the Central Land Council was urging them not to agree. That might have given wonderful publicity for a particular political argument but what was it doing for the people at Lake Nash at the time? The people who were supposed to be looking after the interests of the Lake Nash people were condemning them to live in poverty which was televised all over Australia and around the world to make political capital for them. It was a disgusting state of affairs. I am very pleased that that situation has been remedied at last but it was remedied only after considerable time and expense to the Aborigines who live in the Lake Nash area. It could have been sorted out a long time ago.

Mr Speaker, there should be a time limit on the applications and 2 years seems fair to me. I believe also that the size of excisions should be spelt out so that we do not build up false expectations. Further, I believe it to be very important that a person should be allowed to be on only 1 land trust in order to break up the power brokers. I dare say that is not only happening in

Aboriginal communities: there are power brokers everywhere. It would be in the interests of the Aboriginal people that this particular matter be given full consideration.

Debate adjourned.

PETROLEUM BILL
(Serial 70)

Continued from page 1063.

Mr TUXWORTH (Mines and Energy): Mr Speaker, I would like to thank honourable members for the support they have given to this legislation and touch on a couple of the points raised by the member for Nhulunbuy. The member raised some issues with me earlier that are certainly worthy of attention. Some of them are of a technical nature and they have been included on the amendment schedule which has been circulated. I will deal with them in the committee stage.

I will speak for a moment on some other aspects of the legislation that the honourable member raised and on which he wanted clarification. One was in relation to clause 108 which provides for the possibility of a drilling crew or an oil exploration company carrying out something unlawful next to an Aboriginal dwelling or a dwelling of substance. The advice I have had from the department and from the draftsman is that the proposal in the bill is such that any activity by a drilling company within 50 m of a building or a lawful residence of substance would need the permission of the director. It would be an offence if that activity were carried out without the permission of the director under the terms of the drilling licence. However, it would not be an offence for that activity to be carried out if the dwelling was erected by a trespasser or a squatter or if it was of a very temporary nature such as a tent that was put up subsequent to the drill moving on site. I have discussed this with the honourable member for Nhulunbuy and I think he is satisfied with that explanation. I hope that that clarifies the matter.

In relation to the same clause, the member for Nhulunbuy raised some queries concerning the word 'cemetery'. The word 'cemetery' is defined under the Cemeteries Act and includes a public cemetery or a private burial ground. In relation to a private burial ground, consent would be needed by the drilling company from the owner of the burial ground. Every private burial ground has approval from the Minister for Community Development. So far as a public cemetery is concerned, permission would be needed from the board of trustees of a public cemetery for any activity by an explorer near a public cemetery. We believe that protection under the act for people responsible for private burial grounds and people responsible for public cemeteries is adequate and sufficient. We made that explanation to the member for Nhulunbuy privately and he accepted that proposition.

Clause 116 has been broadened. The former bill outlined the regulation-making power of the Administrator to protect the environment and people who have lawful access to a permit area. That has been broadened slightly to cover those people who have access to such an area. By way of explanation, the role of the criminal law is to legislate regarding people who are illegally on land. Further, it does not mean that the permittees and the licensees can do whatever they wish. If a person is illegally on land, the permittee or licensee is bound by criminal law and cannot use undue force to remove that person. The civil law - that is, the law of torts regarding occupiers' liability - does not allow anybody to set mantraps or anything like that. I believe the concern of the honourable member in relation to those issues is covered.

Mr Speaker, I thank honourable members for their support because its passage is very important given the activities that we will have before us in the next 2 or 3 months in the petroleum and exploration areas in central Australia. It will be very important legislation for those activities to go ahead at the speed we would like.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 43 agreed to.

Clause 44:

Mr TUXWORTH: Mr Chairman, I move amendment 19.1.

By way of explanation, this amendment results from an oversight in the reprint of the bill.

Amendment agreed to.

Clause 44, as amended, agreed to.

Clauses 45 to 67 agreed to.

Clause 68:

Mr TUXWORTH: Mr Chairman, I move amendment 19.2.

This amendment is the result of a grammatical error in the original bill.

Amendment agreed to.

Clause 68, as amended, agreed to.

Clauses 69 to 75 agreed to.

Clause 76:

Mr TUXWORTH: Mr Chairman, I move amendment 19.3.

These words were omitted from the reprint. This amendment will correct that omission.

Amendment agreed to.

Clause 76, as amended, agreed to.

Clauses 77 to 107 agreed to.

Clause 108:

Mr TUXWORTH: Mr Chairman, I move amendment 19.4.

Mr Chairman, this is a technical amendment.

Mr EDE: Although an explanation was made by the minister earlier about it, I am not completely clear as to what is a 'lawful person'. When we remove the

burial ground provision under the old act, how do we then have protection for burial grounds used by Aboriginal people or for burial grounds that have in the past been used by Aboriginal people according to Aboriginal tradition? I am not clear as to how these changes maintain that protection.

Mr TUXWORTH: Mr Chairman, for the benefit of the honourable member, I will read my explanatory notes: 'Clause 108 forbids work within 200 m of land being used as a public cemetery, within the meaning of the Cemeteries Act, or burial ground and the question is whether this covers Aboriginal burial grounds. For technical reasons to do with definitions in the Cemeteries Act, and the section is currently defective, the requisite amendment is to delete the word "public". A cemetery within the meaning of the Cemeteries Act includes both public cemeteries and the private burial places notified to the Department of Community Development in accordance with the Cemeteries Act. Given that it is a notified burial ground, it covers it. Otherwise, no one would ever know that it is in fact a burial ground. If there is an Aboriginal burial place which has existed prior to the Cemeteries Act, and has not been notified, it is capable of protection under the sacred sites legislation'.

Mr EDE: It may not be a sacred site.

Mr TUXWORTH: It is not saying that. It says that it is 'capable of protection'.

Mr EDE: The point that I am trying to make is that there may be a traditional burial ground that may not be a sacred site depending on the customs of the people in that particular area. People have different reasons for having special places where people are buried. It may not be a burial ground in a sacred site. It may be a burial ground outside of a sacred site which has existed for a significant length of time and which, I believe, had protection under the act before it was amended. It is not protected now because, being an old burial ground, it is not registered under the Cemeteries Act. It is unregistered under that act and it is not covered under this bill.

Mr TUXWORTH: I understand the member's concern. If the burial ground is known and people wish it to be regarded as a private burial ground, it would be registered with the Minister for Community Development. If people are not prepared to do that, then no one would know it was there. Alternatively, my advisers say that it is possible for such a burial ground to be protected under the sacred sites legislation. That may not be the wish of the people, but that option is there. They may not regard it as a sacred site so they may wish to register it as a private burial ground but they have the option of the one or the other. Alternatively, it may well be that the site is still being used or is still well known and people wish it to be regarded as a public burial ground. Under those circumstances, it can be registered under the Cemeteries Act.

I assure the honourable member that the concern he expresses is understood and that there is a willingness to ensure that no desecration of that sort ever takes place. Quite often, these sites are known to people who keep it to themselves, for their own valid reasons, and there is an unwitting trespass on our part. Whether the ground is declared or known under those circumstances is really irrelevant. The thing is for us to recover from that position. Anything we enact here or any declaration we make of a ground does not cover that situation. I do not know of any way to cover that situation because it happens every day. I think the honourable member would concede that this is a real problem that we all live with.

Mr Chairman, under this clause, every effort has been made to protect, from activities by drilling companies, those areas which we are aware have some

significance as burial grounds. I conclude by saying that it is not a big deal for mining companies to move 500 m away from a site because, in terms of the structures that we drill and the type of work we do, that sort of distance is not important.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 19.5.

This is consequential upon the previous amendment.

Amendment agreed to.

Clause 108, as amended, agreed to.

Clauses 109 to 117:

Mr EDE: Mr Chairman, I would like clarification of the word 'lawful' which occurs in relation to people. I have not got that matter clear in my head. I will explain what my problem is. I am talking specifically about people who may be living, for example, on a cattle station, without an excision but who have lived there for quite a significant time. Those people have a certain status in terms of a reservation under the Crown Lands Act. They have a right to be on the land, to hunt, to take various waters and natural foods and so on. They are lawful inhabitants of that land according to that reservation. However, the people have no lawful right to construct any fixed asset of their own on that land. I am unclear as to the status of those people. Are they, for example, considered to have lawful access to the permit or licence area, given that they have a reservation under the Crown Lands Act? I would like him to explain also whether any structure they may put up by way of a temporary shelter would be a 'residence' and be protected.

Mr TUXWORTH: Mr Chairman, clause 116 relates to the regulation-making power that the Administrator has. What it says is that the Administrator may make regulations to protect the environment and to protect people who have lawful access to the permit area. The word 'lawful' is the key in the sense that the Administrator cannot make regulations to protect people who do not have a lawful right to be on the land.

For instance, Mr Chairman, a person might like to squat on someone else's property next to a rig and claim that he has certain rights. Under the regulation-making power, if he did not have a lawful right to be on the property in the first place, we cannot make a regulation to protect him. However, if the Aborigines have a lawful right to be there, then we can make regulations to ensure that their rights are protected or that their environment is protected. If we did not, the regulation-making power would be inconsistent with other acts because the Administrator can only act in accordance with the law and we cannot give him a right under this act to do something that is inconsistent with another act.

The second part of the honourable member's question was whether people's dwellings would be protected under this clause. Again, the purpose of that clause is to make regulations to protect people's rights. If the person is there and the building is there, then, so far as we are concerned in administering the oil exploration laws, our role is not to interfere unnecessarily with people who have a right. If the Aboriginals on an area had a right to be there and they had a dwelling, however insubstantial, it would be our intention not to interfere with that environment and the drilling would

occur in another place. Our involvement would be to ensure that the people have a legal right to be there. If they have, we will protect them and, so far as their chattels are concerned, we have no intention of disturbing them.

Something that I did not say when I was on my feet earlier, Mr Chairman, is that experience of preparing legislation of this sort has shown that it will have wrinkles in it by virtue of its size and its complexity. I would be happy to reconsider this bill in a year's time. Everybody then will have had a chance to identify where the practical administrative difficulties are and we can try to iron them out. We have done that with the mining legislation over a period of years. I would be more than happy to do it with this after a period of use by all parties so that we can actually see where administrative problems occur. I am sure the industry will identify some. My department will identify them as we go along and other people who have an interest may also want their concerns addressed and that is perfectly reasonable. I would be happy to say to the member for Stuart that, if I am sitting in the chair and looking after this department and he wants to review the operation of the legislation in a year's time, I will be more than happy to accommodate him.

Clauses 109 to 117 agreed to.

Bill passed remaining stages without debate.

MOTION
Ombudsman's Report on Complaints against Police

Continued from 22 August 1984.

Motion agreed to; statement noted.

ADJOURNMENT

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the Assembly do now adjourn.

Mr McCARTHY (Victoria River): Mr Speaker, for at least 100 years, pioneering farmers have attempted to get agriculture going in the Territory. They could be recognised by their abundance of spirit and optimism and their lack of cash and local knowledge. Not many lasted for more than a few seasons before packing their bags and taking with them what knowledge they had gained as a result of their endeavours. Government-funded research stations were set up to provide a stimulus and a store of knowledge. Unfortunately, it seems that no insistence was placed on the storage and maintenance of the lessons learnt. Many researchers left the Territory taking with them the knowledge gained through the expenditure of public funds. Various enterprising companies have put their money into agricultural research over the years. Unfortunately, non-resident board members usually agree to putting money into research for limited periods and, if the research is not paying big dividends after those periods, the program is terminated. There have been many instances of this throughout the history of agriculture in the Northern Territory. The latest example is the probable cessation of research into the improvement of tropical pasture carried out at Mt Bundey. With Mt Bundey quoted as being on the market, it will depend on the new ownership whether the development will continue or the work of years will disappear.

The creation of ADMA has provided a stimulus to agriculture in the Territory. It is easy to be critical of an organisation that is doing something because that mere fact draws attention to it. It is like a tortoise sticking

its neck out. It is pleasing to note that the life span of ADMA has been extended to 1990. I hope that the authority will take a good look at itself and where it will go in the next 6 years and that it does not stagnate at 1984 ideals. At this stage in the Territory's agricultural development, I believe that an extension of a government agency such as ADMA is a necessity. I am equally of the belief that such a body should be involved mainly in the advisory and marketing areas of agriculture. While the Doulgas-Daly project has its detractors, I believe that the experiment has been a great success. No small part of that success is attributable to ADMA and the fact that the authority has been prepared to act quickly to get the scheme under way. Equally involved in that success story are the majority of the farmers who are involved with the ADMA scheme. Those who are currently farming at capacity are those who have been prepared to play their part, fairly and honestly, in the development of agriculture in the region.

This morning, the Leader of the Opposition asked the minister responsible for ADMA whether the government would provide funds for the diversification of ADMA farms into cattle. I believe that the farms should have the option to diversify into cattle or any other area of farming which may prove viable. Diversification is a positive step. However, I do not accept, and I do not think the farmers would accept it either, that it is a government responsibility to provide funds for diversification. The farmers themselves will move to diversify into cattle and, hopefully, other areas when they have obtained security of ownership. It is time that the farmers who have proven their abilities in agriculture at Douglas-Daly should be offered the farms at an agreed price so that they can get on with developing agriculture in the Territory to its full potential.

As for the future, I hope that this government does not get itself into ownership and control of the agricultural industry but rather that ADMA, along with industry advisers and the Department of Primary Production, will seek suitable land to subdivide and sell to private operators with the proviso that they have adequate knowledge of agriculture, adequate cash and there is a development covenant on the land. In addition, I believe that private landholders who have suitable land should be encouraged to subdivide that land into viable lots for sale.

I think it has been proved at this stage - although I have not yet read the report on ADMA to see if it agrees with me - that agriculture is a goer in the Territory. I do not think it can go beyond the point that it has reached now unless more people become involved. I do not believe that the people need the protection that is provided at the moment. There is no doubt that some will fail if private land is subdivided and people move onto that land. However, it is dog eat dog. Perhaps those who fail will sell out and others will take up the land at a more economical price and, at a later stage of development, they will succeed. Most industries in Australia have grown in this way and I believe that the agricultural enterprises in the Territory will grow in exactly the same way if we, the legislators, do not attempt to impose controls beyond those that are necessary.

We cannot afford to let agricultural development falter at this stage. If it falters now, it may not recover for some years. However, it will recover and it will succeed. We must have the courage and the will to provide the catalysts, the firm decisions, and to see those decisions to fruition. The Territory cannot afford the luxury of interrupted development.

We have heard a lot about development during this sittings and we hear a lot about it constantly. We have tremendous development in tourism, mining and

a number of other industries. We have development in the agricultural industry and it must be encouraged to grow. Interest in agriculture is growing. It remains for us to ensure that the industry is given our confidence and encouragement.

Mr DONDAS (Health): Mr Deputy Speaker, yesterday in question time, I undertook to supply the member for Stuart with details regarding the number of complaints received by the Patient Care Committee at the Royal Darwin Hospital and the number of times the committee has met. The Patient Care Committee was established in May 1983. During the period to May 1984, it met on a total of 4 occasions and received 7 complaints. However, as I have already indicated, there were a number of problems initially with this committee in that its membership was largely in-house and the numbers involved often made it difficult to schedule a meeting at which all could be present. That committee has now been disbanded. In its place, I have now approved the formation of the Darwin Region Patient Care Committee comprised of 2 members and an executive secretary. Both members are from the Royal Darwin Hospital Board. This new committee had its first meeting on 31 July 1984. It will provide a community-based service to receive details of any problems or other issues relating to health care, not only at the Royal Darwin Hospital but also at Community Health Centres in the Darwin region. Meetings will be held fortnightly with urgent matters being addressed by telephone. The committee will be advertising extensively through the media in an effort to increase public awareness and utilisation of its service.

This morning, I told the member for Stuart that I had not received a confidential report relating to alcoholism in Tennant Creek. However, I am happy to say that the document was received in my office but, unfortunately, my staff had not brought it to my attention. I apologise to the honourable member. The report should be in its final form within the next couple of days.

Mr Deputy Speaker, I would like to take the opportunity to refer to a statement made by the member for Millner during an adjournment debate last week. regarding contracts let by the Department of Health. The contracts to which he referred are: the sobering-up shelter in McLachlan Street at a value of $7600; the Lone Women's Centre in Stuart Park at a value of $26 000; a sobering-up centre in Stuart Park at a value of $6000; and the headquarters of the Youth, Sport and Recreation Division at Fannie Bay. For the first 2 projects listed by the member for Millner, no contracts were entered into by the Department of Health; these projects are operated by the Salvation Army. Neither my department nor I have any knowledge of the third project listed by the honourable member. However, if he can give me further details, I will have it examined. I will deal with the Fannie Bay premises later in my reply.

Mr Deputy Speaker, both the projects operated by the Salvation Army receive funds through the Grants-in-Aid Scheme which is administered by the Department of Health. The Treasurer's Directions, issued under the Financial Administration and Audit Act, dictate the methods and the responsibilities associated with administering grants to community organisations. Treasurer's Direction 11.8 states:

> *Grants, other than grants to individuals for living expenses, should be made subject to the condition that evidence is to be provided to show that the purposes for which the grant was made are being met. Organisations receiving general support grants should be required to supply copies of their audited financial statements covering the periods for which the grants were made. Recipients of grants for specific purposes should be required to certify that the purposes and*

conditions of the grant have been complied with and should be required to produce statements of expenditure on those purposes as soon as the expenditure has been completed. These statements may form part of their audited statements or be provided as separate statements: any separate statement should be required to be supported by vouchers or accompanied by an audit certificate given by a qualified public accountant who is not an office-bearer or an employee of the organisation.

Treasurer's Direction 11.10 states:

Grants which are to be applied to a particular purpose as distinct from general assistance grants are not to be made significantly in advance of a clearly demonstrated need for funds. An account for payment of a grant to an organisation shall be prepared and the cheque drawn in favour of the organisation and not in the personal name of an office-bearer or employee.

Mr Deputy Speaker, directions 11.8 to 11.10 inclusive are the only government regulations which directly relate to the administration of grants. The Department of Health has developed a set of conditions which have been agreed to by the government consistent with these directions to assist in the day-to-day administration of the various funded programs. The government is taking a strong stand in its support of community organisations to carry out worthwhile projects. It is clear that the government has the responsibility to ensure that moneys provided to organisations are spent in the most effective and efficient manner and that all moneys are properly accounted for in the appropriate way. It is not the government's intention to interfere in the affairs of community organisations nor to subject them to all the rigours of government financial processing. To take this sort of action would make a mockery of the government assistance to community groups and would effectively make them an arm of government.

Mr Deputy Speaker, I would like to quote from the Conditions of Grants booklet, specifically sections 10.5 and 10.9 which related to capital construction:

10.5 Calling of Public Tenders.
Public tenders are to be called by the sponsoring organisation for all capital construction works unless approval is obtained from the department to do otherwise.

10.9 Administration of Contract.
Any contract for construction works entered into by a sponsoring organisation will be between the contractor and the sponsoring organisation as principal. The department will meet its obligations to the sponsoring organisation only to the extent of providing the finance to the organisation for the works. The department will not be a party to any litigation arising from the contract.

The intention is clear. Contracts and the administration of those contracts are strictly between the organisation and the contractor. Within this framework, section 10.5 places the responsibility on the Department of Health to ensure that grant moneys are being expended properly before a payment is made to an organisation. In both cases where funds were paid to the Salvation Army, the department had obtained from the Department of Transport and Works a cost estimate for proposed works. The department and the Salvation Army had knowledge of the quality of work carried out by the selected contractor and saw no need to

interfere with the Salvation Army's administration of these grants. The question of the Department of Health's understanding of the Treasurer's Directions has been examined by the Department of Treasury officers and they concur.

The cost estimate for work carried out at the Lone Women's Centre provided by the Department of Transport and Works was $23 000. The quote accepted by the Salvation Army was $22 000. Subsequently, the Salvation Army sought and accepted a further quote for additional items which included carpeting, refrigerator, stove and other small items. The total contract price was $26 512. The cost estimate for the sobering-up shelter was $8500 and the quote accepted by the Salvation Army was $5700. Additional work requested by the Salvation Army brought the total cost to $7600. Once again, the department saw no need to interfere with the Salvation Army's administration of grant moneys. I would like to remind the Assembly of the high esteem accorded to the Salvation Army by Territorians, particularly since Cyclone Tracy, and the scrupulous way in which it administers all its activities.

In summary, they were not Department of Health contracts. There was no requirement in these cases to go to tender under Treasury and grant-in-aid regulations. The discretion not to go to tender in these cases is with the Department of Health. The department did not carry out the work. There was no agreement between the departmental officers and the contractor to quote and draw up plans. Regulations were not circumvented. There were no retrospective approvals for funding. The work was undertaken by one firm as contracted by the Salvation Army.

I note a tone of impatience from the member for MacDonnell. I would like to give the explanation as clearly and as precisely as I possibly can. Unfortunately, I have only 6 minutes left. The honourable member for Millner raised these questions and sought information from me. He saw it as being a very important query and that is the reason why I am taking the time in the adjournment debate to provide him with as much information as I can which will either satisfy him or give him cause to raise further questions.

Mr Deputy Speaker, the facts of the matter are that an officer of the Department of Health obtained information regarding these projects from departmental files. I understand the officer - and this is a true story - would not usually have access to such information. I am informed that selected information was lodged at a promotion appeals board hearing with the purpose of discrediting one of the officers seeking promotion. The matter was brought subsequently to the attention of the departmental management and an investigation was immediately commenced. I would like to make it quite clear to the Assembly that the investigation of the behaviour of this officer was launched some time ago and the matter is still being considered in conjunction with the Department of Law and the Public Service Commissioner's Office. I have no intention of interfering with that investigation which is proceeding according to established practice.

It is clear that I am not in a position at present to discuss this aspect any further, but I assure the member for Millner that there is absolutely no cover-up. I wish to point out to all opposition members that the quality of information used by them is entirely dependent on the reliability of its source. In this case, the member for Millner has been misled by the selective information he received. I would urge all honourable members to seek information through the proper channels so that they can be assured of its accuracy.

Mr Deputy Speaker, I would like now to turn to the allegations concerning retrospective approval supposedly invoked by officials of the Department of Health. As I explained to the Assembly, the department is satisfied during each phase of each project that all practices are in order and the work is being carried out in the most efficient and effective manner. Approvals were obtained in the usual manner during the course of the project and no retrospective approvals were either sought or issued.

I would like now to address the matter of the installation of partitions in the headquarters of the Youth, Sport, Recreation and Ethnic Affairs Division of the Department of Health. I assume the member for Millner means the Sports Administration Centre. The Northern Territory government has a long history of providing support to a range of community groups in the field of youth, sport, recreation and ethnic affairs. The government decided to establish the centre which would act as a focal point for the administrative activities of many of these groups. Sports House became the centre and its importance to the viability of many organisations cannot be overstated. Sports House accommodates 3 main user groups. The Division of Youth, Sport, Recreation and Ethnic Affairs occupies half the first floor while the remainder is the Sports Administration Centre. The ground floor and adjacent buildings are home for organisations such as the Community Youth Support Scheme, the NT Badminton Association, the NT Gymnastics Association, Darwin Sub-aqua Club, the Darwin Amateur Radio Club and the NT Callisthenics Association. These organisations and others make use of the Sports Administration Centre facilities and receive assistance in the form of office and storage space, telephones and meeting facilities.

The contract to which the member for Millner refers was for the construction of 2 conference rooms, 2 offices and a lock-up storage room to complement the open-space office accommodation which is provided to a range of sporting groups. I would like to point out to the Assembly that the Sports Administration Centre is used by as many as 22 different organisations on a regular basis. There is great pressure on the department to provide the facility as soon as possible. It should be remembered that many organisations were unable to conduct their affairs properly prior to appropriate facilities being made available at the Sports Administration Centre. The department obtained a cost estimate from the Department of Transport and Works. The work to be carried out included partitions and a sliding concertina room divider valued at around $5000. The department was aware of a contractor who was seeking work and was able to commence the renovations immediately. The contractor was known to the department for his reliability and competence. The quotation provided by the contractor was $17 000, $1000 less than the estimate provided by the Department of Transport and Works.

I am now aware that, due to a misunderstanding between officers of the Youth, Sport, Recreation and Ethnic Affairs Division and the Property and Works Branch in the Department of Health central office, an application for a certificate of expediency was not processed. The contractor commenced work without this approval having been obtained. I have been assured that the department has taken appropriate action to ensure that such an event does not happen again. I can assure the Assembly that officers of my department acted in good faith for the sole purpose of providing sports associations with access to the centre as soon as possible. The only groups which have benefited by this action are the many sporting organisations which have had access to the facilities much sooner than they would have had. I trust the information satisfies the honourable member for Millner. If he has any more problems, he can take them up with me after this sittings.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to make some comments in this evening's adjournment debate about pleas of nolle prosequi that would have

been able to have been lodged in particular cases where tribal traditional punishments have been exacted on people who subsequently have been accused and come before the courts. I wish to mention 2 such cases and then to seek from the Attorney-General at some stage later in these sittings the answers to some questions that I will pose. I will take these 2 in historical order. The first one refers to the case of Jacky Jagamara. Many of his family live in my electorate.

Briefly let me give the circumstances that led to the charges against both these people. They were both cases of homicide. There is fairly clear evidence presented in both cases that no intention on the part of either accused was able to be proved. In the case of Jacky Jagamara, it appears that, on Monday 2 April 1979, Constable Williams of the Papunya Police Station went out to Yaiyai, at that stage an outstation some 40 km west of Papunya, and he observed the body of a deceased Aboriginal man. He subsequently observed Jacky Jagamara who was surrounded by a number of Aboriginal men, all armed with spears and acting aggressively towards the prisoner.

It appears that the reason that this occurred was that Jacky Jagamara, during a fight some several weeks before, had himself been the subject of some attack by the Aboriginal man whom he subsequently killed. It is probably worth noting that, 5 years before this, he had come before the court. Jacky Jagamara had to be extradited from Warrakunta. It is interesting to note that, unlike many similar homicide cases, there was no drink involved. It is a fairly clear example of traditional punishment.

I have not explained quite clearly the circumstances under which Jacky Jagamara had killed this man. It appears that, on 2 April 1979, the prisoner approached the deceased at Yaiyai carrying a large spear and, after a brief verbal altercation, speared the deceased in the back of the left thigh approximately 18 cm above the left knee joint. The deceased was observed to stagger around in a circle for a couple of minutes and then fall to the ground unconscious. The deceased's son and a number of other persons then conveyed him to the Papunya hospital. On arrival at the hospital, at approximately 3 pm on that day, the deceased was examined by a doctor who pronounced him dead. The findings were that the deceased died of a severe blood loss as a result of the severing of the popliteal artery. As I understand it, Jacky Jagamara inflicted a punishment on this man as a result of previous disagreements. He did this by way of a spear to the leg. There was no alcohol involved in this particular circumstance. I think that, on the basis of those facts, it is reasonable to conclude that Jacky Jagamara, who was accused in this case, had not intended that that sort of harm should result.

He was the object of considerable traditional punishment for this offence that resulted in the death of this Jabananga man, who would have been a relation. I am not sure of the reasons for the original altercation between the 2 men. I do not have that available to me. By way of retribution, it appears that Jacky Jagamara was speared on 3 occasions. On the last 2 of these occasions, it appears that he could only move by crawling for some 3 or 4 weeks after the infliction of the wounds. That case came before Mr Justice O'Leary on 24 May 1984. In his summing up, Mr Justice O'Leary said, and I quote from the transcript:

> *In my opinion, it is not an offence that calls for any deterrent or attributive punishment by this court. He is in no sense a threat to the community at large. There is no reason to fear that he will offend again in this way in the future and I think that, in all the circumstances, he ought not to be subjected to any further punishment*

beyond the very severe punishment he has already received. He has, in any event, now spent some 13½ weeks in custody in relation to this offence. I take that into account and I think that must for him have been quite a severe punishment as well as the other physical punishment he has received.

In all the circumstances, I think, therefore, the appropriate sentence I should impose on him is that he be sentenced to the rising of the court and I sentence him accordingly.

Quite clearly, the court took the same view as would be reasonable on the basis of the facts as I have suggested them this evening.

The second case I wish to refer to concerns another Jagamara man. Charlie Limbiari Jagamara. He was involved in the homicide of a man who was in a son-in-law relationship to his wife. It appears that he had been the object of considerable scorn in the community because of the relationship that this man had developed with his wife. It was a reasonable ground for the exercise of a traditional punishment. In this case, the traditional punishment went wrong. Again, I read from the transcript:

It appears that on 30 November 1983, the accused, Charlie Limbiari Jagamara, was at his camp at Willowra where he lived and the deceased drove up in a white Holden Torana and stopped next to a camp which was in the vicinity of the accused's camp. The accused saw the deceased pull up in his car and had a matter to settle with the deceased in so far as he suspected the deceased had been camping with his wife.

I should point out here that the cross-generational nature of that liaison, as well as the embarrassment that the husband would have been put to, would have been a matter of considerable concern. You would be aware, Mr Deputy Speaker, of the strong prohibition in central Australia against relationships of a cross-generational nature like that.

Charlie Jagamara approached the deceased carrying a long, shovel-nosed spear and, while the deceased remained seated in the vehicle, the accused walked up to him. The accused stated to the deceased: 'You been rob my wife'. The deceased made no reply and thereupon the accused stabbed the deceased using the spear through the upper right arm into his body. The accused then pulled out the spear and commenced walking back to his camp.

To cut a long story short, the man died. Again, there was no alcohol involved in this case. The defendant was interviewed at the Ti Tree Police Station. He was offered bail and he went back to the Willowra community. A pay-back was inflicted on him, with his consent, upon his return to the community. I understand that, subsequently, further pay-back was meted out to him in a camp in Alice Springs where other relatives were involved. Again, the court took the view that this particular case required no further sentence by the court. Mr Justice Muirhead, in summing up, said:

In this event, this is truly a cultural matter which has been tackled energetically by the people.

Did I hear an honourable member actually laughing? If he is laughing at this particular circumstance, which I believe the honourable member for Sadadeen has been doing, unless I am mistaken, I regard that as being in extremely poor taste.

The accused has already suffered punishments far more severe than any that I would be authorised to inflict. Beyond the physical matters that I have adverted to, he has also the continuing knowledge that he is no longer welcome in his birthplace and his future in Aboriginal society is by no means yet on a fixed course... There are cases, I do not say necessarily many of them, but there are cases where I consider complete regard should be had for Aboriginal custom and tribal law. This is one of them and the sentence of this court is that the prisoner will be sentenced to the rising of the court.

I mention those 2 cases and I will comment further in tomorrow's adjournment debate. I seek some answers from the Attorney-General as to why, in those particular cases, a plea of nolle prosequi was not entered by the Crown, particularly given the fact that both those men were sentenced to the rising of the court.

Mr PERRON (Treasurer): Mr Deputy Speaker, I rise in the adjournment today to say a few words about what has become known as the Gardens Hill development. The member for Millner has asked me a couple of times for information in regard to this matter in which he seems to have a continuing interest.

He asked me whether there had been any extension of time granted to the developer beyond 4 July, the date that had been set for commencement of stage 1 of the Gardens Hill development. To give some background, the negotiations between the Housing Commission and the developer hinged to some degree on the price that the Housing Commission was to pay for the pensioner units in question. The best way to settle the price was to call tenders and for the Housing Commission to make a judgment following the calling of tenders as to whether those prices were reasonable and acceptable having regard to the standard of accommodation being constructed. Tenders were called and, unfortunately, this period went beyond 1 July. A satisfactory agreement was reached and the Housing Commission and the developer entered into a formal agreement on stage 1 on 31 July 1984. The developer let a tender the following day to KP Builders Pty Ltd for $1.9m, subject to the approval of building plans. Therefore, there was a formal agreement between the Housing Commission and the developer on 31 July and that still stands.

The accommodation is split up into 20 1-bedroom units and 8 2-bedroom units. The cost of $1.985m includes a component of land cost. It also includes a component of the contribution towards servicing the Gardens Hill site which the developer is required to do. The developer has been given an extension of time until 30 September to commence that stage 1 development.

The building plans are currently not approved. A meeting was arranged between the Department of Lands, the developer and the Housing Commission very recently in an attempt to resolve any problems of fine detail on the plan. I am advised that matters relating to the provison of things like hose reels and fire hydrants have been resolved. There is a small matter to be cleared with the Planning Authority which has an interest in this development because approval is required from it as well. I am led to believe that these matters are expected to be resolved in the course of the next week or so. Full approval is expected soon and work will commence. In the interim, the contractor has moved onto the site and commenced clearing and installing equipment, as the member for Millner probably knows if he drives past it from time to time.

The covenants provide for 2 stages of development. The first stage relates to not less than $1.5m of development. As I mentioned, the contract is for about $1.9m. It was to commence on 1 July this year but, because of the delays

I mentioned, it will not now be starting for another week or 2. It has an extension until 30 September and the completion date will be 30 June 1985. The second stage in the development of the lease is a $6.5m covenant to commence on 1 July 1985. Obviously, that is the day following completion of the first stage. That is to be completed by 30 June 1988. Of course, that is a reasonably long covenant but, having regard to the fact that the total covenant on the block of land is $8m, honourable members will understand that one does not require that sort of development to be executed in 1 or even 2 years.

The developer proposes to split stage 2 of the covenant into 3 sections. The honourable member for Millner asked if stages subsequent to stage 1, the accommodation units, would be taken over by the Housing Commission. I can inform him that there is certainly no intention of that taking place. He also wanted to know if there were any loans or guarantees involved between the government and the developer in this development. I can advise the Assembly that there have been no loans or guarantees entered into or, indeed, even discussed between the government and the developer on this project.

The honourable member also asked me what happened to an original program of about $620 000 for services on our capital works program for the Gardens Hill redevelopment. An amount of $620 000 was programmed for upgrading of services and it was certainly to service more than the particular block of land in question. The area, generally, has had roads upgraded and the sewerage and water services need to be upgraded. As honourable members are aware, there is a block right alongside the one in question. It is approximately the same size and is also zoned R2 or it may even be R3. That block is available for development at an appropriate time. Obviously, if we are putting in sewerage and water services and so on, they are to service the whole area.

The $620 000 program has been reduced to $446 224, as was shown in our current capital works budget which was released only in the last few days. The reasons for that reduction is that the proposal to put traffic lights in at the intersection of Geranium Street and Stuart Highway has been deferred. I am sure many motorists will be very pleased with that. That involved $80 000. Some roadworks have already been carried out by the city council. Releasing an amount of $85 276 and the relocation of some power poles for $8500 appears to have been deferred or found to be unnecessary. Thus, the $620 000 program has been reduced to $446 224. Contained in the last figure I mentioned is water supply and sewerage upgrading estimated at $265 000. That is programmed for commencement in October this year. Drainage works estimated at $120 000 will be committed in November. Miscellaneous works, including Telecom and electricity, will follow shortly afterwards.

I expect that that will satisfy the member for Millner's thirst for information on that particular subject. He will be aware, of course, from previous announcements that I have made that the developer is required to contribute a very substantial sum of money - I cannot recall the figure - towards the upgrading of services in the area because the development is the prime cause of the upgrading even though the upgrading extends beyond the developer's own particular works. That concludes the information that I have on that particular subject. I am sure that, if the honourable member for Millner finds that that is insufficient, he will let me know.

Mr VALE (Braitling): Mr Speaker, there are a number of points I would like to raise tonight. The first results from a question I asked of the Minister for Conservation concerning a rumour of a name change for the Kings Canyon area. I would make this point tonight and make it very strongly. I hope the honourable minister and, indeed, other ministers will take note of it. I believe that any

proposal to change the name of that area, which is well known in Australia and, in fact, overseas, would be an absurd proposal from a tourism point of view, if for no other reason. The research that I have done into the area indicates that no one is quite sure of where the word 'Kings' came from or its relationship to the canyon, although there is a school of thought that it may have been because of its regal and scenic beauty. Another view is that it had been named after King, one of those explorers involved in the Cooper's Creek episode many years ago. I am firmly of the opinion that one of the most absurd decisions ever taken in Australia in relation to tourism was the naming of the Yulara Village some years ago. Ayers Rock, no matter where you travel in the world, is known simply as Ayers Rock. Yet years ago, someone took the absurd decision to rename the village, which is within view of the rock, as Yulara. We lost a major selling point by calling it the Yulara Village. The same could happen to Kings Canyon if it is renamed.

In talking about names in the area, I raise an issue that I raised in June and February this year. It concerns the suggested ring-road from Ayers Rock across to Lake Amadeus and into Kings Canyon. In the address-in-reply debate, I suggested that we should look at the name of the explorer Giles to commemorate the work that he did in central Australia. I raise this tonight with the Minister for Conservation and also the Minister for Lands who has responsibility for the Place Names Committee. We should look now to change the name of what is commonly referred to as the Wallara Road from the Stuart Highway through the Wallara Ranch down into Kings Canyon to the Giles Highway. If and when the access road is cut across into Ayers Rock, then that Giles Highway name could naturally be extended through to Ayers Rock.

I raise this issue with a request for the Minister for Transport and Works to take it on board sympathetically with a view to raising it at the next Transport Ministers' Conference that he attends. The Minister for Mines and Energy today raised the problem of leaded and lead-free petrol in the southern cities and the environmental problems that it creates. One of the environmental problems in Alice Springs is only a minor one at this stage but it has the potential to become much worse. I do not know if there is a health problem associated with it but it is simply offensive to the nose. It relates to the many passenger buses and heavy transports in and around the township of Alice Springs during the day. If all points are equal after the sealing of the South Road, the number of passenger buses and heavy transports will increase. With the low-level horizontal exhaust systems which are attached to these passenger buses and the heavy trucks, the amount of smoke from the diesel fuel that they burn is certainly offensive to many people in central Australia and I believe it will get progressively worse. Given the long lead-time for any design change in motor vehicles and any heavy machinery, could I ask the Minister for Transport and Works to take a sympathetic view and raise at the next ministers' conference the possibility of running these exhausts vertically and above cab height so that at least this offensive smoke is discharged higher into the atmosphere and does not cause problems.

Whilst I have the undivided attention of the Minister for Transport and Works, another pet topic of mine is the unnecessary and absurd vandalism that occurs at the many roadside stops throughout central Australia, and I guess in the Top End as well. I believe that the minister's department has tried everything and anything to come to grips with this problem. I would think that the annual repair bill for these roadside stops runs into thousands and thousands of dollars a year. At one stage, I suggested in the Assembly that, amongst other things, we could look at work orders through the courts so that the offenders could be made to make good their damage. To date, I do not know if that has had much success.

I would suggest that, if we have a look at posting a fairly large reward - $5000 to $10 000 - for information leading to the conviction of offenders, this might have a deterrent effect. For example, if you and I, Mr Speaker, were a couple of tearaways and I started to paint or damage a particular facility, I think you would get back into town and think twice about what I had done and that the $5000 or $10 000 reward was worth having. You might be inclined to report me to the appropriate authorities. I hope that this suggestion of a large reward would be considered by the minister and his department. I think the vandalism is completely out of control in central Australia and, I dare say, in other parts of the Northern Territory. It is an absurd position to be in, given the amount of money we have spent on establishing these roadside facilities and given the fact that many tourists utilise them on their travels throughout the Northern Territory.

Mr Speaker, the last point I would like to raise tonight concerns another favourite topic of mine. I raised it in this place well over 2 years ago. The Minister for Mines and Energy raised it today in question time. It concerns leaded petrol. The first time I raised this in here, I pointed out that I believe that it was an absurd decision in the Australian states and the Territory to go to lead-free petrol. Even given that there was an environmental problem in New South Wales and Victoria associated with the lead content of petrol, there was no need to go to the steps that they did to solve the problem. I believe that Mr Wran and other people in the southern areas forced the hands of the more isolated and remote states and the Territory.

Australia annually exports thousands of tonnes of LPG or bottled gas at an absurdly low price. I believe that, had governments, both state and federal, got together back in the days when the leaded petrol problem was first raised, this product could have been made available to the Australian motorist at a far lower price than it is presently being sold for rather than virtually giving it away to Japan and other export markets. Had this product been available to motorists at a reduced cost, then the economic incentive for people in Adelaide, Sydney and Melbourne to convert to gas would have been so great that the problem of leaded petrol emission would have been greatly reduced. The major single unit consumers, such as taxis, taxi trucks and other commercial vehicles, would have been some of the first to convert purely and simply on economic grounds. Others would have followed suit. That would then have resulted in places like the Northern Territory, Western Australia and Queensland not having their hands forced to look at conversion costs for vehicles and refineries. Indeed, as the minister said this morning, the high price that the motorist in outback Australia will pay is on 3 levels: the cost of refining and the refiners will pass it on to motorists; the cost of converting vehicles; and the greatly increased consumption per kilometre of fuel which has been treated and is lead free. I heartily endorse what the Minister for Mines and Energy said this morning. Unfortunately, I believe it is now a case of having shut the stable doors after the horse has bolted.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I asked a question this morning of the Minister for Health about a gyrocompass which was the subject of some publicity both in central Australia and in the southern states. That concerns me considerably. The instrument in question is from an aircraft, 1 of 5 instruments which were given to me at Willunga in South Australia where I was teaching before I came to Alice Springs in 1970. These instruments demonstrate the principle of the gyroscope. As a physics teacher, I took them apart to show the students how they worked. I left the gyrocompass intact. They came out of either a Tiger Moth or a Gypsy Moth aircraft. They were driven by a rather antiquated system of tubing and a high and low pressure system. Air passed over the turbine and the gyro started spinning. In fact, these instruments did not

work until the pilot had taken off because it took some time to reach the high speed required for the gyro. The aircraft was often in the air before the instruments came into operation. There were literally thousands or perhaps even millions of these instruments made during the war. The instrument had luminous dials. No doubt, some radioactive substance was mixed in with the paint so that the instruments could be read at night. These days, more sophisticated systems have replaced the gyroscopes and, of course, lights show up the instruments at night.

That basically is the story of the instrument. I found it extremely useful to be able to set it up once a year for matriculation physics students. They were the only students who studied that particular topic of rotational dynamics. It was a practical example of the gyroscope working. I would set up the vacuum cleaner and have the air flowing over the turbine to get it spinning. I could show students that the directional properties of the gyro would retain their orientation. I would twist the case and they could see that the inner workings would keep their position. When attached to an aircraft, it could indicate how much the aircraft has turned. In practice, as all pilots would know, once the gyro is working properly, you set it against a magnetic compass and check it every now and then to see that it is lined up. Then, you use the gyrocompass because it is far easier to read.

As far as I am concerned, the particular person did not get an excessive radiation reading whatsoever off this particular instrument. It seemed to be a good story. As I see it, they were disloyal to the principal of the school and very irresponsible. Obviously, they went to the media down south and in Alice Springs. This resulted in the headline: 'Radioactivity School Scare'. 'Scare' is the term which I find extremely annoying. I also noted in the article in the Star written by Dave Nason, who is clearly anti-American in his views, the comment: 'The direction finder is understood to be some 20 years old and came from a United States aircraft'. That is nonsense. It came from a British aircraft. The insinuation was there. It was taken by the member for Stuart: 'Mr Ede is also concerned at the lack of awareness in Alice Springs about the need to have items like the direction finder checked for safety'. If the people who had some concern had reported it to the appropriate authorities, it could have been checked out and there would have been no need for concern. The report given by the Minister for Health indicated that the item was very safe. In fact, there must be thousands of Australian pilots who sat in front of those instruments for hours and hours.

I would take it out in a spare lesson and make sure it was operating. I would set it up for students and demonstrate it to them. This would take about 5 minutes. The total exposure of the matriculation physics students to the instrument during the year would have been roughly 5 minutes. Nevertheless, we had this balderdash from the honourable member who called for an inquiry and requested all the staff and students be checked even though they had not been near it for years. It typifies the ignorance of people when it comes to the subject of radioactivity. As we would demonstrate in the physics laboratory at school, there are 3 types of radioactivity, namely, alpha and beta particles and gamma rays. Alpha particles are helium nuclei - 2 protons, 2 neutrons and 2 units of positive charge. They travel in air, which we could demonstrate with our cloud chamber in the laboratory. Just 3 inches would have been enough to see them. Beta particles are electrons, negatively-charged particles, and they might travel a couple of feet in the air. Being smaller, they have greater penetration but they do not do the same amount of damage. Gamma rays are of the nature of x-rays. Depending on the activity of the source, these can be extremely low in level. I believe that was the case in this instance.

I deplore the actions of the persons who tried to get publicity down south. It reminds me of the 'Shame Like Alice' film which they did not have the guts to show in central Australia. I have referred to it in this place before. This indicates the disloyalty of the people involved for not having reported the matter to the proper authority, namely, the principal of the school in order to have the matter checked out. Instead, they preferred to try to scare parents silly for no good cause whatsoever.

Mr EDE (Stuart): Mr Speaker, I rise to ensure that it does not remain on the record that the teachers from the Alice Springs High School had anything to do with this. The story was picked up by a local commercial TV station in Darwin when the instrument was moved from Alice Springs to Darwin. It was, at that stage, that the story got out. It had nothing to do with the teachers.

Mr D.W. Collins: I never mentioned teachers.

Mr EDE: I chased up the safety officer at the school who said to me that he was completely unsure whether it was the paint or not. The main point of my press release was that he did not know who the proper authorities were that he should consult. He presumed that it was the Department of Mines and Energy and the people there knew nothing about it. He knew that the department had responsibilities regarding the uranium mines up here and he believed that it would be the appropriate authority. He went to the Department of Health which was unsure itself to start with. He went to the Department of Education which then contacted the Department of Health. The Department of Health said it would send down somebody who checks out isotopes. He said: 'I am not too sure about this. Let's send it to Darwin and have a check made on it'.

The fact was that we had a reading and the people concerned did know whom to consult. My request was that the department responsible notify people that, if they have something which they have doubts about, they ought to take it to the responsible authorities rather than leave it in a cupboard for years. I still do not quite know whom the responsible authorities are in Alice Springs. I think the people of Alice Springs are still ignorant of that fact. I hope that, in due course, the people of Alice Springs will be told whom they should go to if they have any doubts over these things so that we do not have this sort of problem arising again.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

PERSONAL EXPLANATION

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I believe that, on last night's ABC TV news, there was a report that the Chief Minister was absent from the Assembly at the time of the final passage of the casino bill. Simply to set the record straight, I inform the Assembly that, at the time of the passage of that bill, I was physically acting as a pallbearer at a funeral.

TABLED PAPER
Fourth Report of the Commissioner of Motor Vehicle Dealers

Mr MANZIE (Community Development): Mr Speaker, I move that - (1) this Assembly, in accordance with the provisions of the Legislative Assembly (Powers and Privileges) Act 1977, authorises the publication of the Fourth Report of the Commissioner of Motor Vehicle Dealers; and (2) that the report be printed.

Motion agreed to.

MINISTERIAL STATEMENT
Supplementary Report of the Inquiry into Freight and Related Costs

Mr MANZIE (Community Development)(by leave): Mr Speaker, I table the Supplementary Report of the Inquiry into Freight and Related Costs of August 1984.

Mr Speaker, on 2 June 1983, this Assembly resolved, pursuant to section 4A of the Inquiries Act, that a board of inquiry into freight and related costs be appointed. Under the terms of reference, as approved by this Assembly, the board was required to report on direct and indirect freight costs for all sections of the community within 6 months of its appointment. The board carried out its task within the required time frame in all but one aspect - namely, barge operations because the board encountered difficulties in obtaining the requisite information. Rather than delay publication, the board produced a first report and requested an extension of time to complete the one remaining aspect of the inquiry.

Honourable members will recall that I tabled the first report on 1 March 1984. On the same day, this Assembly resolved to grant the requested extension to permit the completion of the work of the inquiry concerning barge operations out of Darwin to coastal and island communities in the Top End. The supplementary report concerning barge operations was finally produced by the board and forwarded to His Honour the Administrator on 15 August 1984. On 17 August, His Honour requested the Chief Minister to arrange for the report to be tabled. In tabling the supplementary report, the Assembly now has before it the complete results of the inquiry into freight and related costs.

Before commenting on the results of the inquiry, I would like to mention briefly the steps taken by the board in carrying out its task. Both the large and more remote communities were visited by members of the inquiry. Members of the inquiry visited and spoke with a representative sample of business and community leaders in all the major Territory centres. 24 remote communities were visited by members of the inquiry. This was in response to the terms of reference which required the board of inquiry to consider specifically those communities off the Stuart Highway. Advertisements were placed in Northern Territory and interstate newspapers requesting submissions to the inquiry. The board received 63 written submissions from persons or organisations in the

Northern Territory. Public hearings were held in all major Territory centres and these were advertised extensively throughout the Northern Territory.

Mr Speaker, I now turn to the substance of the first report. The level of consumer complaints about freight matters, numbering 231, was not considered to be unsatisfactory when seen in the light that there were in excess of 582 000 consignments annually into the Northern Territory and an unknown number of intra-Territory consignments.

The board was satisfied that, in terms of the industry's costs and the quality of the service provided, the freight rates charged were reasonable. Freight is a component of prices. The general conclusion of the inquiry was that only about half the price differential between Darwin and interstate sources of supply is accounted for by freight. The other 50% is accounted for by unexplained factors other than freight. There is no simple solution to determine what is a reasonable price differential.

Mr Speaker, with the greatest respect to my colleague, the member for Nightcliff, in relation to the comments he made in this Assembly on 7 March 1984, I believe the inquiry was established to determine the freight cost component, not to identify all the factors which contribute to retail prices. The board of inquiry itself clarified its role on page 107 of its report. I will quote from that report:

> *769. During the public hearings it was put to the inquiry that it had a responsibility to examine not only freight but all costs incurred from the point of manufacture to the point of sale. To comply with this proposal would require not only examination of freight but the cost structure of retail outlets as well.*
>
> *770. The subject of the inquiry was freight and related costs and the terms of reference called for the identification of freight costs as a component of the goods and services. It was quite clear to the inquiry that the terms of reference did not extend into marketing in the retail areas.*

I would, however, thank my colleague, the member for Nightcliff, for bringing to the attention of the Assembly that this price differential does not indicate that somehow the industry is ripping off the consumer. Extra indirect costs can be associated with a number of factors, including extra cash flow costs because of extended delivery time, requirement for larger stocks on hand, higher energy costs, higher wage components and higher rates of stock deterioration.

What the inquiry said about Nhulunbuy is particularly interesting because we are always hearing from the member from Nhulunbuy about how much extra it costs to live in Nhulunbuy. Because of special concerns expressed in Nhulunbuy, the board investigated price differentials between Nhulunbuy Woolworths and Nightcliff Woolworths, and for a selective range of other items between Woolworths in Nhulunbuy and Brisbane. Of the 588 individual items cross-checked between Nightcliff and Nhulunbuy, it was found that 12% had a shelf price higher in Nhulunbuy than in Nightcliff, 20% had a shelf price lower in Nhulunbuy than Nightcliff and 68% had identical prices. Of the 12% of the items which had a shelf price higher in Nhulunbuy than Nightcliff, 7% were within 5% of the Nightcliff price and 11% were within 10% of the Nightcliff price. On balance, Nhulunbuy consumers were the more favoured in the price differences between the 2 stores.

On remote communities, it said that the freight rates for the interstate road operations which serve these communities were considered reasonable.

The board considered sales tax on freight to be a non-issue given the Northern Territory government's sales tax on freight subsidy scheme. However, there is an apparent low level of usage of the scheme, especially by motor vehicle dealers and spare parts and marine dealers. Claims that the scheme is cumbersome were found to be not valid.

In relation to motor vehicle spare parts, on normal monthly stock orders, the manufacturer meets the cost of the freight. The parts distributor receives the goods on a free-into-store, capital city pricing basis. Emergency orders are filled and dispatched on a freight-collect basis. The standard 15% freight charge added to prices may, in many cases, be unjustified in terms of recovering freight costs. To a varying degree, the same situation may apply to marine and other spare parts dealers. This may explain the apparent lack of use of the government's sales tax on freight subsidy scheme by this sector of the industry, either because it pays no freight or pays freight at a substantially lower rate than it indicates. The board reported that it is unable to accept freight percentage markups as an appropriate method of recovering the cost of freight.

The general conclusion was that average retail prices of fruit and vegetables in Darwin are 58% above the average retail price in the capital cities of the states in which the products are grown. Half the difference of 58% is represented by the cost of freight and the remainder by other factors.

The board was satisfied that the prices charged for newspapers are reasonable in view of the level of service - in most cases, same day delivery - and the weight of the papers. It was concluded from the information provided by the 6 major publishers that there was not one case where the difference between the selling price and the cover price was sufficient to recover the cost of the freight of the newspaper to the Northern Territory.

Magazines and books are generally delivered freight free except in certain cases where they are not purchased directly from a national distributor.

70% of the Northern Territory market for pharmaceuticals is controlled by 2 wholesalers who have substantial freight subsidy schemes that apply to all destinations.

In relation to the Katherine weighbridge, it was brought to the board's attention that many of the transport operators could not compete on an equal basis with those operators who consistently overload their vehicles. The location and manning of the Katherine weighbridge was investigated and the board concluded that it should be relocated at the north side of the high-level bridge at Katherine.

A number of consumers as well as 2 trade associations expressed concern to the inquiry about the practice of transport operators contracting out of common carrier liability. It was recognised that, if operators were forced to accept common carrier liability, they would then face the added burden of insurance responsibility and freight rates would rise accordingly. While complaining about the situation, the trade associations opted for the status quo rather than recommending an action that would lead to freight rate increases.

As a result of the inquiry, the Commissioner of Consumer Affairs is preparing a consumer guide to freight services along the lines suggested in chapter 8 of the report. The guide will provide information and advice for

consumers who are arranging the transportation of goods. It will assist in minimising the problems that arise for one-off users of freight services and also for small businesses when dealing with freight companies. Many of the consumer problems that arise and difficulties that small businesses experience could be reduced with an effective education program. The Northern Territory Confederation of Industry is to be invited to investigate the practice of calculating freight on the basis of a percentage of the value of goods. The board was unable to accept flat percentage markups as an appropriate method of recovering the cost of freight.

Mr Speaker, I would now like to turn to the supplementary report that was tabled today. The completion and tabling of this report was delayed by the slow response of the 2 coastal barge companies to requests from the inquiry. Information was sought by the inquiry from both Barge Express Operations Pty Ltd and V.B. Perkins and Co Ltd during discussions in the first 2 weeks of November 1983. Information from Barge Express Operations Pty Ltd was made available to the inquiry on 30 January 1984 at which time further details were requested. Additional details were made available to the inquiry on 30 April 1984. Some but not all information sought from V.B. Perkins and Co Ltd in the first 2 weeks of November 1983 was made available to the inquiry on 8 December 1983 and again on 9 January 1984. As of 5 April 1984, no reply had been received.

On 6 April 1984, the inquiry served a summons on V.B. Perkins and Co Ltd to attend a hearing on 8 May 1984 and to produce the information requested initially on 16 November 1983. The company appeared in response to the summons and, following further discussion, the information was received by the inquiry on 12 June 1984. It emerged subsequently, from discussions with the company on 11 August, that the information provided was incomplete in that not insignificant tonnages had inadvertently been omitted from the information submitted on 12 June.

Information was provided to the inquiry by both companies on a confidential basis. None of that information has been reproduced in the supplementary report. Contained in the supplementary report are the principal factors the inquiry used to assess whether the freight rates were reasonable. To this end, the inquiry looked at the existing rate structure which demonstrated obvious anomalies between ports and categories of cargo. The existing published rates are, for all practical purposes, common to both operators. They are constructed on a commodity basis with each port having its own rate schedule. Only twice did 2 ports have the same freight rates, notwithstanding that several ports are in close proximity. The multiplicity of existing schedules gives the impression that they have been set with considerable precision. However, the board considered that they have developed on an ad hoc basis. The inquiry saw scope for simplification of the existing rates but believes that the current commodity classifications are sound and should remain. In its attempt to simplify the rates, the inquiry divided the ports by geographical zones, basically dependent on their distance by sea from Darwin. Any realignment of rates along these lines would inevitably result in rates to some ports increasing, with others decreasing.

In order to establish what was considered a reasonable freight ratio, the inquiry concluded that the most suitable method of arriving at a reasonable profit margin to incorporate as a component of freight rates was to apply a return on investment factor and an appropriate rate to total assets employed. In arriving at a rate of return on investment, it was necessary to consider the level of profits achieved by other organisations in the freight industry - shipping, air and road freight. For the 2 years, 1981 and 1982 combined, the shipping industry average of profits before interest and tax to total assets

employed was 6%. The ratio for air transport industry for the same 2 years was 7.6%. Companies in the road freight industry outperformed the shipping and air industries over the same period. The average industry profitability of the 6 major road transport-orientated companies listed on the Australian stock exchange was: 1981 - 16.1%; 1982 - 14.7%; and 1983 - 9.8%.

In setting a benchmark for profit margin to be added to the cost of transport services sold, the inquiry took into account the best performance by a public company in the road freight industry over the years 1981, 1982 and 1983. Accordingly, it has used the ratio of 17% of profits, before interest and tax, to total assets employed. The inquiry suggests that rates should be set to cover costs and to provide a 17% return as the profit margin. The inquiry formulated recommended freight rate schedules which are based on a return on investment factor of 17%. The suggested rates do not provide for cross-subsidisation.

The role of the inquiry was not that of a price-fixing body. Normally, the forces of market competition set the price for transport services. However, when confronted with the position where 2 operators are, in effect, in 2 separate monopoly situations, the inquiry, in accordance with its term of reference to state whether freight rates were reasonable, concluded the following: (1) bulk fuel: existing freight rates are not reasonable - in all cases the board has suggested freight rates be suitably lower than existing freight charges; (2) drum fuel: with the exception of 5 ports, the inquiry has suggested freight rates lower than the existing rates; (3) general cargo: the inquiry has suggested that existing freight rates are slightly low - because of the suggestion that freight rates be equalised for different zones, the impact on rates to individual outports varies considerably; and (4) refrigerated cargo: the inquiry has suggested that many of the freight rates for individual outports are reasonable - 10 rates are higher than the suggested rates and 4 are lower.

Mr Speaker, I consider that there is a danger in the application of the board's methodology in establishing what it considers is a reasonable freight rate. The basis of the calculations rests on establishing the value of the assets or the investment in the barge companies. As we have seen recently, the value of any asset can vary widely in the opinion of 2 qualified valuers. I also consider that barge companies are significantly different to other transport companies with a largely similar purpose. They have a significant capital investment in a single piece of equipment and operate a risky service. All these factors should increase the risk element and hence the need for a higher return.

Mr Speaker, in closing, I wish to commend the board and the staff of the inquiry for their considerable efforts in completing their task. I move that the Assembly take note of the statement.

Debate adjourned.

ABORIGINAL SACRED SITES AMENDMENT BILL
(Serial 74)

Bill presented and read a first time.

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

The bill provides for a number of important changes to the Aboriginal Sacred Sites Act. Mr Speaker, you may have noticed in Tuesday's budget papers

that the authority is receiving approximately a 40% increase in funding this year, an amount of about $220 000 up on last year's budget. Under the proposed amendment, the authority will no longer be required to register sites but in future must apply to the Administrator for particular sites to be declared under this act. Provision is made for administrative matters concerning the appointment of the director...

Disorder arising in the Strangers' Gallery.

Mr SPEAKER: Order! Order! Will the honourable Chief Minister resume his seat? I warn the gallery that, if there are any further interjections, I will clear the whole gallery.

Mr EVERINGHAM: Mr Speaker, there is an important new provision here for provisional declaration of sacred sites that are under serious and immediate threat of injury or desecration. Major changes are proposed to the procedures for declaration of sacred sites. Far from derogating from the act as it stands, I believe these decisions will strengthen it and lend its operation more credibility in the community. As I said, in Tuesday's budget, this government considerably increased the financial allocation to the Sacred Sites Authority. As well, we have heard complaints here this morning about availability of land for Aboriginal groups in Alice Springs, when this government - no one else - has already given to Aboriginal groups over 20% of the total urban area of Alice Springs - in fact, 23%.

Mr Speaker, some background information may assist honourable members. The legislation was passed in 1978 to complement the Commonwealth's Aboriginal Land Rights (Northern Territory) Act. The act was proclaimed in 1979 and, since then, there has been only one amendment in 1983 which made the authority accountable to the minister and subject to his direction, which is a common provision in legislation establishing statutory bodies. Sacred sites are a major concern to the government and are, of course, vitally important to their custodians and to Aboriginal people generally who comprise a significant part of the Territory population. They are also becoming vitally important to the whole Territory community.

The Aboriginal Sacred Sites Protection Authority was established on proclamation of the act in 1979. Since that time, the authority has registered over 200 sites but none of these sites have been declared in accordance with the act. Declaration is a process whereby the authority seeks a determination from the Administrator who may declare a sacred site for the purposes of the act. It is the view of my government that full protection for sites is obtained only when a site is declared under the act. In this amendment, changes are proposed to the functions of the authority. The authority will no longer maintain a register of sites but will still be required to examine and evaluate claims for sites referred to it by Aboriginals. Under the current act, a custodian may request the authority to have a sacred site declared and the authority, if it thinks fit, may apply to the Administrator. As I have already said, this procedure has not been followed for any of the more than 200 sites that are currently on the authority's register.

Under the amendments proposed, it will be mandatory for the authority to apply to the Administrator for declaration in respect of all sites. The bill now before the Assembly provides for the Administrator to make the determination declaring a site. However, such declaration will only occur after a special process has been gone through. When the authority has evaluated a site, it will be required to apply to the Administrator for declaration. In normal circumstances, an investigation will be required. The authority will be

required to give public notice inviting representations from custodians, landowners and other interested parties. The authority will consider these representations, comment on them, assess them and prepare a report with recommendations to the Administrator for his determination.

The report is to include all the representations received. The representations will deal with issues such as: the current significance of the site to Aboriginal tradition; whether the owners, if any, of the land containing the site object to the taking of steps to protect the site; whether any other person would be disadvantaged if steps were taken to protect the site; the most appropriate steps that should be taken, having regard to all the circumstances of the case, to protect the site, including whether or not the site should be declared a sacred site for the purpose of the act; the wishes of Aboriginals relating to the extent to which the site should be protected; and other matters prescribed for the purpose of the section.

An important new provision is that which allows for a provisional declaration where a site is under serious and immediate threat of injury or desecration. The minister may declare such a site to be a sacred site for the purpose of the act. This declaration remains in force for 6 months and may be renewed. Immediate protection is therefore provided in these special cases while the appropriate investigations are being carried out. A key part of the changes proposed in this amendment is the authority's obligation to seek declarations of sacred sites from the Administrator. Such a determination will be made after the Administrator has received a comprehensive report from the authority detailing all the representations received. If the Administrator wishes, he may refer the matter to the Aboriginal Land Commissioner which is also an option in the present act. Protection provisions are similar to those now in force and provide for the authorisation of the erection of signs and publication of maps and the provision of information concerning the need for permits. Signs may be erected or maps issued only for declared sites following the authorisation of the Administrator or the minister in the case of an application for a provisional declaration. The bill also provides for the delegation of functions given to the minister. I have already referred to the fact that the authority has over 200 sites on its register. A transitional provision is provided for the authority to take action in seeking declaration of these sites. In this regard, it should be noted that the minister has discretion to extend the various prescribed periods.

Mr Speaker, having outlined some of the contents of the bill briefly, let me now give some of the reasons behind the legislation and some more details regarding these important new provisions. Firstly, let me deal with the position of the director. Under the existing legislation, he could become a bankrupt, he could be absent without leave for 12 months, he could be permanently incapacitated, he could be incompetent, he could be guilty of misbehaviour and he could not be removed from office by the minister. On the other hand, the minister could remove every other member of the authority for any of those reasons. The reason is that, while the director remains employed by the authority, he is automatically a member of the authority. We have chosen to place the director in the same position as every other member of the authority or, for that matter, every other member of the other statutory bodies throughout the Territory. Like other members, he may be removed for incompetence, misbehaviour, bankruptcy and so forth. Clauses 5 and 8 of the bill deal with this matter.

Mr Speaker, clause 6 introduces a provision which will allow the minister to delegate his powers and functions under the act. Under the existing legislation, it has been the role of the Sacred Sites Authority to register

sites referred to it by custodians. Before registration, those sites are required to be investigated and evaluated by the authority. As stated earlier, following registration, the authority, under the current act, may make application to the Administrator for a declaration that the site is a sacred site. Unfortunately, the authority has chosen not to refer one single registration to the Administrator. Recently, the director published some reasons as to why this step had not been taken.

His first reason was that, apart from the possibility of allowing the appointment of honorary wardens, the process offers no difference in the level of protection for a site. Quite simply, he is wrong. Declaration does much more. Let it be said that, currently, registration of a site offers little protection for a site. Registration is not proof that the site is sacred for the purposes of a prosecution. To prove that in relation to an existing registered site, it would seem that anthropological evidence and evidence from custodians would have to be called. The director has said: 'The fact that custodians may have to give evidence is likely to cause great concern to the custodians who may be required to discuss secret, sacred information in a public forum'. Let it be known to the director, to custodians and to whoever else may be concerned that, if the authority had proceeded with a request for a declaration from the Administrator and a declaration had been made, that would have been conclusive proof that the site is a sacred site. In other words, if the authority had followed the procedure set out in the existing act, there would have been no prospect of having to call custodians to give evidence in courts to prove that a site is a sacred site.

Mr Speaker, it is quite significant that the prosecution launched by the Sacred Sites Authority against my colleague, the honourable Minister for Lands, in respect of an alleged sacred site in Alice Springs has been adjourned for a period of 6 or 12 months at the instigation of the prosecutor.

An examination of the definition of 'sacred site' under the act makes it abundantly clear that declared sites are sacred sites. For this reason alone, there is a great difference between registration and declaration, a difference which would work in favour of Aboriginals and, more particularly, the custodians of sites. This is an important reason why we have made it mandatory for the authority to apply for the declaration of sites to the Administrator. Once a site is declared to be a sacred site, there can be no questions asked.

Mr Speaker, another problem which has followed from the fact that the authority has not referred the matter to the Administrator is that there is no real scrutiny of the authority or, more particularly, its registrations as there would have been if the matters had been so referred. In sensitive issues such as sacred sites, it is vitally important that conflict be avoided. With no opportunity for scrutiny whatsoever of the authority's registrations, I am afraid there is an opportunity for conflict to surface. It must be disconcerting for an owner of land, a visitor, a developer or anyone, to come upon land which is alleged to contain a sacred site and know that no one other than the authority itself has checked the validity of, or has had the opportunity to object to, the action taken by the authority. While I am not questioning the authority's motives for doing so, the authority has been erecting signs on land indicating that areas contain a registered sacred site. I shall deal further with the authority's actions in this regard a little later.

The effect of such action by the authority may be to prevent the free movement of persons on areas of land within the Territory on to which they are, in fact, entitled to enter. In other words, if a site registered by the authority for some reason turns out not to be a sacred site, a person wishing

to enter land that he is in fact entitled to enter may refrain from doing so having noted the sign erected by the authority. This is surely undesirable. It creates uncertainty within the community and is not in the interests of legitimate development of Territory resources. This then is another important reason why we have chosen to make it mandatory for the authority to apply for the declaration of sites. This is achieved with the introduction of a new part III to the act pursuant to clause 9 of this bill. It will allow for a degree of scrutiny. It will alleviate the concern of many people and, in the interests of all parties, it will be an attempt to avoid conflict. The new provisions, more particularly proposed section 25(1), allow for some public input as regards declaration. Surely this is not asking too much, Mr Speaker? The registration of a sacred site over an area may effectively tie up land in a manner similar to that of a grant of land under the Aboriginal Land Rights (Northern Territory) Act.

Disorder arising in the Strangers' Gallery.

Mr SPEAKER: Order! Order! Sergeant-at-Arms, clear the Strangers' Gallery. The Assembly will resume at the ringing of the bells.

Sittings suspended at 11.32 am.

Mr Speaker Steele resumed the Chair at 11.53 am.

Mr EVERINGHAM (Chief Minister): Mr Speaker, under the land rights legislation, there is provision for public objection and the arguments of objectors are heard and considered. With the failure of the authority to refer matters to the Administrator, there is then no guarantee that the objections or even representations from interested parties will be heard. The new mandatory requirement will allow for scrutiny of representations and, specifically, for objection. Further, the new provision contained in paragraph 25(1)(c) will allow the authority to comment on those objections and representations.

Mr Speaker, the director has stated that another reason for not proceeding to the Administrator for declarations has been that the process could allow for the public disclosure of information provided by custodians and could compromise traditional authority. Of course, the same argument can arise in respect of land claim hearings. That problem has been overcome in land claim hearings by hearing or receiving evidence in secret or by introducing evidence by other means, through anthropologists for example. Of course, an argument similar to that raised by the director can be raised in respect of the authority itself. Should the authority necessarily have access to information which might compromise the traditional authority of certain Aboriginals? The authority is, in many instances, just as much an outside body as, say, the Administrator or the minister. I am confident that the confidentiality of information can be maintained by the minister even as it is maintained by the authority. I consider the government's concern for confidentiality is evidenced by the fact that the declaration by the Administrator or the minister will be proof that a site is a sacred site. As stated earlier, in prosecutions for offences under the act, if a declaration has been made, it will mean that evidence of custodians will not be required and confidentiality will thus be maintained.

The processes that are provided for in the proposed amendments seem somewhat lengthy. We have seen the need for provisional declarations where there is imminent danger of injury to or desecration of sites. Proposed new sections 26 and 27 deal with provisional declarations. The effect of a provisional declaration, which will remain in force for 6 months, will be to give a site all the protection it would have had if a proper declaration had

been made. These new sections closely follow provisions in the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act of the Commonwealth relating to emergency declarations. The provisions will be of benefit to custodians and, again, will create a degree of certainty and help avoid conflict whilst still allowing for a degree of scrutiny.

Mr Speaker, as indicated earlier, there is a form of guarantee in the new provisions which provides that the Administrator shall deal with some specific issues before making or not making a declaration with regard to a site. Specifically, I refer to those matters to be ascertained by the Administrator set out in proposed new paragraph 24(2)(b). These matters must be ascertained before the Administrator can act to determine an application in accordance with proposed new section 28. Most importantly, and in accordance with the requirements of section 73 of the Aboriginal Land Rights (Northern Territory) Act, one of the matters to be considered is the wishes of Aboriginals relating to the extent to which the site should be protected. The Administrator's power to determine an application under the proposed new section 28 includes the power to reject the application. Under the existing legislation, the Administrator has such a power and I note the Commonwealth minister has similar powers under the Commonwealth's interim heritage legislation. Honourable members will be aware that the Commonwealth Minister for Aboriginal Affairs has already rejected some applications under this Commonwealth legislation. Where the Administrator declares that the area contains a sacred site or the minister makes a provisional declaration under proposed new section 27, notice shall be given of the steps to be taken to protect the site. The area containing the site shall be described such that it can be identified and it shall be stated whether a permit is required for entry.

It is appropriate that the Administrator be able to declare that no permit is required to enter a site, first having borne in mind the custodians' wishes. Simply, there are many sites for which no objection would be taken by the custodians as regards entry. Of course, the custodians would be concerned if the site were desecrated but I note the offences provison of the legislation makes it an offence to desecrate a sacred site whether or not a permit is required to enter that site.

Mr Speaker, this power to determine applications also allows the Administrator to refer a matter to the Aboriginal Land Commissioner for a report before the Administrator takes action to declare or not declare a site. The powers the Administrator has to protect sites under proposed new section 29 are similar to those available under the existing legislation. I mentioned earlier that the authority has been erecting signs indicating that an area contains a registered sacred site. This is beyond the power of the authority and these signs should not have been erected. Under the existing legislation, it is provided that the Administrator may authorise the authority to erect such signs. This authorisation would follow only where a declaration had been made by the Administrator. No declaration has been made and no authorisation has been given and no signs should have been erected. If the authority had proceeded in accordance with the act, no objection could have been taken to a properly-authorised sign.

Consequently, proposed new section 30 makes it abundantly clear that, on land other than Aboriginal land, no person other than the owner, as defined, of that land may erect a sign indicating or purporting to indicate that an area contains a sacred site, whether or not a declaration of a sacred site has been made by the Administrator, unless authorised to do so by the Administrator under proposed subparagraph 28(1)(b)(ii) or by the minister under proposed subsection 27(5). It will be an offence to erect unauthorised signs. All signs erected on

the land will also state whether or not an entry permit is required to enter the site.

A similar provision deals with the publication of unauthorised maps. The director has indicated that the reason why the authority has erected signs or, more particularly, issued maps is to assist the authority in overcoming its burden of proof as regards whether a person knew an area contained a sacred site. This was not the role of the authority. The authority should not attempt to remove a defence available to any person. If the government had wished the authority to have such power, it could have legislated accordingly. As mentioned, the current act did provide for the erection of signs, but on the Administrator's authorisation. By taking this action, the authority has, in my opinion, attempted to usurp, albeit unwittingly I suspect, the function of the Administrator. Accordingly, it will now be an offence to erect signs or to issue maps identifying sacred sites unless authorisation from the Administrator or from the minister is obtained.

Mr Speaker, proposed new section 30B allows the authority or the minister to issue permits where required to enter sacred sites but, in doing so, the wishes of the custodians must be taken into account. Bearing in mind that the Administrator or the minister will have earlier considered whether a permit should be required to enter the site, it seems appropriate that the minister should have a power to issue a permit subject of course to the restrictions proposed under the act.

Proposed new section 30C restates the existing provision in relation to honorary wardens. Proposed new section 30D will allow the minister to extend prescribed periods under the act.

Clause 10 of the bill amends the offences provision. The provision which made it an offence to carry out work on a site without written permission has been removed. There is nothing sinister behind this. The other offence provisions adequately cater for this; for example, it is an offence to enter a sacred site for which a permit is required without a permit or other than in accordance with the conditions of the permit. Also, it is an offence to desecrate a sacred site, whether or not it has even been declared. These provisions should adequately deal with the matter.

Mr Speaker, clause 11 is a technical amendment. 'Authority' is defined in the definition section of the principal act. Clause 12 repeals and replaces sections 34 and 35. While proposed new section 34 is not entirely necessary, given the definition of 'sacred sites' under the act, it provides that a copy of a notice purporting to be signed by the minister or Administrator declaring a site to be a sacred site shall be proof that the site is a sacred site. In effect, it will set out how the fact that a declaration has been made may be proved. Again, this will protect confidentiality; that is, custodians will not be required to prove that a site is a sacred site if a declaration is made. New section 35 is the regulation-making power.

Clause 13 is a transitional provision. So that some degree of scrutiny can be obtained and conflict avoided, it is intended that all existing registrations be referred to the Administrator for declaration. It would be the responsibility of the authority to determine the priority of sites for application. However, the authority is required to consult with the minister as to the number of such applications to be made at any one time. In cases of urgency, the new provisions for provisional declaration will be available to protect the sites.

Finally, Mr Speaker, we have chosen 'the minister' in relation to provisional declarations simply because this will provide for a much speedier administrative process which I consider necessary and of benefit to all parties. I note that the Commonwealth has chosen to follow a similar path in relation to its interim protection legislation; namely, the Commonwealth minister has similar power.

Mr Speaker, I would recommend that interested members compare all of these amendments with the Commonwealth's Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act. Members will find a deal of similarity between both pieces of legislation. The Commonwealth legislation also deals with sacred objects. Such objects in the Territory are presently protected under the Native and Historical Objects and Areas Preservation Act, and I have recently requested officers to review that legislation with a view to providing even further protection for such objects.

Mr Speaker, I trust these amendments will go a long way towards the avoidance of conflict on the sacred sites issue. The authority has not been curtailed; its work is encouraged. However, it must expect that some degree of scrutiny and some degree of public input is essential if conflict is to be avoided. I suggest that, with these amendments, the declaration of sacred sites will provide real protection. There will be certainty. If a sign says an area contains a sacred site, that will not be questionable. The question as to whether or not a permit is required will be beyond doubt.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MINISTERIAL STATEMENT
Proposed Gregory National Park

Mrs PADGHAM-PURICH (Conservation)(by leave): Mr Speaker, the government is to establish a major national park based in the Victoria River region of the Northern Territory. The proposed Gregory national park will take in Victoria River Gorge, including the western section of Delamere, Stokes Range on the Fitzroy, Jasper Gorge on Victoria River Downs and Humbert River and the Newcastle Range and East Baines Gorge area on Auvergne as well as other regions. The government has already received positive feedback on the proposal that these become part of a park. Although included in a number of pastoral leases, they are not actively used. Given the wide range of country it will encompass, there is the potential to create a park of national significance, both from the point of view of tourism and flora and fauna management protection. Natural boundaries will go a long way towards delineating the park as well as ensuring feasible control of stock and feral animals on neighbouring properties.

The government is keen to see that productive grazing land is not included and that existing tourist facilities are used and promoted. In addition, the park's establishment will generate employment through tourist ventures for the local Aborigines who will be involved in its day-to-day running in conjunction with the Conservation Commission.

This week will see the first positive step towards the realisation of the proposed Gregory national park in the Victoria River district. A delegation, including representatives from the Department of Lands, the Department of the Valuer-General and the Conservation Commission, has visited the Victoria River district to negotiate with the owners of Bullita and Innesvale Stations. These 2 properties comprise a large portion of the proposed 4500 km^2 park. We are

confident that these initial negotiations will result in a mutually satisfactory outcome. Formal agreement was reached with Mr Reg Durack for the purchase of Bullita Station. An interim caretaker ranger from the Katherine district will move on to Bullita Station on 31 August 1984.

The proposed park takes in some remarkable country and several quite stunning features such as the Victoria River Gorge, a 100 m deep cliff carved by the river exposing the brilliant deep red of the sandstone and providing a habitat for the locally-named but scientifically undescribed palm Livistonia. This palm is one of many plant and animal species restricted to this north-western portion of the Northern Territory. It does not occur elsewhere within our borders. In fact, the Victoria River district is more closely associated with the characteristics of the Kimberleys than with those of the Territory and within the boundaries of the proposed park occur several bird species such as the blue crowned wren and the black grass wren, more often described as from the Kimberleys than from the Northern Territory. Some habitat types are suitable for birds such as the rare night parrot. There are some magnificent limestone stacks and cast formations similar to the so-called 'Lost City' of Kings Canyon and other similar formations in Keep River National Park. Freshwater crocodiles inhabit the rivers, and the gorges on the Victoria and East Baines Rivers are numerous and spectacular and, more importantly, are not difficult to reach either by boat or vehicle.

The potential for recreation has long been recognised by the locals who are familiar with the area and already operate some visitor services such as boat cruises. The Conservation Commission has already been able to identify areas suitable for a high rate of visitor use and for camping that are already accessible and handy to several major attractive gorges and plateau features. One of the attractions of the area as a national park must be the nearby settlements of Timber Creek and Victoria River which even now are springboards for visitors to the area. The development of the park can only see these settlements benefit.

Development of any description is still a long way off. To acquire the land is the first step - a step which is not seen as causing major conflict with the landowners or other interests. The recent delegation to Bullita and Innesvale will be only the first of a series of steps towards the final acquisition of what will surely become one of the Territory's great national parks.

MINISTERIAL STATEMENT
Advisory Committee on the Uncontrolled Child

Mr MANZIE (Community Development)(by leave): Mr Speaker, in recent years, community welfare authorities around Australia have been experiencing difficulties in finding suitable and effective ways to deal with what, for want of a better term, I shall refer to as uncontrolled children. Of particular concern are runaway teenage girls in the 13 to 16 age group and other young people in conflict with their parents over issues such as sexual and social behaviour and education. It is no longer considered consistent either with justice or the welfare of children to lock them up in institutions for their own good when they have not broken the law. This view is reflected in the recently enacted Community Welfare Act of the Northern Territory. Nonetheless, welfare authorities find that, when they are asked to help in the control of difficult children, they are sometimes confronted with pressure to institutionalise children whose behaviour, although not criminal, continues to be unacceptable to parents.

Mr Speaker, interstate attempts to find suitable approaches to the problem of uncontrolled children have led to occasional publicity which highlights the dilemma posed for welfare agencies, whose first priority is the welfare of the child. On the one hand, parents feel a right or responsibility to determine what is best for the child and they expect support from welfare authorities. On the other hand, the rights of the child deserve some consideration and an attempt must be made to distinguish between reasonable parental expectations and over-harsh discipline or abuse. There is also the pragmatic question of what will be a realistic and effective solution in a situation where family conflict cannot be resolved.

In view of this dilemma and the increasing number of families seeking assistance with similar problems in the Northern Territory, the government has decided that it is necessary to examine the sometimes conflicting principles involved and to consider what role government and welfare agencies should have. Consequently, we will establish an advisory committee comprised of representatives of my department, the judiciary, the police, the Youth Advisory Council, the Northern Territory Women's Advisory Council, the Office of Women's Affairs, the NT Youth Organisation Forum, the NT Worker with Youth Forum, the Department of Education, and the Youth, Sport and Recreation Division of the Department of Health.

The advisory committee will be asked to report to me by 31 January 1985 on the following matters: the nature and dimensions of the problem of the uncontrolled child, particularly of runaway teenage girls; appropriate intervention strategies for dealing with the problem; what are the appropriate services and agencies to deal with the problems; what is the appropriate role of those agencies; and, any changes that may be necessary to existing procedures of Northern Territory government agencies or to NT legislation.

Mr Speaker, it is hoped that the advisory committee will bring to the attention of the government valuable information which may assist the community in one of its most vexing social problems.

I move that the Assembly take note of the statement.

Debate adjourned.

TABLED PAPER

Subordinate Legislation and Tabled Papers Committee - Fifth Report

Mr HATTON (Nightcliff): Mr Speaker, I present the fifth report of the Subordinate Legislation and Tabled Papers Committee.

CLASSIFICATION OF PUBLICATIONS BILL

(Serial 72)

Mr DONDAS (Health): Mr Speaker, I seek leave to present the Classification of Publications Bill on behalf of the Attorney-General who is absent on other business this afternoon.

Leave granted.

Bill presented and read a first time.

Mr DONDAS (Health): Mr Speaker, I move that the bill be now read a second time.

The aim of this bill is to establish a scheme of classification for both printed material and videos. As members would be aware, the Territory already has a scheme for the classification of written material. Since their introduction to the marketplace, video cassettes have already taken a hold and now are shown regularly in many Territory homes. Over the past year or so, Australian ministers responsible for censorship matters have met and agreed on a uniform classification system for video material. This bill reflects these deliberations and also changes in thinking that have occurred since the original agreement to support a uniform approach. Essentially, the bill is designed to provide for a means of classification for both written and video materials which not only will indicate to potential buyers or hirers the quality of the material to be read or, particularly, viewed but provide, where relevant, restrictions or even prohibitions on the publication of some materials. Where requirements are infringed, the bill provides for quite substantial penalties. In relation to video materials, compulsory classification is introduced.

I indicate, at the outset, that this bill is based on the Australian Capital Territory Classification Ordinance, though it is not mirror legislation. I note the issue of video censorship and, in particular, the question of 'video nasties' is of concern to many people. It is of great concern to me. In question time last week, I indicated that we would probably have a bill ready for the October sittings. In view of what we see as the urgency of this issue, the government has brought this bill on for introduction immediately. As well as enabling earlier consideration by this Assembly of the issues involved that could occur with its introduction in October, it will also enable early public comment on the bill. I stress that the government would welcome comment, on this most sensitive matter, from concerned groups, individuals and persons affected, such as video dealers, before the bill is debated in October. If necessary, changes can be made to the bill in the committee stage. As honourable members may know, the Northern Territory has one of the highest rates of video ownership in Australia. This legislation is essential as a means of controlling video material and will enable guidance to be given to viewers.

Mr Speaker, honourable members may have been aware of some of the controversy surrounding this topic on a national level. I present this bill in the light of the fact that both a joint Senate committee and a Labor caucus committee from the federal parliament are examining these issues. We may well see some tightening up in the future of what material is allowed in Australia and what is classified by the Commonwealth censors into various categories. If this legislation is passed, the government will be keeping the situation closely monitored and, if necessary, will introduce appropriate amendments.

I now turn to the bill itself. Clause 4 provides that the bill does not apply to a film already registered under the Commonwealth film regulations or produced for or by an Australian television station.

Clauses 5 to 16 deal with creation of the publications and films review board. The board is a body similar to the one set up under the current legislation to deal with appeals relating to written publications. Under this bill, the board may, in the absence of an appropriate arrangement with the Commonwealth, have a role in the review of videos.

Part III of the bill - that is, clauses 18 to 23 - deals with classification of written publications. I will not go into detail over these provisions but essentially they establish a system of classification very similar to that applying at present to written material. The major difference is that categories 1 and 2 publications replace the categories of restricted and direct sale publications, though they are essentially the same. As under the

existing legislation, provision for refusal of classification exists. Material that is child pornography, for example, must be refused classification. Commonwealth officials would generally classify written material although Territory officials would also have that power. The right of appeal will be to the Publications and Film Review Board - a local body.

Clauses 24 and 31 establish a procedure for classification of films. Clause 24 of the bill provides for arrangements to be entered into with the Commonwealth for it to carry out censorship tasks on behalf of the Territory. This clause is necessary to enable suitable arrangements to be entered into with the Commonwealth under which the Commonwealth Film Censorship Board classifies film material on our behalf and also provides an appeals mechanism through an appeals censor which would be the Commonwealth Film Board of Review. This arrangement can be terminated by the Territory at any time. Such an arrangement will have substantial advantages for the Territory. Under the arrangement, the Commonwealth will be meeting costs associated with censoring material submitted for classification. Secondly, having censored films generally and other material under the ACT ordinance, I believe Commonwealth officials have a greater expertise in this area. The third advantage I see is in encouraging uniformity of classification.

Clause 25 provides that, in the absence of an arrangement under the previous section, the minister can appoint a person or body to be a censor or appeal censor. The censors would probably be Territory government officers from the Department of Law. The bill also provides that, if no other appeal censor was appointed, the Publications and Film Review Board would be the appeal body. I stress that this would essentially be a backup arrangement and I anticipate no real problems in coming to a satisfactory agreement with the Commonwealth.

Clause 26 gives the censor appointed a power to classify the films and provides a procedure for application. The censor may classify a film himself or any person may apply to him for the classification of a film.

Clause 27 empowers the film to be screened before the censor. Clause 28 specifies the classifications 'G', 'PG' and 'M', while films can also be classified as 'R' or 'X'. The censor has the power to refuse to classify films if they contain, for instance, child pornography or material that promotes, incites or encourages terrorism. Clause 29 enables the censor, in certain cases, to refuse to approve advertising matter.

Clause 30 enables the censor to notify the minister and applicant of the classification made or a decision to refuse to classify. The minister can then publish notice of this in the Gazette. Clause 31 provides for review of the classification. Application can be made by the minister, publisher or person who applied for the classification. It provides for notice of review to be given and clause 33 says that the appeal censor may confirm the action of the censor or vary his decision. Notice shall appear in the Gazette. As I stated previously, the appeal censor would most likely be the Commonwealth Board of Review.

Clause 34 of the bill deals with the criteria for classification. In effect, it sets out some principles that are to be applied when material is classified or censored. Persons are entitled to protection from unsolicited exposure to material they find offensive but adults are, subject to certain expections, entitled to see and hear what they wish. The artistic or educational matters of a publication must be considered, as well as the people or class of people amongst whom it is published or likely to be published.

Clause 35 of the bill imposes conditions on the sale of the category 1 and 2 publications and the various categories of videotapes. Category 1 written material must not be sold, let or hired to an infant other than by a parent or guardian. It must not be exhibited in a public place for sale or hire unless it is contained in a sealed package and has prescribed markings. An 'R' film must not be sold, let on hire or delivered to an infant - other than by a parent or guardian - and be in a container with prescribed markings. Category 2 publications or 'X' films can be sold only in a restricted publication area, can only be delivered to a person who has made direct request for material, and must be contained in an opaque package. Clause 36 allows the appeal censor to revoke the classification of a film and substitute another classification.

I now turn to part IV of the bill which deals with offences. Clause 37 defines the phrases 'objectionable publication' and 'prescribed publication'. An objectionable publication is a publication which includes material which would be, if classified, category 1 or 2 if written material or which would be an 'R' or 'X' publication if a video. However, it has not been classified. A prescribed publication would be what is colloquially known as child pornography.

Clauses 38 to 42 detail certain offences relating to this material. Clause 38 makes the sale of objectionable and prescribed publications an offence. Clause 39 makes the possession of objectionable publications an offence. Clause 40 makes it an offence to keep objectionable or prescribed publications at premises. Clause 41 makes it an offence to keep objectionable or prescribed publications in a public place. Clause 42 makes depositing objectionable or prescribed publications in a public place an offence. In each of the above cases, the maximum penalties reflect the comparative seriousness with which the government views the offences.

Clause 43 makes it an offence to make prescribed or child pornography publications for the purposes of selling or otherwise publishing them. I would point out this offence is in addition to that under section 137 of the Criminal Code which makes it an offence to advertise for sale, publish or sell pornographic material depicting or concerning a child.

Clause 44 provides that, unless the material has been refused classification, in determining whether a publication is objectionable, the court should look at the general character of the publication. Clause 45 provides an exemption of material with literary or artistic merit or being of medical, legal or scientific character. Clause 47 makes it an offence to sell a non-classified publication as a classified publication. Clause 48 makes it an offence to sell or otherwise publish a category 1 or 2 publication or an 'X' or 'R' film other than in accordance with the bill. It is also an offence to deposit or cause to be deposited category 1 or 2 publications or 'R' or 'X' films in a public place without the consent of the occupier.

Finally, by clause 49, a person exhibiting or displaying in a public place a videotape or video disc classified as 'G', 'PG' or 'M' not contained in a wrapper or casing without the prescribed markings is guilty of an offence. In addition, there must be a prescribed sign warning patrons of the nature of the area. No 'X' or 'R' film can be screened in this area other than by a slot machine arrangement, so that the material is not readily available.

Clauses 50 to 53 adopt the provisons in previous legislation in creating offences relating to sexual articles.

Now, Mr Speaker, I will go back to the films. Clause 54 is a provision designed to require films not being videotapes or video discs to have prescribed

markings indicating the appropriate classification. Thus, it would be an offence to sell a 'G' film with an 'M' classification sticker on it. Clause 49 creates a similar offence, with higher penalties, relating to videotapes. Approved advertising material may only be published subject to conditions.

Clause 55 creates the compulsory system of classification for videos. It is this clause which makes it an offence to sell, hire or distribute a video disc or videotape that has not been classified or has been refused classification. It is also an offence to advertise a video that has been refused classification or is not in fact classified. Finally, it is an offence to publish advertising matter in relation to an unclassified video that falsely indicates the material is classified or, in the case of a classified video, that the material is not classified or is differently classified. Obviously, a corollary of this is to ensure that classifications applying to particular videos are widely known. Consequently, it will be necessary for a special Gazette to be published before the section commences, apart from the regular subsequent publications, so that all video distributors and shops are in fact aware of classifications. If a video is unclassified and sold, clause 55 empowers the authorities to get it classified before undertaking the prosecution.

The provisions in clauses 56 to 59 provide for search, seizure and forfeiture of material. After a successful prosecution, the material is generally forfeited to the Northern Territory and can be destroyed. These are fairly standard provisions. The bill empowers the court, in certain circumstances, to order the forfeiture of material even though no prosecution has been launched. Clause 66 adopts all classifications made under the present legislation relating to written publications. I commend the bill to honourable members.

Debate adjourned.

LEAVE OF ABSENCE

Mr LEO (Nhulunbuy)(by leave): Mr Speaker, I move that the honourable member for Arnhem be granted leave of absence for this day on the ground of ill-health.

Motion agreed to.

APPROPRIATION BILL 1984-85
(Serial 235)

Continued from 28 April 1984.

Mr SMITH (Millner): Mr Speaker, on Tuesday the Treasurer brought down his seventh budget or, the cynics might say, his first budget for the seventh time. What is clear is that, for the seventh time, he failed to provide the Territory community with sufficient information to allow for a critical analysis of the government's development strategy. We were told about a greater effort to attract tourists and about the generation of more jobs. This Assembly was given the same message last year by the Treasurer but we have no way of assessing how the government performed. We were not told how many jobs were created last year and still exist today, how many new motor vehicles were registered, what happened to consumer spending, what happened in the building and construction area and the answers to a host of other relevant questions.

Mr Speaker, the paucity of information given in the Northern Territory budget becomes even more marked when you compare it with what happens elsewhere.

For example, accompanying the budget papers in South Australia is a document headed 'The South Australian Economy'. It has a table of contents which includes discussion on world economic trends, a summary of current national economic trends, Commonwealth government economic policies, developments in financial markets, labour market trends, demography, other indicators of local economic activity, incomes and prices, manufacturing industry, rural industries, mining industries and current investment projects. That document gives you all the information you need to analyse the South Australian budget in an economic setting. We get nothing.

The excuse the Treasurer provides is that we are too small. We may be small and, on some occasions, that provides us with opportunities, but it is not an excuse to treat the public and this Assembly with ignorance and contempt as the Treasurer does on so many occasions and on so many different issues. To say that we are too small to have this information provided is contemptuous and shows that the Treasurer is not doing his job properly.

What do we get in our budget papers? We are presented with a set of documents that provide information on a line item basis. For example, I draw attention to the explanations to the Appropriation Bill for the Department of Transport and Works. We are told, in very broad terms, the functions carried out by that department. We are told how many people are employed, how much money has been spent on salaries and administrative costs, on capital works, on repairs and maintenance, on capital items, on other services and on property management. We are told how much was spent last financial year and what the funding levels are for this financial year.

A comparison with the same budget paper for last year reveals the following discrepancies. On capital works, the actual amount expended in 1982-83 was $99.5m. The allocation for last year was set at $103.7m yet only $99.5m was spent. There is a discrepancy there of $4m. Because of the secretive way that this government operates, when we are trying to do our job in assessing the effectiveness of the government's operations, we have no way of working out why that $4m was not spent on capital works nor where it went to. In the budget last year, we had a money increase of only 0.7% and a real decline in actual spending in this key job-creating area of government activity yet we have no way of finding out where that money went to and why it was not spent.

In the repairs and maintenance area, the Treasurer told us last year that the government would spend $44.6m in the Department of Transport and Works. It spent only $32.4m. Why? There is no explanation for this in the budget papers. What we are presented with are hundreds of lines of figures telling us how many people are employed, how much they will be paid, how much the program will cost and how much will be spent on capital items. This is clearly unsatisfactory and insufficient for the Assembly and the Northern Territory.

Mr Speaker, the government must move away from its current emphasis on compliance with past budgets specified by detailed line items. What we need is a form of budgeting on the objectives and results of the government's activity rather than simply the input requirements. We want to be able to review the performance of this government, not only in terms of the money it is putting in but what it is getting out in terms of the achievement of targets. We believe that the most appropriate method of budget structure is a form of program budgeting. It is interesting to note that a number of Australian states have moved into this area already and it is time for the Northern Territory to do so too. The result of the adoption of such a scheme will be an improved system of resource allocation and a system that will make ministers and their departments more accountable for the utilisation of the resources that they have at their disposal. What we need is a budget program that emphasises management responsibility for results.

The budget is more than a public relations exercise. It is supposed to provide us with information on where the Territory is going. To do that, we have to look at the current economic situation in the Territory as revealed through some of the indicators that are available. It must be said that it is not a pretty sight. Let us look at the indicators collected by the Australian Bureau of Statistics. I preface these remarks by indicating that I am aware that the sample size for statistics gathering in the Northern Territory is small and the margin for error may be significant. However, the figures do provide a clear general trend. Let us look at the employed persons figures. ABS figures clearly indicate that there have been fewer people employed in each month this year than there were in the same months last year. In January, the gap between those 2 figures was 700 and, by July, it had risen to 10 000. In July 1983, according to the ABS figures, 63 700 people were employed in the Northern Territory. In July 1984, according to the ABS figures, that had dropped to 53 800 people. That trend of falling employment, according to those figures, has been a consistent trend all this year. It should be noted that, according to the Australian Bulletin of Labour, there has been, at the same time, an increase in employment Australia-wide of 3%. Quite clearly, this is largely the result of federal Labor government policies. Unfortunately, the Northern Territory has not shared in that and is going against the trend.

The unemployment rate this year is generally higher than last year but the actual number of unemployed and the size of the labour force is shrinking. This seems to indicate that, this year, we have been an exporter rather than an importer of labour. This raises the very real question: are people voting with their feet and leaving the Territory?

Mr Dondas: How do you explain the population growth?

Mr SMITH: I do not know because I do not have figures for the last 12 months. If you have them, they might make very interesting reading. Certainly, the population increase for most of last year was 3.6% or 3.9% but we are talking about this year. I am talking about employment and unemployment statistics, and they are very clear.

Motor vehicle registration is one of the more sensitive indicators of the economy. There has been a decline of 150 or 3% in new motor vehicle registrations in the last 12 months.

Building approvals are the one bright spot in that, in the first 9 months of the last financial year, there were building approvals worth $168m compared to $136m in the first 9 months of the previous year. Obviously, that increase is not completely unconnected with the federal government's initiative - the first-home buyer scheme.

Mr Speaker, in his budget response last year, the Chief Minister endorsed the Bulletin of Labour's professional judgment that employment growth factors are a more reliable guide for the relative performances of the states and the territories than are unemployment figures. I do not disagree with that view. Unfortunately, what those figures show is that the Northern Territory, in the last 12 months, has done very badly indeed. The Territory's much-vaunted economic managers either do not know what is going on or are too scared to tell us. Perhaps that is the real reason why they do not give us more information in the budget: it would reveal how inadequate their performance has been.

Nationally, the major indicators are looking good. As the federal budget revealed, inflation is down, interest rates are down and employment is up. The anticipated real growth is likely to be in the order of 4%. The economy is

on the move. Most importantly, those elusive factors which constitute business confidence exist except, I would say, in the Northern Territory where the government's high-handed actions on matters such as the casino operations obviously undermine the business confidence that the federal government has been able to build up through its actions over the last 15 months.

Looking specifically at the Territory, there was a 12.5% increase in Commonwealth payments which even the Treasurer was forced to admit was very good. As well as that general payment, we had a number of initiatives which will stimulate business activity and increase consumer confidence. There have been tax cuts which will mean an average of $7.60 for most wage earners.

Mr Speaker, if I could digress for a moment, if the Chief Minister ever gets to Canberra, and if he is in the government there, he will face a dilemma in the area of tax cuts. His dilemma will be to decide whether he will seek lower taxes which would be welcomed by individual Territorians but which would reduce the Territory receipts under the Memorandum of Understanding. What he would do should be a very interesting question that is sure to be raised in the coming election campaign. They want to close down ANL and it will be interesting to hear what the Chief Minister has to say about that as well.

As well as tax cuts, there has been a significant increase in the zone tax rebate and pensioners and unemployed persons have had their third real increase in the last 12 months. There has been a 25.6% increase in funds for roads. There have been significant allocations for Darwin airport, Tindal and Rum Jungle rehabilitation. There has been an increase in funds for B-TEC. As well as that, there are significant tax incentives for the mining industry and improved depreciation write-off for income-providing capital works.

Mr Speaker, in that context, the Northern Territory budget cried out for a recognition from government that the last 12 months have been the most difficult since self-government. There was a need for decisive action to turn the economy around, a job which should have been made much easier by the sound state of the Australian economy and by the impact of the federal budget.

What do we get from this government, Mr Speaker? We do not get a recognition of the problems at all. We get more of the same. In many cases, it is less. Consider, for example, the housing area. It is recognised as a major job-creation area everywhere both directly in the number of jobs it creates and in its multiplier effects. This financial year there will be 71 fewer Housing Commission houses built than last year. That is a matter I will return to later and explain to the people who might have been fooled by misleading figures in the budget paper. It is hardly the way to go about job-creation, particularly at a time when the figures indicate that there are fewer jobs around.

In relation to capital works, apart from Channel Island Power-station, the vote this year is almost the same as last year. There has not been an increase in capital works in line with inflation yet it is another intensive job-creation area. The major initiative in this budget is in the area of tourism. The Tourist Commission has had its budget expanded by 150%, which we support. But the government is spending massive amounts of money on tourism with no clear idea of its impact on existing Territory businesses and future Territory budgets. In too many cases, today's operator is being sacrificed for tomorrow's headlines. Look at the example of Burgundy Royale. The Chief Minister himself admitted in the March sittings that its backers were becoming jittery because of other proposed developments such as the Sheraton Hotels project and the new casino developments. The result was that the government had to bail out Burgundy Royale to the tune of $3.5m.

Mr Speaker, I wonder how many long-established, small and medium Territory businesses will find themselves forced into closure by this government's infatuation with big deals. We have seen in this budget that existing hotels and clubs have been burnt by a 2% liquor licence slug while it could be viewed that the major competitor, the casinos, has been given a tax holiday which constitutes a very real competitive advantage to the casinos over the licensed clubs and hotels. Will the government be handing a similar competitive advantage to retail leases in the Sheraton and old Darwin Hospital site projects? The opposition submits that the government has dramatically failed to strike an appropriate balance between the small Territory business and the large interstate or international concerns.

The opposition realises that tourism will play an important part in the economic development of the Northern Territory. However, we have grave concerns about the way this government is managing that development. I turn to the specific example of Yulara. To get this project off the ground, the government committed itself to $30m in headworks. We recognise that this substantial payment was necessary but we are concerned about the guaranteed subsidy to cover the gap between revenue and expenditure in the first few years. This year, that contribution will be somewhere between $5m and $15m. The artificial nature of the subsidy is demonstrated by the way these payments are scattered through the budget papers usually in the form of excessive payments for leases by government departments. Almost $1m is allocated this year for the lease of the police station, a Conservation Commission office and school buildings: $234 000 for the police station, $430 000 for the Conservation Commission office and $246 000 for the school buildings. Mr Speaker, if you have been to Yulara, you will have noted these buildings are not excessively large and that the operators are getting a very good rate indeed.

Mr B. Collins: The school only cost $1m.

Mr SMITH: As the Leader of the Opposition said, the school only cost $1m to build.

The budget reveals that the cost of leased accommodation space for all public servants in the Northern Territory is $14.4m only and that includes payments for power, water, cleaning and telephone charges. Mr Speaker, if you think of all the private buildings in Darwin and other centres which hold government public servants, you will realise that there are probably 50 or 60 of them yet the total cost is only $15m per annum. The cost for 3 small buildings at Yulara is $1m this financial year.

If the operator does not do as well as expected, that figure could well increase. As well as that, there is a $2.2m subsidy to the developer for the provision of accommodation to staff at Yulara. I am sure that that is a matter that many public servants will be interested in after what they have been put through in the last couple of weeks. We are not opposed to government assistance in this pioneer industry at Yulara. However, we are concerned that these payments are made as hidden subsidies rather than as incentives for the operator to perform efficiently in the interests of the Northern Territory.

The government has indicated that a number of major tourist development projects will be implemented in the near future. From information made public, it appears each of these new projects has been able to obtain more and more favourable conditions. It occurs to us that it is reasonable to expect that, with a prudent government, the opposite would occur because each development should further establish the Territory as a profitable place for investment.

Mr Speaker, it would seem that these wheeler dealers opposite have failed to negotiate hard enough for the Territory's benefit or have been prepared to pay any price to further their own short-term political ambitions. If you want a dramatic example of that, Mr Speaker, I remind you of the performance of the Treasurer in this Assembly last year in the context of discussions about incentives being offered to the Sheraton Hotels project. Negotiations between the government and Sheraton Hotels were still going on and this whiz-kid Treasurer of the Northern Territory, this hard-nosed dealer, said: 'If Sheraton Hotels are not happy with what we are offering now, we will offer them more'. That is not even kindergarten stuff; that is worse than kindergarten stuff. I am sure that the kids in the kindergarten conduct their negotiations in a more efficient and effective manner than the honourable Treasurer did on that particular occasion.

Mr Speaker, I note that the major initiative in the Tourist Commission budget was the establishment of overseas bureaus. I would remind this Assembly that the Chief Minister, on a previous occasion, said that, overseas, you have to market Australia and not a region of Australia. That seemed like good advice to me at the time and I think it still is good advice. I hope that the approach adopted by the Tourist Commission operators overseas will be to market the Northern Territory as part of Australia and to develop Australian packages featuring the Northern Territory. I note also that the South Australian government has announced a similar initiative in its budget. It is either setting up bureaus or appointing people in permanent positions overseas to encourage tourism in South Australia.

Mr Speaker, still talking about tourism, a few weeks ago I took a short family holiday and spent a couple of days at Mataranka Homestead. The Smith family were in a definite minority. This holiday took place during our school holidays yet, as far as one could tell by the number plates, there were hardly any Territorians there. However, the place was packed with visitors, mostly older visitors from the various states of Australia. The point I want to make is that we hear so much about the government's attempts to attract the high rollers and the upmarket tourists that we tend to forget that the bread and butter for most tourist operators is the restricted budget travellers - those who travel in caravans or who stay in cheaper motels, cabins or their own tents. In fact, I would go so far as to say that the majority of Australian travellers are in this category. It is important that we do not forget these people in the development of our tourism infrastructure. Balanced tourist development is essential to ensure that the needs of all visitors are met and that they are encouraged to visit again.

In this regard, it is urgent that the government announce as soon as possible what plans it has for alternative accommodation to Larrakeyah Lodge. The lodge presently fills a very real need in the provision of tourist accommodation in Darwin. It has been put to me that our major task in the next few years is to turn 'oncers' into 'twicers' or even 'thricers'. A long-term approach to attract people to the Territory more than once is to have a supply of good cheap accommodation for young people so that, when they get older and presumably become better heeled and, in many cases, will have acquired a spouse and family, they will look on the Territory with fond memories and think of coming to the Territory again for a holiday. In the longer term, that is a very significant market indeed - the return visitor market. It is something that I hope the Tourist Commission is paying proper attention to.

Mr Speaker, a consistent theme running through the opposition's approach to this budget is to ensure that Territory residents share as much as possible in its benefits. Obviously, as the tourist industry is a growth employment area,

this principle applies. It is important to ensure that as many of the jobs in the tourist industry as possible go to local people. I note that the Gillen House School of Tourism and Hospitality will be expanded. That is good for Alice Springs but it does not provide many opportunities for people in Darwin. If the government's plans come to fruition, we are looking at a dramatic increase in tourist facilities in the Top End but it appears to me that we are not well placed for Territorians to take as many of the jobs as possible. Alice Springs is too far away for most people from Darwin to seek that sort of training. We need a school in Darwin for food waiters, wine waiters, bartenders, chefs and other skilled personnel needed for an effective tourist industry. I had heard on the grapevine that the Daly Street Basketball Courts site was to be used for such a purpose.

Mr Perron: Your grapevine was wrong.

Mr SMITH: I am disappointed that there was no mention in this budget of that particular project. Obviously, as the Treasurer has helpfully said, my grapevine was wrong. But I would hope that the government will reply to this particular point and outline whether it has plans to develop such projects in the Darwin area.

Mr Speaker, turning to housing, the government's allocation for Housing Commission capital works is almost identical to last year's; $54 389 000 last year and $54 922 000 this year. Honourable members will have noticed the Minister for Housing's discomfiture yesterday when I asked if more or fewer houses are to be built for the Housing Commission this financial year. The budget documents quite clearly reveal that fewer houses will be built by the Housing Commission this year. 1068 were on the program last year and only 991 are on the program this year. In his budget speech, the Treasurer tried to gloss over this decrease in housing. He managed to give the impression that there will be an increase in the number of houses built. I will quote the relevant section from page 9 of the budget document. It says quite baldly in paragraph 3: 'Last year the commission completed over 700 homes and 1072 families received loan assistance'. Then, 2 paragraphs further on, it says: 'The Housing Commission's construction program presses on with 991 new housing commencements in 1984-85'.

Mr Speaker, when reading that, the average reader would say: '700 is less than 991. There are more houses being built this year'. That is obviously the impression the Treasurer, in his normal devious manner, wanted to leave. The problem with this arithmetic is that another 300 houses were completed last year under the staff housing scheme. The Treasurer somehow forgot to include them when doing his sums. Yet, when forgetting them for the last financial year's figures, he was quick to include the 68 staff housing units deferred from last year in this year's number for the total number of houses that are to be built. In fact, there has been a double deception. He has omitted the figures for those built last year, and included the figures for those deferred from last year in this year's budget because it helps his case. But it is far from the truth. Mr Speaker, you will find that 71 fewer houses are to be built. However, as I have indicated, the Treasurer has been found out. The government has cut back the number of houses it is building and we are entitled to know why.

If we can believe the budget speech, population is pouring in at an unabated rate. The government said that its aim is to create a waiting period of 12 months for rental accommodation. That was not stated in the budget speech but it was in the major housing document that it presented to this Assembly 12 or 18 months ago. In Darwin, the present waiting times for government housing are as follows: a 1-bedroom unit - 18 months; a 2-bedroom unit - 15 months; a

3-bedroom house - 15 months; and a 4-bedroom house - 15 months. We all know that these times have increased over the last year.

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

Mr B. COLLINS (Opposition Leader): Mr Speaker, I move that an extension of time be granted to the honourable member for Millner.

Motion agreed to.

Mr SMITH (Millner): Mr Speaker, I thank the Assembly.

I chose Darwin for this example not because of any parochialism but because it had the most significant cut in the number of new houses planned - from 753 approved last year to 640 this year. I am pleased to announce that, despite Darwin's cut-back, Alice Springs has had a significant increase from 192 to 230. It appears from the information available in the Housing Commission budget papers that the waiting times in Darwin will increase in the near future and this will cause severe problems for a large number of people.

Mr Speaker, on several occasions, the government has spoken about obligations passed on to it by the Commonwealth States Housing Agreement. These obligations, as spelt out by the minister yesterday, have led to the home purchase assistance scheme. The government has quite carefully inferred that the changes to the government employees home purchase scheme and the removal of the eligibility of single public servants for housing assistance are also involved with changes in the Commonwealth States Housing Agreement. For the record, public service housing arrangements are not within the ambit of the Commonwealth States Housing Agreement. They are a matter for each state or territory to decide. The decisions taken in this area are entirely the government's own responsibility.

However, there are some responsibilities placed on parties to the Commonwealth States Housing Agreement that this government has not addressed. Specifically, the agreement requires housing authorities to set up rental purchase schemes to enable low-income earners to save the deposit necessary to buy a house. We have not heard from the government about what it will do in this area. The agreement also requires Housing Commission accommodation to be made available to single people with high housing needs. Unfortunately, the government has not addressed itself to this matter despite the fact that the question of housing for single people has been a vexed one in the Northern Territory for a number of years. The same goes for crisis accommodation. There is a sum of $150 000 in the budget for this matter but we have not heard from the government about what it intends to do about it.

Mr Speaker, turning briefly to youth, sport and recreation, which is my other specific area of responsibility, unfortunately in this budget we have seen the bureaucratisation of that department. The staff has increased from 16 to 26 in 12 months and administrative expenses have increased by two-thirds. The total budget allocation has increased by just under 10% yet the amount that will be available for grants-in-aid has, in fact, decreased from $1.7m to $1.3m.

Hidden in the youth, sport and recreation budget is one of those mysterious Yulara figures - in this case, $430 000 for the employment of a recreation officer and the maintenance and watering of all public sporting and recreational facilities. There must be an awful lot of public sporting and recreational facilities in Yulara.

The opposition welcomes the capital works commitment to youth, sport and recreation. The $2.5m this financial year will provide a start for football, cricket and hockey at Marrara and the construction of a basketball stadium and a multi-purpose youth and community centre in Alice Springs. The real concern is the increasing administrative requirements as reflected in this budget. When we improve the infrastructure, it is inevitable that administrative costs will increase but it is important to keep them in balance. We do not want the current trend to continue. If it does, there will be little money for grants-in-aids because it will all be used for topping up the fixed assets that have been developed.

Mr Speaker, in conclusion, I have concentrated on 3 key issues in this budget. Firstly, there is a lack of adequate information supplied by the government on the economy. The government has an obligation to encourage debate on the Territory economy and to be accountable for its actions. What does it have to hide? That is a question that could relevantly be asked because of its steadfast refusal to release more information and to encourage informed and intelligent debate on the development of the economy in the Northern Territory. Secondly, whilst the government may have some long-term goals, these are not adequately spelt out and the means of achieving any such goals are confusing and do not adequately represent and protect the interests of Territorians. Thirdly, the opposition broadly supports these goals, as far as they are spelt out, but is critical of the amateurish and confrontationist way these goals are being approached. If you need an example, Mr Speaker, all we have to do is to refer to the casino debates that have occupied so much of the time of this Assembly.

Mr Speaker, at the start of his speech the Treasurer said that the Territory had had 7 good years or 7 good budgets. If we do not want the biblical 7 bad years or 7 bad budgets to follow the government needs to take urgent stock of the state of the economy and reassess its objectives, particularly its method of achieving its objectives, in order to get the economy moving again.

Mr TUXWORTH (Primary Production): Mr Speaker, I am sorry that I do not have 20 pages of mindless bilge to read to honourable members or I could keep them asleep for the rest of the afternoon.

Mr B. Collins: The bilge you deliver without notes is quite good enough.

Mr TUXWORTH: I am glad the honourable member knows the difference, Mr Speaker.

Mr Speaker, the proposition that has just been put forward by the member for Millner would suggest to us that we have just been beaten into submission, in a parliamentary sense, with an overwhelming alternative budget that Territorians will reach out for and grasp at the first opportunity because of the ineptitude of the government. If people bothered to listen to or take the time to read what the honourable member has just said, I would be extremely grateful because those people will be devoted followers of ours for at least 25 years. I think it is also relevant for me to raise at this time the fact that the honourable member for Millner is really just following in the footsteps of his 2 federal colleagues in heaping criticism upon something that he does not understand and he does not have any suggestion on how to improve it.

It was interesting to listen the other day to the comments of our federal Labor senator. The honourable senator said that the NT does not have enough revenue and relies far too much on federal handouts. The member for Millner and the federal member in the House of Representatives went on to say that it was a

shame the Northern Territory government had to raise taxes. On the other hand, if the Northern Territory does not raise taxes in line with the states, we are automatically accused of being mendicants who are bludging on the rest of the country and told that we should pull our socks up. It would seem to me that the honourable member is between 2 worlds. He and his colleagues cannot make up their minds exactly where they belong. There is no doubt where the federal member and the federal senator belong because they have been indicating for some time that the Northern Territory is overfunded, that it is treated too kindly by the Commonwealth and that Territorians should prepare for less because they will receive less. What they are doing is softening us up for days to come.

I would like to address myself to the issue of handouts - a word that is very commonly thrown around by the member for Millner and the 2 federal members in relation to the Territory's finances. We are told that the Territory is over-funded and that we receive too many handouts. We get 85% of our funding from the Commonwealth...

Mr B. Collins: 86.9%.

Mr TUXWORTH: 86.9% - a grudging offer by the honourable Leader of the Opposition of 86.9%.

Mr Speaker, let us check through the handouts for a minute and look at the sort of things we are talking about. The opposition would imply that we are not entitled to a penny, that we are really getting something that is not our right or entitlement and that we should prepare to get less because we are going to get our comeuppance. I would like to run through some of these handouts. I will start with the generosity of the B-TEC funding and how the Northern Territory is really getting more than it deserves. The B-TEC funds in this country are provided primarily by the industry, the state governments and the federal government in equal proportions. I make the point that the federal government, while it appears to be handing out about two-thirds of the money for B-TEC is, in fact, collecting from the industry and redistributing that money to the states on the basis of about a third each.

Mr B. Collins: They do that all the time; it is called taxation.

Mr TUXWORTH: Mr Speaker, it may be taxation. In the case of B-TEC, it is a small levy that is collected at $3, $4 or $5 a head from the industry and redistributed to the states. That is not a handout. People have paid the money for a purpose and we get the money and use it for what it has been paid for - so much for the handout.

The next handout that the honourable member is very keen to chastise us about is the bicentennial roads fund money that is handed out. The opposition said that the Northern Territory is getting much more than it deserves and it is only the generosity of the federal government that enables us to survive. I would remind members that the bicentennial roads program is funded by all motorists to the tune of about 2¢ a litre of petrol. I do not regard that as a handout. That is a special purpose payment that we all make and we get it back from time to time.

Mr Speaker, the honourable member went on to tell us about the importance of the federal budget in the Northern Territory's financial situation and how all the important things the Commonwealth has done would reflect on the

Territory. I will pick out another handout that the honourable member referred to: Medicare. Mr Speaker, we all pay for Medicare. Most of us pay twice. It is taken out of our pay and we pay again in a private scheme if that is our choice. We are paying pretty handsomely for our Medicare. I do not regard it as a handout and I do not believe that Territorians can reasonably be expected to regard their share of Medicare as a handout through the benevolence of the Commonwealth government as a whole.

Let me come to the general purpose funding that the honourable member referred to and the generosity of the Commonwealth in allowing us to have a 12.5% increase on last year in the level of funding. Whether it is the Labor Party in power or a Liberal Party, the level of funding is related to a formula under the Memorandum of Understanding. For us to get less than the 12.5% would mean tearing up the Memorandum of Understanding. If you can pay any heed to the utterances of the federal member and the federal senator, I guess that we can expect that document to be torn up and the level of funding to be changed.

The honourable member then went on to say that there was insufficient information in the budget papers.

Mr Smith: I said that first.

Mr TUXWORTH: He said it 4 times, Mr Speaker, in case any of us had missed it. On his desk, there is a ream of paper relating to the Northern Territory budget.

Mr B. Collins: Yes, rubbish.

Mr TUXWORTH: The honourable Leader of the Opposition would have us regard it as rubbish.

Mr Speaker, any amount of information can be obtained by the honourable member from the government in relation to the financing of the Territory's government and its budget. If the opposition members took the trouble to read what was in there for a start and then asked some intelligent questions as a result of their reading, we would all get along fine. The honourable member for Millner's difficulty is that he cannot understand it so the best way to get over that is to reject it as inadequate and as rubbish. There are many other people in the community who understand it and get quite a lot out of it.

The honourable member also referred to the fact that the budget was not related to performance and targets. He must walk around the Northern Territory with his eyes closed because there is no doubt that there is a level of performance in the Northern Territory and we are achieving a great deal.

Mr Leo: 6 extra politicians is all we have achieved in the last 12 months.

Mr TUXWORTH: Mr Speaker, with due respect to the honourable member for Nhulumbuy, if the only thing that he has noticed in the last 3 years is an addition of 6 politicians to this Assembly, then he is asleep.

Mr Speaker, there is no doubt that the Northern Territory is doing well. It is obvious for everybody to see. Throwing away one-line statements

about poor performance and lack of achievement in the Territory is nonsense. He referred to falling employment levels and suggested that there are 7000 fewer people employed in the Northern Territory this year than there were last year. If there were 7000 fewer people employed in the Northern Territory, everyone here would be having his door kicked down. That is not the case. There is a tremendous level of additional activity in the Northern Territory. Perhaps the honourable member for Millner can give us some information on who these people are and what they are doing. If they are in the Northern Territory, we would like to know where they are. You cannot take 7000 people out of a workforce of 60 000-odd and not have chaos. What is he talking about?

The honourable member then went on to nitpick about the funding arrangements for Yulara. Mr Speaker, let us put Yulara back into perspective. Yulara is a very brave, innovative and entrepreneurial move, made with a vision of having about a million people going though it in the year 1990. There has always been an acceptance that, because it is a very high-cost area and because it is a very difficult area to service, it will cost a little more than one would expect to spend to provide services in the main street of Darwin. The success of Yulara is there for all to see. Not only that, it is so successful that people who are not already in the accommodation industry in Yulara are now making advances to the government to seek an opportunity to get in there and take up some of the opportunities.

The honourable member spent a great deal of time reflecting on the government's tourism budget, comparing us with South Australia and reflecting that perhaps the Northern Territory should not need to go overseas but should be working with the Australian Tourist Commission. Mr Speaker, the reality is that the Australian Tourist Commission has only one interest and that is filling up the beds in Sydney, Melbourne and Canberra - that is the focal point of the Australian Tourist Commission.

The honourable member also commented on the sort of market that the sales pitch of the Tourist Commission was directed at. He said that we ought to be aiming at restricted-budget travellers and the return-visitor market. I would agree with that. If he wants to assist in the government's program to get the restricted-budget travellers into the Territory, he could use some of his political pull to have the south road completed. If anything will bring the restricted-budget travellers into the Northern Territory, it is the completion of the south road. It is not our government that has been playing ducks and drakes with that for 10 years.

The honourable member also raised the issue of the Territory's housing program and said we will not be doing as much as we did last year. My colleagues, the Treasurer and the Minister for Housing, will address the detail of that. However, I think the honourable member was really taking the whole housing issue out of perspective because, while our effort may not be as great as it was last year, with the increased level of activity of the private sector in the housing area, the total Territory new house and new units of accommodation starts in the next year will be at least as great as they were before.

I would like to address that matter because in his reflections on the budget the member suggested several times that the Territory was running down and that the economy was starting to fall apart under us. There are 2 really good indicators that tell us where our economy is going: one is electricity consumption and the other is water consumption. An 8.4% increase in

electricity consumption is planned for this year - an 8.4% increase! The last time I was discussing water consumption, a 12% increase was planned over the year before. If our economy is running down, then there is something terribly out of place with our electricity generation and water consumption figures. Perhaps at some stage the honourable member might like to reflect on the relationship of that run down and the alleged 7000 jobs that have gone out of the Northern Territory. I could believe 700 or even 1500 if he wanted to make the point - but 7000! It is incredible! How could you lose 7000 jobs in the Northern Territory in a year and not have the place in disarray. It is arrant nonsense.

Mr Speaker, let me say to the honourable member that the budget will do the people of the Northern Territory proud. It will continue the growth and sustain the development that we have had for a long time. Right across the board, all our industries in the Territory are doing very well. I would be the first to accept that, in some areas, we could do better and we would be mugs if we could not. But we can do better and we will do better as the years go on. For the honourable member to take the position that this budget is not to the advantage of all Territorians and is leaving the Territory's economy in a state of disarray is really an outrageous proposition. He would have done well not to rise to his feet at all if that is the alternative budget that he would offer as an alternative treasurer for the Northern Territory.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I had no intention of speaking in the budget debate this afternoon because I was foolish enough to accept in good faith the advice I was offered by the government that this budget debate would be adjourned after the speech of the honourable shadow treasurer. Indeed, that has been the practice in past years: the government delivered its budget, we delivered a response from our shadow treasurer and the other honourable members and ministers proceeded during the following sittings. Having been advised of that just 30 minutes ago, I was silly enough to believe that, when the government signalled 'left', it would turn left.

Mr Tuxworth: But that is not true. I didn't tell you that.

Mr B. COLLINS: Don't tell me who I was talking to. Mr Speaker, when the Chief Minister is away, I have no choice but to talk to the Deputy Chief Minister and, when he tells me the debate is to be adjourned, I take his word for it. Yes, he is blushing. Mr Speaker, I simply indicate that perhaps I went to the wrong minister. I thought he was in charge.

Mr D.W. Collins: It is up to the whips.

Mr B. COLLINS: Yes, well I know how seriously you take your duties as party whip.

Mr Speaker, having listened to the minister use less than 50% of the time that was available to him during the debate, I noted with some regret that he did not take the opportunity, as is normal, proper and necessary for ministers, to tell us at all about the budget's effect on any of his own departments. It was a rather unusual performance by a member of the frontbench.

I can understand a member of the backbench of the government doing that because, as we all know, there is not a brain between the lot of them. But it was quite a ridiculous performance from a minister of the government who handles one of the most important development portfolios that a government

can have: the Department of Mines and Energy. It makes by a mile the largest contribution to the private sector economy of the Northern Territory. It is about $200m in front of the next best thing. Yet he stands up in the budget debate, speaks for 15 minutes about absolutely nothing and does not mention energy or mining once. It was an interesting performance.

I was more than interested in the Tuxworth theory of economics which consists of having a huge printing press in the basement of Block 8 which, therefore, relieves everybody of the need to pay any taxation at all. I hope that he is the next Chief Minister of the Northern Territory because that will relieve me of paying the 60¢ in the dollar I am currently paying. He gave us this fascinating information about the B-TEC program. 'It is a con,' he said. 'The federal government is trying to kid everybody that they are actually paying the B-TEC subsidy. In fact, all they are doing is collecting the money from other people then paying it out'. Mr Speaker, it is absolutely true. That is how they get every other cent that they pay out: by collecting it from someone else in the first place. According to the honourable Minister for Mines and Energy, all they have to do is print it and we would have so much more money to spend because we would not pay tax.

Mr Speaker, we heard once more this nonsense about the Memorandum of Understanding. The facts are that the Memorandum of Understanding is no more sacred an agreement than the casino agreement with Federal Pacific Hotels. It only takes 5 seconds thought to demonstrate the absolute stupidity of the government's continued assertions that we get no more from the federal government than is provided for under the Memorandum of Understanding. The Memorandum of Understanding is nothing more nor less than that. It is a Memorandum of Understanding. It is not signed in blood. The ridiculous hole in this argument is quite obvious. The federal government, as with any other government, is only capable of making disbursements, whether they are to the Northern Territory or to any government department, within that government's capacity to pay in that financial year. It is a fact that the federal government, as with any other state government, can only pay out as much as it is taking in. There have been some interesting High Court cases on the subject of whether you can oblige governments to pay out fixed amounts of money for anything at all. The High Court quite sensibly and properly has demonstrated again and again, when those matters have come before it, that of course you cannot. It is within the financial constraints and capabilities of any one financial year of any government to make disbursements for anything, and that includes the Northern Territory. It is, in fact, an agreement, and nothing more, between the federal government and the Northern Territory government.

Even the honourable Treasurer of the Northern Territory grudgingly admits that the Northern Territory has not suffered the disasters and doom that were predicted by that same honourable gentleman when the Labor government took office. We all heard from the Treasurer and the Chief Minister that the Labor Party federally was only interested in Melbourne and Sydney. If that was the case before it was elected, it certainly is not now. That role has been taken over with a will by the federal conservative coalition. It is interesting to speculate how we would have fared on major capital works such as the railway if it had retained power because it has done nothing else since the election of the Labor government than to say on every possible occasion that the one great failing of the current federal government is that it has not reined in capital expenditure enough. It has not trimmed the deficit enough. The target announced by Andrew Peacock, in probably one of the weakest budget responses I have ever heard from any federal leader, is $5000m. All I can say is that that would be very bad news not just for the Territory but for any other

isolated portion of Australia indeed. It might be all right for the people in Melbourne and Sydney. It might be all right for people in those populated urban communities but, for people living in isolated parts of Australia, which after all have to fight sometimes for recognition that they are even part of Australia, it would be disaster indeed to implement those sorts of policies. The Chief Minister, in a debate with me on television on the railway some time ago, said that, in his opinion, the deficit could quite safely exceed the $10 000m mark. The Reserve Bank did not agree with him and neither did I because that would have placed far too much strain on interest rates, particularly for home owners paying off substantial home loans. In my view, it is necessary to try to strike the balance between a healthy deficit and some degree of stimulatory injection of capital funds. I believe that even the government benches here would have to admit that, over the last 15 months, the federal government seems to have achieved that goal.

Mr Speaker, the honourable Minister for Mines and Energy talked about Yulara. You can sum up the funding arrangements on Yulara in a nutshell. There is a partnership agreement. That partnership will last for some 12 years. When the partnership is dissolved at the end of that time, the assets of Yulara will revert to the Yulara Development Corporation. The investors, should they wish to do so, will take the money they have made on their investment during the 12 years and go away, should that be their desire. I would imagine that, at that time, if Yulara is profitable, it will be able to be sold off to commercial interests at a profit. If, indeed, it is marginal, I guess it will be more difficult and may have to be sold at either a loss or be operated by the people who own it - the Northern Territory at that point in time.

As the shadow treasurer has said, we do not and never have objected to the principle of injecting capital expenditure to stimulate the private sector in the Northern Territory. The public record of the opposition in this respect is quite comprehensive. The problem with the Minister for Mines and Energy, and Hansard always demonstrates this, is that he has a great capacity for manufacturing statements made by other people and then replying to them himself 2 seconds afterwards. Indeed, none of the statements attributed to the honourable member for Millner by the honourable Minister for Mines and Energy were made. The member for Millner was as silent on those issues as the minister was about his own departments in the area of mines and energy.

The concern we have about government support in this area is simply the degree to which it is applied. Having availed myself of a briefing with Treasury, which I appreciated and found to be informative, I do not believe that, to this point in time, the government has overextended itself in this area. But it certainly is possible for the government to do so in future. In respect of the considerable financial risks - and there are considerable financial risks as well as benefits - that the government has undertaken, it has probably gone about as far as it should prudently go at this stage.

Mr Speaker, the honourable member for Millner has already made a reference to the wonderful negotiating and economic capacity of the Northern Territory's Treasurer. I remember only too well - and it is in the record - the absolute amazement of the former shadow treasurer, the member for Sanderson, June D'Rozario, and my own astonishment, at hearing that bilge from the honourable Treasurer. In the process of actually negotiating with Sheraton Hotels, and in response to queries that we raised on this side of the Assembly, the honourable Treasurer said: 'Yes, we will offer them incentives. We are proud of it. If the current level of incentives that we are offering them is not good enough to attract them to the Northern Territory, we will give them more'.

The honourable shadow treasurer said to me afterwards: 'I think we can confidently expect a demand for more incentives from Sheraton Hotels'.

The trouble with honesty in politics is that it is an extremely dangerous commodity and it should be used sparingly. Since becoming Leader of the Opposition, and because I am so tired of hearing the cliche-ridden opposition responses to budgets, whether they are on the Liberal side or the Labor side of parliaments around Australia, I have been determined that we would not be guilty of the same thing. I have been determined, and the record will show it, that, if the budget is adequate, if it covers government departments properly, then we simply say that. The record will show that that is in fact the case. The honourable shadow treasurer has already publicly gone on the record and stated that there is nothing wrong with the Northern Territory's budget. We have not indicated in the way that the honourable Minister for Mines and Energy has attempted to show that we did any of the sort of nonsense that he delivered this afternoon.

Mr Speaker, even on the government's side of the Assembly, nobody could honestly say that the budget is an inspired budget and that it is full of new initiatives. It simply is not. It is an adequate disbursement of the money that has been given to us - 86% to quote the Treasurer this morning on ABC.

Mr Perron: A handout.

Mr B. COLLINS: Again, all the talk about handouts is coming from the government benches. The disbursement from the federal government - to quote the Treasurer on ABC this morning, it was 86% - topped up with the revenue raising that the Northern Territory conducts, has been allocated in as an efficient a way as we believe it could have been. The only particularly new initiatives, and we commend them, that are in an otherwise bland budget are the establishment of overseas offices for tourism. We commend the government for that and believe that it is essential.

In the area of tourism, despite the light-hearted manner in which this was treated by the honourable Treasurer during the debate, I do believe there is a grave need for training facilities to be provided for people working in the tourist industry in the Top End. One of the problems with Northern Territory tourism was raised in an annual address by the current Chairman of the Tourist Commission, and it has been raised on a number of occasions by the Chief Minister and it has been raised by myself on a number of occasions in the Assembly: many areas of tourist operation in the Northern Territory are simply not professional enough. This is not a criticism of the tourist industry generally, nor was it accepted as such when these same comments were made by the Chairman of the Tourist Commission. We have all received complaints, which were found to be justified, from people who have gone away with a bad impression of the Territory because of the way they have been treated or not assisted by people at the interface of the tourist industry; that is, the actual operators, the people behind the desks.

One obvious way of overcoming this problem is to become more professional and ensure that people are trained adequately for the task. We all know that, even when facilities may not be the best or something has gone wrong, that can often be rendered unimportant if it is handled by willing friendly staff who actually make you feel as though they care about what is happening and treat you as a guest wherever you are staying. I have been in the situation where - and it happens rarely - an aircraft has broken down to the great annoyance of people like myself who have meetings to attend. That kind of extreme

inconvenience can and has been alleviated greatly by the attitude and assistance given by the staff of the organisation concerned.

Mr Speaker, I know this sounds like kindergarten stuff. What disappoints me is the frequency with which lapses in this area occur in the Northern Territory. The tourist industry must realise it must take a long-term view of development. The important thing, in terms of developing tourism, is to ensure that people who come once, come twice, 3 times and yet again. That will not happen if they are treated badly when they come the first time.

We all know that the group in the community that has the most disposable income is the 30-plus age group. People younger than that do not have as much money to throw around. All one needs to do to emphasise the points made by the member for Millner is simply to consider one's own decision-making when determining where to go on a holiday. If you had been somewhere that was very pleasant, you would go there again to repeat that experience.

The question of the casino was raised by the honourable member for Millner and it needs to be raised again during this debate. It is a matter of great concern to everyone, and certainly to me, when one hears statements made by the Treasurer of the Northern Territory that the Northern Territory government was forced to take action in respect of a private business firm in the Northern Territory because that firm was one step ahead of the receivers. I do not know of a more damaging statement that could be made about a private enterprise firm. I would not think you could make a more damaging statement. Nevertheless, that statement was made on a number of occasions by the Treasurer and also by the Chief Minister.

Mr Speaker, to support that assertion, extracts were read from a report by the Martin Corporation. I must say that we seem to be getting a proliferation of reports from the Martin Corporation. We have had a number of reports on Federal Hotels which, until recently, we did not know about. We had a report on the Mt Isa to Darwin rail link by the same organisation. I notice that the consultants list was headed by Dr Conn who was a former under-treasurer in the Northern Territory. We had one on ADMA presented during the sittings which was also prepared by the Martin Corporation. Perhaps I could just ask a question during this budget debate: how many of these consultative financial investigations are carried out and is there anyone else in the market? Perhaps we should be sharing the wealth a bit. I would like to know just what the situation is there. Every single report that has been delivered during this sitting has been prepared by the same organisation. I am not suggesting that this merchant bank is a creature of the Northern Territory government. I would like to know if the government could share the disbursements a little and perhaps some other organisations could be used.

Nevertheless, quotations were made and I would be most interested in having the Treasurer supply to me, on a confidential basis, the entire report of the Martin Corporation. The reason for that is that the government also mentioned a Racing and Gaming Commission report on the operations of the casino. One paragraph of it was read out. I would like to know if a Racing and Gaming Commission report was ever commissioned by the Northern Territory government into the operations of the casino. I would like to know exactly what the status of that paragraph was - whether it was from a memo or a letter - because I do not believe there ever was a report by the Racing and Gaming Commission on the casino. I would like to be informed on that.

Mr Speaker, I contacted Federal Hotels and I had no hesitation in doing so.

I do not apologise for doing so. I thought that, if it is one step ahead of the receivers, why haven't the casinos fallen down in Hobart and Launceston? Good heavens, what an irresponsible government the Tasmanian Liberal government must be if it has not moved in one step ahead of the receivers to ensure that those substantial casino operations in Tasmania are protected! I rang Federal Hotels and said:

I am most concerned at the statements in the Assembly by the Chief Minister and the Treasurer that your firm is on the brink and was on the brink of bankruptcy which was why it was necessary for the government to move against you and acquire your properties. Could you supply me with the most recent audited assessment of your company's financial position. Please feel free to decline if you wish to do so, but I would like to have that information in the face of the Martin Corporation report statements read out in the Assembly and statements that the receivers were about to move in.

Federal Hotels advised me that, as a result of the statements made in the Legislative Assembly, it commissioned such a report from its auditors. It supplied me with a copy which I will read into the Hansard. This report is from the firm of Peat, Marwick and Mitchell which, the last time I checked, was the largest firm of chartered accountants in the world. I understand it would still be among the top 2 or 3 chartered accountancy firms in the world. The document is directed to the Board of Directors, TAL Holdings Ltd:

Attention: Mr R.J. McClure. 29 August 1984

Dear Sirs,

Re the Federal Hotels Ltd.

At your request we have reviewed and commented below on certain statements made in debate of a motion for censure of the Chief Minister put to the Northern Territory Legislative Assembly by the Leader of the Opposition in the Northern Territory, Mr B. Collins, on 27 August 1984, as shown in the attached copy of the Parliamentary Record, the Hansard statements. As you know, our firm was appointed as auditors of TAL Holdings Ltd on 21 May 1984 and has been auditors of IPEC Holdings Ltd, now Islea Holdings Ltd, since 1963.

Mr Perron: Did you give them a copy of Hansard?

Mr B. COLLINS: No, I did not. They got it the same way the rest of the public are entitled to get it.

It should also be noted that our firm does not and never has acted as auditors of the Federal Hotels Ltd (Federal), although our firm's offices in Darwin and Alice Springs have acted as auditors of the Federal Hotels (Northern Territory) Ltd and the Federal Hotels (Darwin) Pty Ltd and the Federal Hotels (Alice Springs) Pty Ltd since their respective dates of incorporation. The Hansard statements referred to and our corresponding comments are:

Statement 1. Refer page 13 attached - Mr Everingham, Chief Minister: 'Federal Hotels is a subsidiary company of a group called IPEC. IPEC has many interests, including transport, and it is also involved in insurance among other things. At approximately the same time as Federal Hotels involved itself in the Northern Territory, it involved itself in

transport operations in Europe. Unfortunately for Federal Hotels, these transport operations turned out to be a financial haemorrhage, a dismal failure and, over a period of years, resulted in the loss of many millions of dollars by IPEC Europe'.

Our comments in respect of statement 1: Federal Hotels itself did not involve itself in transport operations in Europe. However, in early 1979, the then 50-50 partners of the IPEC transport partnership, being IPEC Holdings Ltd and Interstate Parcel Express Company Pty Ltd, agreed to examine the feasibility of establishing transport operations in Europe. As a result, 2 major transport operations were acquired, the Gelders Spectra Group in the Netherlands, at that time in receivership, at a cost of 1 guilder, and the Sayers Group in the United Kingdom at a cost of $A1.287m. In making these investments, it was acknowleged by the directors of IPEC that losses would continue to be incurred by the Gelders Spectra Group in the short term while the IPEC group was combining and expanding the operations of both the Gelders Spectra and Sayers Groups with a view to improving in the short to medium term the rates of return then being generated by those groups to satisfactory levels.

The Hague office and other European offices of our firm were appointed auditors of the IPEC European transport operations from their inception and continued to act in that capacity until later in 1983 when they resigned following the sale of the IPEC interest in International Parcel Express Company to Thomas Nationwide Transport Ltd.

The IPEC European transport operations commenced in November 1979 to gradually introduce into Europe the IPEC fast freight concept. By 31 July 1980, a total sum of $13.49m had been expended on establishing the European transport operations. On 31 March 1981, IPEC Holdings Ltd acquired a further 30% of the European transport operations which from that date were owned 80-20. The directors had decided that all establishment costs, including trading losses, would be capitalised during the period of establishment. The period of establishment was subsequently determined by the directors to be that period from commencement in November 1979 until 31 March 1981.

At 31 March 1981, the directors were of the view that: (a) the European transport operations would trade profitably for the year to 31 March 1982 and (b) the carrying value of $17.43m attributed to the establishment costs of the European transport operations was fully supportable.

Whilst we as auditors attached a disclaimer of opinion to the accounts of the IPEC group for both the year ended 31 July 1980 and the 8 months ended 31 March 1981 because we were unable to form an opinion as to the value of the establishment costs of the IPEC European transport operations, the directors themselves were always confident of the underlying value of their investment. And with the benefit of hindsight, the directors' view was then vindicated as:

(a) The European transport operations made contributions to the IPEC group. Results: for the year ended 31 March 1982 and 1983, as shown in note 20 of the IPEC group audited accounts for the year ended 31 March 1983 - 1982 profit, $1.621m; 1983 profit $1.399m;

(b) IPEC MV was sold on 27 June 1983 to Thomas Nationwide Transport Ltd resulting in a profit to the IPEC group of approximately $A12.5m as shown in note 16.1 of the 31 March 1983 audited IPEC group accounts.

The comments made in statement 1 attributed to the Chief Minister concerning the IPEC European transport operations are not, therefore, in our opinion supportable in the light of the final outcome of this venture.

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

Mr LEO (Nhulunbuy): Mr Speaker, I move that an extension of time be granted to the honourable Leader of the Opposition so that he may complete his speech.

Motion agreed to.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I thank the Assembly. I will conclude the rest of this letter.

Mr D.W. Collins: How about addressing the topic?

Mr B. COLLINS: Mr Speaker, if this topic does not address the financial affairs of the Northern Territory, I do not know what does. I am not surprised it goes over the head of the honourable member opposite. I will start that last paragraph again:

The comments made in statement 1 attributed to the Chief Minister concerning the IPEC European transport operations are not, therefore, in our opinion supportable in the light of the final outcome of this venture.

Statement 2: Refer pages 14 and 43 attached - Mr Everingham page 14 and Mr Perron page 43: 'The IPEC group operates with the ratio of current assets to current liabilities of 0.42 indicating a serious lack of liquidity. In addition, while fixed assets, investments, and capitalised establishment costs accounted for 40% of the IPEC group's total assets in 1979, they now account for 80% of the IPEC group's total assets. Federal Hotels is also highly illiquid with a current ratio of 0.32%. Fixed assets total approximately 93% of total assets on Federal Hotels balance sheet'.

Our comments in respect of statement 2:

In some cases we have not been able to determine how such figures were arrived at but, in any event, they are not current. In particular, it should be noted that fixed assets and investments of the IPEC group at 31 March 1984 - they were not capitalised establishment costs at that date - based on unaudited figures, comprised only 57.3% of the total assets of the IPEC group.

This is the company's auditors: Peat, Marwick and Mitchell. I would remind the Assembly that the Chief Minister's and the Treasurer's figure was 90%. I continue:

In relation to the current ratios, it should be noted that section 266 of the Companies' (New South Wales) Code defines current liabilities as meaning 'a liability that would, in the ordinary course of events, be payable within 12 months after the end of the financial year to which the accounts or group accounts relate'. Accordingly, all bridging finance or short to medium-term finance expiring during the ensuing 12 months must be shown as a current liability notwithstanding the fact that the directors, in a normal commercial manner, are negotiating a rollover or

extension of the lending or are refinancing with the same or other financiers.

Statement 3. Refer to pages 16 and 17 attached -
Mr Everingham, Chief Minister: 'I was extremely concerned in March this year when I believed that IPEC and, for that matter, Federal Hotels were very close to having a receiver appointed to take over control of the whole group. I might say it was not just at that stage that Federal Hotels had been close to having a receiver appointed, according to the financial community. It was also touted fairly widely abroad that a receiver would be appointed to the Federal group late last year'.

Mr Speaker, without even commenting on whether a speculation in the financial community and touting should be a basis for intervention by government and compulsory acquisition, I simply turn to the comment made by the IPEC auditors who have been the company's auditors since 1963:

Our comments in respect of statement 3: We are not aware of any suggestions, either formal or informal, being made to either IPEC or Federal by a group creditor that a receiver be or should be appointed to the IPEC or Federal groups, and certainly no creditor has ever approached this firm in that regard.

Yours faithfully,
Peat, Marwick and Mitchell Pty Ltd.

Mr Speaker, there is no question at all that the Myilly Point development has been handled by this government, and is continuing to be handled by this government, in an appalling way. The honourable Chief Minister just overreached himself somewhat which is why we are in this mess with it now. He just let his mouth and his press secretary run a little ahead of the negotiations that were taking place. I think that might be the kindest way to describe what happened.

It reached a situation where the Chief Minister and the Treasurer of the Northern Territory were perfectly happy to say in this Assembly, among other things - in my view this is the most serious - that a company, which still operates hotel operations in the Northern Territory outside of the casinos, which owns an Australian company in good repute and which still runs substantial casino operations in Tasmania, was one step ahead of bankruptcy and being put into the hands of the receivers. Those comments were stated by both the Chief Minister and the Treasurer. I do not think it is unreasonable that such extraordinary statements made by the supposedly chief financial political representatives of the Northern Territory in respect of an Australian company, which I understand is held in reasonable economic standing, certainly by the Tasmanian government which has not foreclosed on it yet, needed to be addressed. I think it is also more than reasonable that, if a government is prepared to make such a serious and commercially-damaging statement about an Australian company, it should provide the evidence to support it.

I would like to reiterate to the Assembly the evidence to support that statement that was presented by the chief executive of the Northern Territory's government, the Chief Minister, because it is worth while repeating. This is the evidence that at least the Legislative Assembly was given by the Chief Minister to support a statement that Federal Hotels was about to become bankrupt - was one step ahead of the receivers - and to justify the compulsory acquisition of all of its casino assets in the Northern Territory:

I believe that IPEC and, for that matter, Federal Hotels were very close to having a receiver appointed to take control of the whole group. I might say that it was not just at that stage Federal Hotels had been close to having a receiver appointed according to the financial community. That is the information that we have got. It was also touted fairly widely abroad that a receiver would be appointed to the Federal Hotels group late last year.

That is the information that has been provided during the entire debate on the compulsory acquisition legislation. Once again, I point out to honourable members the contemptible piece of cosmetic surgery in renaming the 'Casino Acquisition Bill' to the 'Casino Compensation Bill', which indicates only too clearly the government's real attitude in bringing that piece of legislation into the Assembly. It was on the basis of what the Chief Minister referred to as 'touting' in the financial community, which is unspecified.

Mr Speaker, I would like to be provided with a complete copy of the Martin Corporation report of its inquiry into the Federal Hotels operation last year because I have in my hand a copy of a document that makes, as its conclusion, a categorical financial statement. The document is a statement of the official auditors of IPEC since 1963. The auditors are Peat, Marwick and Mitchell. I have not checked on this today but the last time I checked it was the largest firm of public accountants in the world and certainly one of the most respected. I will read it out again in conclusion:

We are not aware of any suggestions, either formal or informal, being made to either IPEC or Federal by a group creditor that a receiver be or should be appointed to either the IPEC or Federal groups and certainly no creditor has ever approached this form in that regard.

Yours faithfully,
Peat, Marwick and Mitchell.

Debate adjourned.

PERSONAL EXPLANATION

Mr DONDAS (Health)(by leave): Mr Speaker, in his speech on the Appropriation Bill, the Leader of the Opposition said that we had an arrangement whereby there would be no other speakers on this side of the Assembly after the opposition member responsible for treasury matters spoke. He approached me while the opposition spokesman for treasury matters was on his feet and asked me if we had run out of speakers. I am not the Leader of the House. He asked me and I thought there were no other speakers. However, I was wrong. The Minister for Primary Production wished to make a statement following the opposition spokesman for treasury matters. Upon learning that, I caught the attention of the Leader of the Opposition and spoke to him outside and told him 2 things: when the Assembly would be called together, which is to be on 16 October, and that the Minister for Primary Production would follow the member for Millner. Then he got up and stated no arrangements were made.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the Business Franchise (Tobacco) Amendment Bill (Serial 64) passing through all stages at this sittings.

By way of explanation, this is a taxation measure concurrent with the budget introduced the other day.

Motion agreed to.

BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL
(Serial 64)

Continued from 28 August 1984.

Mr SMITH (Millner): Mr Speaker, the opposition does not oppose the bill.

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.

PLANNING (VALIDATION) BILL
(Serial 73)

Continued from 29 August 1984.

Mr BELL (MacDonnell): Mr Speaker when he introduced this bill yesterday, the Minister for Lands rose to his feet and, from recollection, his words were: 'This is most embarrassing for me, Mr Speaker'. Fortunately for him that particular sentence does not appear in the daily Hansard report. Let me say that it certainly is an embarrassing piece of legislation to have to bring in.

While I place on record at the outset that the opposition has no intention of opposing this legislation, I believe that it is incumbent upon us as an opposition to point out that this sort of situation should never have arisen. The situation that this bill seeks to validate would be bad enough of itself. However, it is even worse because it is further evidence of the 'ad hoc-ery' in planning matters that has characterised the actions of this government.

I do not propose to rehearse what has already been debated at some considerable length during these sittings, and to some considerable embarrassment to the government. I refer, of course, to the mismanagement of planning arrangements for the town of Alice Springs. However, I believe that mention should be made of the sorts of problems that could be created in relation to this bill. I think the Assembly deserves an explanation of the reasons why validating legislation of this sort needs to come into existence.

To refresh the memories of honourable members, this particular bill seeks to validate an uncommenced section of an act that was passed through the previous Assembly. The validation that is necessary and has occasioned this bill relates to the legal requirements that draft planning instruments must be advertised 4 times. Clearly, the problem is that the minister's department has been acting on the assumption that section 10 of the principal act, which only requires advertising twice, was in force. While it is not the opposition's intention to oppose this legislation, I believe that it is important to point out that it should not be necessary. It could create problems and it could create the feeling amongst people that the planning processes are not being administered adequately by the minister in accordance with the terms of the legislation.

One point I would make in passing is that there is a further section which has not been made law - although, evidently, it must have been considered to have been law - which provides that signs were to be affixed to the land which was to be affected by such a draft planning instrument. It had been my intention to seek some explanation of this. I am pleased that the minister has brought this matter to our attention. Validation is not necessary with regard to the signs because I do not believe they have been used and there was no legal requirement in that regard. However, I look forward to what I believe to be a progressive planning measure: in relation to draft planning instruments that affect any area of the Territory, particularly the town areas, people will be able to see in the ordinary course of their daily lives what is planned.

To those few comments in relation to signs, I add that we have no intention of opposing this because it would make difficulties for possible appeals. We believe the act will be necessary. However, an explanation is required from the minister as to how such a parlous situation came about.

Mr PERRON (Lands): Mr Deputy Speaker, the honourable member said at the beginning of his speech that I was lucky because Hansard had not recorded my expression of embarrassment over having to introduce this bill. To satisfy him, I will repeat again that I am embarrassed to have to introduce legislation such as this. This is validating legislation. It is an admission that the procedures in a department for which I am responsible were such that oversights crept into the system. I regard this as quite a serious oversight. For the last 6 months or so, we have been exhibiting draft planning instruments for 28 days without having a signed paper to authorise a period shorter than the normal 3 months. In fact, as I said in my second-reading speech, it has been the practice over the past 12 months or even more to shorten all periods of exhibiting planning instruments to 28 days in all but exceptional circumstances.

However, I am not attempting to make excuses. I am just putting forward the reasons why I am standing here today a little embarrassed. I cannot advise the honourable member exactly how it happened other than to say that, clearly, it was an oversight. Officers in the Department of Lands were acting in good faith. I really cannot give any further explanation than that. I guess it is very difficult when you pass the message down the chain of command. I appreciate that it stops with me. How did this happen? Why did it happen? All sorts of embarrassing reasons are put forward rather than excuses, Mr Deputy Speaker. I am not seeking to make excuses today. All I can do is thank the honourable member for MacDonnell for his remarks. I think that he has taken a responsible attitude in relation to this piece of legislation and that is appreciated.

Motion agreed to; bill read a second time.

Mr PERRON (Lands): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MOTION

Commonwealth Funding for Outstation Assistant Teachers

Continued from 6 June 1984.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, there is no need for prolonged debate on this statement. I rise this afternoon to indicate that I have had discussions outside of the Assembly with the minister on this subject. It was at quite a pleasant occasion actually - at the anniversary of the Middle Point School. I indicated to the minister that we completely supported the efforts that he was making in pressing the Commonwealth government for further financial assistance in respect of outstation schools.

I acknowledge now, as I have done many times, that the provision of outstation education is an extremely onerous and difficult task for the Department of Education. I have firsthand experience of how those schools operate on the ground and I know the extremely difficult circumstances under which they do operate and the problems that far-flung communities pose for the department.

One thing about outstation schools puzzles me. In fact, I discussed this with the member for Stuart the other day and I intend to ask the Department of Education the reasons for it. There is a proliferation of outstation schools in the Top End but dramatically few in comparison in the Centre. It could well be that there has simply not been the pressure for them from outstations in the Centre that there has been from the Top End. The Department of Education may be in a position to supply me with that information immediately. The department has a very sensible policy in regard to the establishment of these outstation schools. It only establishes them or investigates the need to establish them on request. It does not have a campaign of promoting the establishment of these schools. I think that is a sensible policy because the schools operate under such difficult conditions that, obviously, if the community does not strongly want them to be established, they will be a failure and therefore a waste of public money.

One of the problems with making education stick is the matter of attendance. Again, this is not a criticism of the government and certainly not a criticism of the Department of Education. It is a subject that I have addressed over a period of years and I certainly do not have any earth-shattering suggestions to make. One thing always has intrigued me and, as the principals of the schools concerned would acknowledge, I have spoken to them about it many times. If you look at the quarterly attendance returns of the schools located in Aboriginal communities, there is one thing that immediately leaps out and smacks you in the eye: the dramatic difference in those quarterly returns between the schools that are operated in communities that were formerly Catholic missions and the schools that operate in other centres. When I say 'dramatic', I mean the comparison between percentages of 30% or 40% and percentages in excess of 90%. In fact, both in terms of attendance and results, the schools in Nguiu on Bathurst Island are quite dramatically far ahead of any others.

I do not imagine that my opinion as to why that is so would be worth any more than anyone else's opinion because everyone whom you ask has a different opinion. Obviously, it is a sociological situation. Obviously, it is not the result of what has happened in the last 12 months or 2 years, but of what has been going on for 80 or 90 years. Some people have suggested that the reason is because of the authoritarian nature of the Catholic church, which is not something with which I would argue either.

Mr Deputy Speaker, one thing is clear: it does not matter how good the facility is, how good the teacher is or how good the equipment is, the education will be useless if the child is not there to receive it. The reason

I am discussing this in broad terms is so I will not waste the time of the Assembly by debating this in the context of the statement coming up next on the agenda. I will deal with both now. I have had discussion over the years with committed and concerned schoolteachers in Aboriginal communities. Not surprisingly, the professionals will tell you that the major problem in achieving measurable results at the end of 12 months - and I am speaking in terms of basic literacy and numeracy - is the extraordinary variation in attendance by individual pupils. If you have a structured curriculum which is essential in teaching those basic skills of literacy and numeracy, it is useless if the pupils only turn up for 1 or 2 days out of 5. In my own electorate, there have been occasions when the staff literally outnumbered the pupils. This was not because the school was overstaffed but because, on particular days and for particular reasons, such as ceremonial activities, the pupils simply did not go to school. Ceremonial activity is still very intense and that is excellent because I believe that cultural identity in respect of everyone, not just Aboriginals, is a fairly important thing to establish. I think that this lack of attendance is reflected in the results that we are getting.

I raise this because mention has been made during this sittings of this very problem. I would be interested in hearing from the minister on what the likely response of his department will be to the problem. I can remember having many discussions with the previous Minister for Education about one proposed solution. This goes right back to when the Education Act was first drafted and passed in the Assembly. I refer to the section of the act which imposes a penalty on parents for non-attendance of their children. I had many hours of discussion with the people who drafted that piece of legislation. It was not intended to apply necessarily to Aboriginal communities but to that fairly rare occurrence where parents were resonsible in a direct sense for their children's non-attendance at school. Principally, that relates to young children being employed, particularly in retail shops, early in the morning, late in the afternoon and during school hours. If such parents can be brought to heel, they should be.

The proposal was: 'There is a $200 fine. Why don't we start implementing it and see how we go?'. I know at least one Aboriginal community in my electorate that made representations to the Department of Education to have that done. I do not personally think it would achieve very much in practical terms. I have enough respect for the Department of Education and the concern it shows for this to think that, if the department thought it would have worked, it would have done it. Obviously, there are reasons why it has not.

I do not think that the section of the act that simply applies a $200 penalty would be in any way efficient. I know many families who live in outstations who would be hard put, despite rumours to the contrary, to scrape $200 together. It may well be that they would end up in court and perhaps in jail for non-payment of the fine. I also know of many situations where, because of the total social breakdown of the community - and there are a number of notable and heartbreaking examples of this in the Northern Territory at the moment - it would be unjust in that the children concerned are literally beyond the control of their parents. It would be unfair to expect that the imposition of the fine would achieve the result we are looking for: the children going back to school. That simply would not happen. It is obvious that the subject needs to be addressed. It is easy to make bold statements that we must make the education process in the school more attractive to the children. Throwaway lines like that are really very hard to put into effect.

Mr Deputy Speaker, if it has not already been done, I would like to see some investigative work carried out, in a careful and moderate way, perhaps in

a contemporary sense, as to why there is such a dramatic difference between the attendance at the schools in Nguiu and other places and the next best attendance which is a long way behind. I would like to see if reasons can be advanced by the educators, the social welfare people or residents of the community concerned that could be applied to other communities. I would be interested to hear the response of the minister to that in the debate this afternoon.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, I was interested to hear the comments of the honourable Leader of the Opposition with regard to attendance at one school in his electorate, a school that I taught at for some years. I do not think the reason for the very good attendance at Nguiu is the authoritarian attitude of the Catholic Church. I am quite certain it is not. In fact, it is because there is a real desire on the part of the parents at Bathurst Island to see their children educated. Many times I witnessed this particular attitude of the parents at Bathurst Island come to light. In fact, kids who went away from the school would be brought back by their parents and made to attend. The people want to see their children educated. The fact that there is no outstation movement of any strength on Bathurst Island also has bearing on the high attendance figures.

I cannot say the same for Port Keats. There is an outstation movement at Port Keats. It has the same Catholic background and education system, although it has not had it for as long. However, there is a real problem with the attendance at Port Keats. So there is no easy answer to that. I think the outstation movement does have a fair bit to do with it. There are no current teaching facilities at the outstations at Port Keats.

There is a general movement to outstations. I think anyone who moves around Aboriginal communities would recognise that. It is increasing in momentum year by year. It has been encouraged and funded by the Department of Aboriginal Affairs. I think it is a positive move. I really believe we ought to be encouraging Aboriginal people to move into outstations. However, I do not think that we should get into the situation where we provide facilities for people in outstations until such time as they prove that they want to establish there and that they will really stick with it. It may be that the Department of Aboriginal Affairs will continue to provide initially shelters and minimal services and that the Territory government will take up the challenge gradually, and it is a challenge, to serve those people in time. That is not something that is going to happen overnight.

The Aboriginal people are not so different from people like the honourable member for Berrimah who wanted to get away from it all and set up in the bush. He wanted to get back to the basics. It is not long before those people are looking for services. They want services of a similar standard to larger communities. I am sure the honourable member for Berrimah and others who have moved into the bush over the years, including myself, would recognise that this is the case. People move to get away from it all and then they say that it is crook without power and water. They want those services and they put pressure on government to get them. I have no doubt that Aboriginal people who move to outstation areas will want that sort of improvement once they have established residence. I have no doubt that, in time, those facilities will come to them.

However, there is the potential for that to get out of hand. There is the potential in a place like the Northern Territory to accumulate outstations to such an extent that there is no way in the world that the limited finances of the Territory will be able to keep up. The Leader of the Opposition recognises that. I am sure everybody here recognises that.

Unless the cost of those extra facilities is supported and picked up initially by the federal government so that the services can be provided. I do not think that we are going to be able to maintain the services at a level that the Aboriginal people expect.

If the Territory has to find the funds itself, the only alternative to not providing the services is that other people will have to take a lesser service. I do not think that that would be acceptable to any of us here. The federal government argues that it is the responsibility of a state or the Territory to provide education to all of its citizens. However, it does not argue that same point in a lot of other areas. It says that it wants to maintain a responsibility for Aboriginal people generally. It is doing this in a number of ways but then it tries to hive off the responsibility without any increase in funds.

The Territory wants to provide services to all of its citizens. No one here would argue that we should not provide services to everybody in the Territory. Aborigines are citizens of the Territory and they certainly are the responsibility of this government. But we cannot take on extra responsibility unless we get extra funding equivalent to the need. If the Territory government were to take over the funding of outstation assistant teachers as at the end of this current financial year - that is, the beginning of July 1985 - we would find ourselves in a situation where we just could not meet the need without cutting expenditure in other areas; for example, in education, in Aboriginal communities or in urban areas. I am sure we would find ourselves in a situation where we would have people on our necks.

The federal government has indicated that it wants to hold funding to 1984-85 levels into the year 1985-86 at which time it wants the Territory government to take over, and that the funding should be used exclusively for Aboriginal assistant teachers in outstation areas. The latter part of this may be acceptable but there are a lot of assistant teachers in a lot of areas that are not outstations. They are an extra burden which is uniquely placed in the Territory more so than other states because we have such a proliferation of Aboriginal schools. As you would be aware, Mr Deputy Speaker, Aboriginal assistant teachers are required at a growing rate in communities and urban areas and to limit the funding to 1984-85 levels would be a burden on the Territory that could not be absorbed. I hope that I am not right but I submit that the federal government, in saying it is time we took over the responsibility for Aboriginal assistant teachers, but without providing funds for it, is just another way for it to get out of a responsibility to provide a set sum of money to the Northern Territory. I do not think that anyone here would deny that the federal government is attempting to restrict funding to the Territory.

I believe that it is up to all of us to encourage the Department of Education to push for extra funding in this area. We cannot afford to let the education of our Aboriginal people, whether in outstations, communities or urban areas, deteriorate below the level it is now. In fact, we must look for improvement and continued strength in that area. I support the statement.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the question of Commonwealth funding for teachers aides for the outstation movement is very pertinent to many of my constitutents, particularly those people who have been deprived of what was once a successful boarding college. It was successful in every aspect except its financial viability. I do appreciate the NT government's problems in financing that very expensive institution called Dhupuma College. However, as I recall - and I stand to be corrected - when Dhupuma College was closed

down, the then Minister for Education said quite clearly to this Assembly that the funds that were being put into Dhupuma College were to be transferred into the outstation movement and, indeed, outstation education. I have yet to be convinced that that has happened. I have yet to be convinced that students who would have had access to Dhupuma College are receiving anywhere near the financial support that they should be receiving or that the finances have been transferred to outstation education.

I do not say this with any great criticism of the government. I appreciate that the Department of Education has a budget that, in many ways, must remain flexible. However, I maintain that that institution provided a very valuable mechanism whereby Aboriginal students could attain a degree of expertise in various fields of endeavour, be it in the TAFE area or in the post-primary area. It is not available to them now. Indeed, the enrolment figures at Kormilda, for instance, indicate that the endeavours of Aboriginal students from the east Arnhem Land area have quite seriously declined. I know I am digressing from the substance of the minister's statement. However, I do feel it is important to raise this matter in the Assembly. That is why I quite unashamedly do so.

The outstation movement, as the honourable member for Victoria River has indicated, is very strong in some areas. It is very strong in Nhulunbuy and throughout east Arnhem Land. People move out for a number of very good reasons. They are tired of the continuous havoc that alcohol wreaks upon their communities. They are tired of the continuous social conflict that is inflicted upon their families by living in close proximity to a very substantial modern European community. They are tired of their sons, daughters, wives or husbands not accepting normal family responsibilities. For many good reasons, Aboriginal people are going back to the homeland centres.

In most of those centres, there is a school of sorts; a building of sorts. In most of those buildings - and I have offered to take the honourable minister out there any time - the roof leaks and there is little cladding on the walls. Usually the floor is not even concreted. The outstation assistant teachers work under extremely tiring and trying conditions. They save and scrimp for such miserable items as chalk, pencils and bits and pieces of paper that they can put together and, when the wet season arrives, it is either blown out the door or drenched. It really is a very trying experience being an outstation teacher aide. Those who stick it out for any length of time are indeed extremely committed people. I have a woman in my electorate who has been an outstation teacher for 7 years and, frankly, I do not know how she manages it. Nobody in this Chamber would endure the circumstances under which that woman lives and works.

Mr Speaker, I believe I can speak with a reasonable amount of confidence on behalf of the Aboriginal people in my electorate. A view that has been put to me consistently is that they do need to return to their homeland centres but they also understand the necessity for education and indeed they pressure their children into attending schools wherever it is possible. However, it is not possible for them to attend a school in a larger community such as Yirrkala because there are very good reasons why people must go back to their homeland centres. That is why there is a real need for a boarding facility within the east Arnhem Land region. Dhupuma College was a popular facility. Certainly the minister will say it was expensive and I would agree with him on that. But it certainly was a popular facility. It was a facility that was much used and it provided post-primary students with a much-needed and much-used educational facility. I can only reiterate that, if ever this government has done anything to its detriment as far as many of my constituents

are concerned, it was the closure of Dhupuma College. If it wishes to rectify that detrimental effect, it must re-establish a post-primary boarding facility in east Arnhem Land, whatever the expense.

Mr MANZIE (Community Development): Mr Speaker, I rise to support the statement by the Minister for Education regarding the necessity for Commonwealth funding for outstation assistant teachers. It has been quite interesting to listen to the comments made during this debate. It was very pleasing to hear that the Leader of the Opposition supports the minister in his request for further Commonwealth funding in regard to outstations. I think the comments made by the member for Victoria River were most appropriate.

At present, we have a situation where there is a very strong outstation movement amongst Aboriginals right throughout the Territory for a number of reasons. The member for Nhulunbuy listed those quite adequately. But the situation is that the Commonwealth is spending money to assist this outstation movement initially. We have communities springing up away from major centres. The problem that is caused is that, as these communities settle down, the people expect to be able to obtain clean, fresh water. I believe all members in this Assembly would agree that people have a right to expect to have clean drinking water. There is also a need to provide health and education facilities, as the Minister for Education quite rightly pointed out. There are also sewerage needs and a number of other needs. The situation now is that the Territory government is required to fund the provision of all these services to the large number of outstations.

This morning, I gave the member for Stuart a list of 32 outstations in central Australia that are in need of fresh water and the programs that my department has listed in trying to provide that water. This expense is one that has to be met from funds allocated by the Commonwealth and I think there is a lack of understanding on the part of the Commonwealth of the extra costs involved and the fact that spreading this money around a growing number of communities means that money has to be taken from other areas and, therefore, other communities suffer.

It is vitally important for members on both sides of this Assembly to pressure the Commonwealth in regard to funding the Territory government in relation to the provision of services to the outstations which are increasing quite rapidly throughout the Territory. Until such time as the Commonwealth recognises the fact that, in order for the Territory to provide suitable services to all the communities which are springing up, it needs to provide the financial backing. I can see many problems ahead for the people in those outstations. I certainly support the Minister for Education.

Mr EDE (Stuart): Mr Speaker, certainly, I would support any moves that the minister can make to obtain more funding for outstation assistant teachers. I would like to be able to talk a bit more about outstation schools. There is a rumour that there is one in my area but every time I go there the teacher is on transfer somewhere or is not there. There is a school building that the people built themselves but that is all there is.

Mr Harris: Where is that?

Mr EDE: It is at Soapy Bore. I have a whole heap of other material that teachers have given me but it refers to education for Aborigines which, I believe, will probably be coming on the next time we sit.

However, I definitely would say to the minister that, in his quest for more funding for educational facilities for the other 40-odd outstations in my electorate that have no schools at all, I will go along with him all the way.

Mr HARRIS (Education): Mr Speaker, I thank honourable members for their comments. It is a very serious matter and I think that all members realise that. The funding implications for outstations are grave indeed. It needs to be pointed out that we are not moving away from our responsibilities as far as providing education is concerned. When a school is established in an outlying area, this government will meet its responsibility and take over the funding of the teacher aides and the teachers required in that particular area.

One thing has to be pointed out, and I am afraid that many of our counterparts in the federal parliament do not seem to be able to grasp this point. In the Northern Territory, we have some 250 outstations or homeland centres. Western Australia has the closest number to that with 50-odd and then it drops down to Queensland with 9, New South Wales with 3 and Victoria with 1. On top of that, these emerging communities all around the Territory are developing and they want education in their communities. Once the principle of funding these outstations is established, there could be 3 or 4 times as many overnight. We could end up with 400 outstations in the Territory. There is no way of having a national policy in relation to funding of outstation centres. The needs of various areas must be looked at individually. The Northern Territory has many outstations at present. As I have indicated, that number could treble overnight. I think it is important that our federal counterparts are aware of that problem.

We have had an assurance that the funding for teacher aides in the outstation areas will continue this year but, unfortunately, certain conditions were attached to that funding. One was that the Northern Territory government accept full financial responsibility for the ongoing program from 1 July 1985. Mr Speaker, we cannot accept it on that basis. We acknowledge that, once a school is established at a particular outstation, there is a responsibility on the Territory government to fund that particular school. But it is important that the Commonwealth government - which, after all, is responsible for Aboriginal Affairs - and the Territory government discuss these issues and come to some arrangement in relation to funding. It is not just a matter of saying: 'After the end of June next year, it is all yours'. Quite frankly, the Territory government could not afford to put in the money that would be required to give those outstations access to teacher aides for future years.

The second condition was that the Northern Territory Department of Education continue the program at its 1984-85 level. Again, that would not be possible because it will cost more every year. That is another aspect of the conditions imposed by the federal government that we cannot accept.

The third condition requires that the funds provided for teacher aides are spent exclusively for the employment of teacher aides in outstation areas. We accept that that should be one of the conditions. The Chief Minister sent a telegram to the Minister for Aboriginal Affairs stating that we accept that funding should be used exclusively for the employment of teacher aides in outstation areas and that fundings beyond 1 July 1985 be further discussed in light of a report of the Australian Education Council.

Mr Speaker, I had discussions this morning with the departmental representative who attended the Australian Education Council meeting on 27 August 1984. Unfortunately, the Commonwealth still sees the funding of teacher aides on a seeding basis only. The AED also believes that that is how it should be. It may be appropriate in many areas in some of the other states, and I am not

denying that. But I hope the lines are still open for negotiations and discussions to take place in relation to funding of teacher aides.

As I mentioned, the funding implications for the Northern Territory are grave. Once we lock into a principle, then we could be sounding disaster for education in the outstations. I hope that the Minister for Aboriginal Affairs will approach this matter in a reasonable manner. We are trying to discuss the issue. We know there is a need in those communities and we want to do all we can to ensure that we can provide education to the outstations. We will do our part. Once those areas have a school established, the Department of Education will look to taking over its constitutional responsibility in relation to education in the Northern Territory.

Mr Speaker, the Leader of the Opposition raised the issue of how schools are established. He was correct in assuming that it is on the request of people from the particular communities. We believed strongly in the self-determination of the people of the Northern Territory. If those areas request a school, we look at it.

He also raised the matter of attendance. This is a problem about which the government is extremely concerned. I referred to that this week during question time. The truancy campaign covers Aboriginal communities as well as urban communities. On every occasion when I visit these Aboriginal communities, I try to discuss with parents and the councils in those communities ways and means of making sure the Aboriginal children attend school. There are a number of problems. One is to hold the interest of Aboriginal children. We found that 50% of Aboriginal students have hearing problems and they lose interest very quickly. This is a problem that has to be addressed. It is very difficult to persuade children to attend school if they lose interest. The other area that we are looking at very closely is that of computer education at Ali Curung, which I visited recently. The computer program at Ali Curung is maintaining the interest of the students who attend that particular class. I believe that that will have much to do with our succeeding in encouraging Aboriginal children to attend schools. They also have a special class for poor attenders. It has been found, over a period, that the attendance of that particular class has improved markedly.

The matter of truancy is of concern to the government. One of the other problems that I mentioned when answering the question on truancy was media contact in the outlying areas. We do have a long way to go and I hope I will be able to report to honourable members at some later stage on further aspects of the truancy campaign which will be launched at the beginning of next year. Certainly, I do not see the provision in the act of a penalty of $200 for parents in Aboriginal communities as solving the problem at all. We have to get children interested and I believe that there are many initiatives that can be examined in an endeavour to encourage these students to become interested in their education generally and to have the parents ensure that their children attend.

The honourable member for Nhulunbuy spoke about Dhupuma College. I do not want to get into that argument again other than to say that we have 2 Aboriginal colleges in the Northern Territory: Kormilda and Yirara. Both of those colleges are expensive and the government is continuing those colleges. I mentioned on another occasion that it costs this government something like $14 000 per student to run Kormilda College and $10 000 per student to keep students at Yirara College. That is a lot of money. However, we have a commitment in this area and we will continue to maintain those 2 colleges. But we cannot establish a college in every area. I think that honourable members would

be aware of that. It is a very expensive business and we have to be realistic about it. I think that the education facilities that this government is providing for Aboriginals generally is very good indeed. I appreciate the problems of the member for Nhulunbuy but we have to be realistic in the approach we take to Aboriginal education. I believe that the direction that we are taking will lead to a better education for those people.

Mr Speaker, the other problem we have in relation to funding is that the Commonwealth government is continuing to pour funds for capital works into those homeland centres. Once that money goes into the area, it is necessary to provide a teacher aide or some form of assistance. We are being forced into a position where we have to pay out money. We want to continue to provide educational facilities in these areas. It is necessary that the Commonwealth government and the Northern Territory government talk about these issues and not just take them as a national problem or set standards. I have spoken to the Leader of the Opposition in relation to the proposal to set standards on which to base the funding of schools. It is not being realistic at all to place a standard on a school in an urban area and then relate it to the bush areas. It is absolutely ridiculous. We have to convince the Commonwealth government that we have circumstances that are different and which must be looked at differently.

Mr Speaker, I am also very pleased to inform the honourable member for MacDonnell that Kintore has received the nod for a school to be established there. There will be schools at Yirripi, Robinson River and a few other places.

I must thank honourable members for their support. As I said, we need to look at the recurrent funding, and that is a problem. I believe that all members should put pressure on the federal government to ensure that it funds teacher aides.

Motion agreed to.

SPECIAL ADJOURNMENT

Mr DONDAS (Health): Mr Deputy Speaker, I move that the Assembly, at its rising, adjourn until 10 am on Tuesday 16 October 1984 or such other time and date set by Mr Speaker pursuant to sessional order.

By way of explanation, Mr Deputy Speaker, the intention of the government is to sit for only one week in those sittings.

Motion agreed to.

ADJOURNMENT

Mr DONDAS (Health): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr EDE (Stuart): Mr Deputy Speaker, I rise to talk about 3 organisations, 2 of which are continually maligned in this Assembly and in the press. I refer to the Central Land Council and the Sacred Sites Authority. In fact, from what we hear, one would think that these organisations are hellbent on frustrating the development of the Northern Territory and have no interest at all in negotiating various agreements with various parties. I thought that it might be of interest to honourable members if I took this opportunity to remind the Assembly of the various agreements which have been negotiated successfully.

Before doing so, I would like to point out a few of the constraints that exist for these organisations. For a start, they are both continually under threat. We have seen already today - and it will be raised again later - the threats that have been made against the personnel of the Sacred Sites Authority. The fact that they operate under threat tends to make it more difficult for them to get on with their work. Also they are subjected to constant pressure over land rights issues and sacred sites which means that they have to spend a large amount of time trying to prepare claims which diverts attention from negotiating agreements. Then they have to fight political battles on behalf of their members.

However, given those constraints, these organsiations have done a considerable amount of negotiating. I would like to refer for a start to the Central Land Council's negotiations with the Department of Transport and Works in relation to gravel agreements. I could refer to 3 of these agreements in the Haasts Bluff area that have been negotiated successfully. There were others at Santa Theresa and at Yuendumu. They involved the whole length of the road and ensuring that there are gravel areas which can be used for road maintenance and which will not impinge upon sacred sites. In the Tanami area, near the goldfields, there has been a major road realignment and gravel has been organised and negotiated between the Central Land Council and the Department of Transport and Works.

I do not have to remind members about the Mereenie oilfield agreement which was successfully negotiated but people may not be as aware of negotiations over the Mereenie access road. That also had to be negotiated and sacred site clearances were obtained. That was done quite successfully. The Mereenie pipeline is presently incomplete but is under negotiation. I am advised that negotiations are proceeding quite well there. There was a variation to the Mereenie agreement which, I believe, was requested by the government. There was a little bit of embarrassment about that. Anyway, that one and the Palm Valley agreement were both negotiated quite successfully and are now bringing benefits to all Territorians.

In my own area, I can refer to the North Flinders Mines agreement. I am happy to report that it now looks as though that mine will definitely go ahead in the very near future. The people are quite satisfied with the outcome of the negotiations. There was a bit of a hiccup at the start but members will be happy to hear that the Central Land Council itself is now getting more staff into the mines area because it is able to divert resources, given the better relationship it has with this federal government compared to the last. It does not have to fight continually for survival.

I would like to turn to some of the Northern Territory projects which were assisted by the Aboriginal Sacred Sites Authority. These relate to site identifications and area surveys. The first one I would like to refer to is the Alice Springs to Darwin railway line. I do not know whether members realise just what a significant project that was - to clear a line 1600 km long from Alice Springs to Darwin. It followed a general alignment which was requested but ensured that no sacred sites were destroyed along the route. We keep hearing about the projects where there are arguments but that particular job was done in conjunction with the Central Land Council in the southern region. The Central Land Council covered the area from Alice Springs to Elliott and the authority covered the area from Elliott to Darwin. For that reason alone, I was sorry that the railway line did not go ahead, quite apart from all the other benefits that it would have brought to the Northern Territory. However, I was a little disappointed that, in the whole debate about the railway line not going ahead, credit was not given to the clearance work of the Central Land Council and the Sacred Sites Authority through that area.

On the Granites goldfield within my area, the proposed goldfields agreement was dependent upon the authority undertaking to register agreed areas as sacred sites on the basis of documentation collected by its officers and the boundaries of those sites negotiated between the company and the custodians. That work was done about the time that the agreement was being negotiated. It is now one of the things that have made the people much more willing to talk about extending the areas where further exploration can take place. They are happy - or they were happy up until today - in the knowledge that their sites had been registered, had been identified and that knowledge of them would be available to the company so that there would not be any desecration of them. Unfortunately, that is all up in the air again today. I do not know where we will stand now. We will have to sit down and try to work it all out again.

We have been hearing much about Federal Hotels during this sittings. We may have forgotten that there were problems there concerning Aboriginal skeletal remains. The Aboriginal Sacred Sites Authority negotiated an agreement between Federal Hotels and the people for the reinterment of those remains and the controversy that could have erupted was avoided.

One that I was not familiar with myself is Gundal, an Aboriginal ceremonial site located in the Larrakeyah Barracks area. The authority organised negotiations there and, by mutual agreement, had set aside an area from intensive development. I am told that the Larrakeyah people have the right of entry to that area.

Alice Springs housing development is one that the Minister for Lands continually carries on about. In the past 3 years, all housing subdivisions have gone ahead following negotiated identification of scared sites and their incorporation, in most cases, in recreational reserves. We are told constantly that Alice Springs development is frustrated by sacred sites. In the last 3 years, all housing subdivisions have gone ahead. It frustrates me to sit here and listen to the tripe that is spoken about sacred sites in Alice Springs. In fact, there has been very little to it. However, there will be more to it if the Chief Minister goes ahead with proposals that will not allow developers to find out where the sites are early enough so that they can organise their projects around the sites.

The authority has done considerable work in conjunction with the Roads Division of the Department of Transport and Works. In the last 2½ years, all rural roads in the Territory have been subject to prior survey by the authority and that has resulted in road development proceeding without any concern or delays caused by problems over sacred sites. At Tindal, the authorities identified 2 areas of significance to Aboriginal people which, after discussion with the RAAF, have been set aside from development without affecting one iota the total development of the Tindal base.

Following consultation with custodians in the Renison goldfield area, approval has been given to developers for works to be carried out there. Agreements were reached between Telecom and the Sacred Sites Authority which covered all repeater stations. Thus, an area of potential conflict was avoided by negotiation. The authority assisted NTEC in the development of Channel Island and the selection of powerline routes by conducting prior surveys. In the case of Channel Island, the authority identified descendants of 2 persons buried within the area proposed for intended development. The authority arranged for the exhumation of the remains and the return of the human remains to communities for reinterment. Controversy was again avoided because of the negotiations that were carried out.

The authority assisted the Conservation Commission to design a walking path in all parks under the control of the Central Land Council. It also helped organise a different planning management program on the significant sites within those parks so that they could be developed into a total management concept plan.

Over 30 private developers have been given assistance to identify and negotiate sites very early in the planning process, which enabled the projects to go ahead with minimal impact on the sites and with minimal public controversy. That includes the Alice Springs golf course development. I must pay tribute to the developers there. I was involved a little in that one. I recall that they were most willing to sit down and discuss the total plan in an effort to avoid any problems. Other examples are the casino development, Sheraton Hotels development, various tourist developments, fishing and fish breeding developments, holiday shack developments, old timers' homes, Barkly Highway roadhouse etc.

Assistance has been provided to the Darwin City Council with respect to plans for redevelopment of the Leanyer dump; for the removal of trees in Alice Springs; for the development proposals for the Todd River; and for a pre-school in Tennant Creek. The authority assisted barramundi fishermen in negotiations for areas available for commercial fishing in the Arnhem Land region. The authority deals with over 120 applications per year from mining companies seeking clearances for exploration programs in areas of the Northern Territory. The authority worked together with Corrective Services Division when it was developing the prison farm. Both the Alice Springs and Tennant Creek airports developments were assessed and approved by the custodians. It assisted in the Rum Jungle rehabilitation project and the Alice Springs farm area. It helped the Australian Army select exercise areas.

I wanted to ensure that those points regarding those 2 organisations went on the record so that it can no longer be said that they are deliberately trying to frustrate the development of the Territory. They have a long record of negotiating and getting development going in the Northern Territory. This is in spite of the very heavy pressure that is often put on them by various ministers of this government. I hope that the government will give them a hand to do a better job rather than continually trying to frustrate their efforts to develop the Territory.

Mr COULTER (Berrimah): Mr Deputy Speaker, tonight I would like to talk about the development in my electorate of Berrimah, in particular the development of Palmerston. It is significant in this budget which has just been brought down by the honourable Treasurer that $13m has been allocated to Driver district centre. The Driver district centre is more than a high school; it is a community centre as well. The number of high school students at Palmerston at the moment is significant. Already we have about 180 students travelling to the various high schools in the Darwin area and the need for such a facility is already overdue. It is part of the problem with such a developing area.

I was interested to hear the honourable member for Millner talk about population figures. We are talking about 6 families a week moving into the Palmerston area. That is one house a day that is finished down there. The place is really booming. I invite all honourable members, if they have not had the opportunity yet, to come and look around Palmerston and at some of the development which is taking place.

In the last few months, we have seen the opening of a major industrial area. Bunnings has already opened up. I understand its official opening will be in the next couple of weeks. That brings in a new dimension: the provision of employment for people within the Palmerston area so that they do not have to travel into the traditional employment areas of Berrimah, Winnellie and perhaps even the Chan Building.

Mr B. Collins: They are even getting their own newspaper.

Mr COULTER: They are really coming of age. The Herald Palmerston Northern Suburbs is to be launched on 7 September. All this augers well for the government's planning and policy. I do not know how many of us travelled down to the 14-mile some 4 or 5 years ago when there were only a motorcycle track and a tin shed there. Nobody in his right mind would have envisaged a town of the size that is there now. Now we are talking about Newtown just a little further around the bend. I just wonder how long it is going to be before Newtown becomes a reality also.

The boat ramp was opened there recently. The bridge is progressing across the Elizabeth River and will give access to the Channel Island Power-station. Various other developments within the area auger well for the Northern Territory and, in particular, for the electorate of Berrimah. The recent announcements of the free trade zone for the East Arm area and the potential fishing port at East Arm also indicate just how well the Northern Territory is developing, and not only in the people industry because it is also expanding and developing its industrial base.

Mr Deputy Speaker, recently I had the opportunity to go out to the Jacaranda well which is being drilled in the Joseph Bonaparte Gulf. I could not help but be impressed at the size of the project. We flew there in a helicopter. It is about an hour and a half flight. It is about halfway to Timor, a little bit before you get to the Jabiru finds. The Glomar 3 is out there drilling. At the moment, the total depth of the well is about 3600 m. It is 3½ km down. It was a 50-day drilling program and cost around $8m; it is an incredible amount of money. The rig is being serviced from Darwin. I just did not realise what it means to the people of Darwin in terms of servicing that particular rig. There are all types of fuel, food and accommodation for the people on the rig. It certainly is an impressive sight.

The rig itself is a fairly new one. It is only about 2 years old. We went there for lunch and were given the opportunity to look over the rig.

Mr Smith: What did you have for lunch?

Mr COULTER: The meal was magnificent: curried prawns and ham. The honourable member for Wagaman was with me. He could vouch for the standard of the meal. It would be very hard to beat a meal like that anywhere on mainland Northern Territory.

Mr Deputy Speaker, the Glomar 3 cost some $57m to build some 2 years ago, which indicates the high cost risk to the mining industry to go out after these natural resources. You can understand why the companies are against the resource rent tax when they are outlaying so much money. That $8m could be just for a large post hole, if there is nothing down there. It is a high-risk venture. They are to be congratulated for their confidence in the field to invest so much money in the area. We should encourage that type of development. Avoiding the problems which the resource rent tax would introduce could only help the people in this area.

Mr B. Collins: The Northern Territory was the first government in Australia to introduce an RRT. 36% was the opening bid.

Mr COULTER: All right. Perhaps they could release more petroleum exploration licences in the area. That might also assist the development of the Northern Territory. If any honourable member gets the opportunity to go out to any of these rigs, I recommend the trip because he or she could not help but be impressed. They are operating out there and we do not know about them. We really should be trying to support that type of industry.

Mr Deputy Speaker, I would like to speak about the recent conference in Darwin of the Australian Mining Industry Council. I was called to a point of order in the Assembly during a previous sittings when I quoted a particular gentleman. This document was put out by James Strong, who wrote the other document that I quoted from. Of course, he was a long-term resident of the Northern Territory before he became the executive director of the council. He gave the keynote speech.

Before I go on to that, I would just like to relate a little story that came up after Mr Strong gave his keynote speech. A chap got up and gave a talk on the Whites tailing dam at Rum Jungle which is now being rehabilitated by the federal government at a cost of about $12m or $18m. This fellow got up and gave quite a good dissertation on what is actually being done there - how the trees are being planted and the topsoil is being replaced etc. There were about 300 or 400 people present at the conference. One of the interstate visitors got up and asked: 'If you are spending this much money in developing this into such a resource, is any thought being given to turning it into a recreational reserve or to get some use out of that particular resource after it has been rehabilitated?' He sat back down and the speaker said: 'I am sorry, no. There isn't'. Then he stood up again. I think he was from South Australia. He said: 'Well, why not? Why aren't you doing this?' The fellow came back to the rostrum and he said: 'Unfortunately, it is part of the Aboriginal land claim'. That just brought the house down. Nobody could understand that at all. Some of our interstate visitors had a lot of trouble coming to grips with that particular statement.

Mr B. Collins: They were probably all Liberals.

Mr COULTER: I said he was from South Australia.

Mr B. Collins: Yes, they have an opposition down there.

Mr COULTER: Have they? One of the things that Mr Strong did speak about was the American experience in terms of the amount of land which is currently locked up in America and is not available for exploration. He quoted from Ronald Reagan's speech in April 1982:

> *Large amounts of federal land, estimates vary between 40% to 68%, are now closed to mineral exploration and development at a time when the nation is becoming increasingly dependent on foreign sources for many strategically important minerals. Although these minerals are important to our civilisation, our standard of living and our defence, less that 3/10 of 1% of the nation has ever been disturbed by mining. Much of our public land is highly mineralised but large amounts of that land now lie off limits to exploration and development.*

Mr Deputy Speaker, it is often said that we follow the lead set by America in the development of Australia. There are very many examples of that that you

can quote from. The introduction of colour television would be just one of them but there are many examples.

Mr B. Collins: Sliced bread.

Mr COULTER: Yes, sliced bread is one. I received some papers from Ralph Hunt just recently. He said that 17% of Australia is already locked into either Aboriginal land claims or set aside for national parks. So I suggest that we are already heading down the road to locking up Australia. We know the type of mineral development which exists at Kakadu, but that just keeps growing with Kakadu 1, 2, 3 etc. What we are doing is just locking up our mineral wealth and not exposing it to an industry which has an impeccable record of looking after the environment. It has shown a very high degree of professionalism when it comes to the environment. I suggest to you that some of the environmental experts in Australia are now the employees of mining companies. The amount of money and research that is going into that type of resource development is to be commended. Currently, 4% of Australia's land mass is designated as national parks or other conservation areas. By contrast, the industry estimates that less than 0.1% has ever been subject to mining and, in any case, much of the areas disturbed have been rehabilitated.

Mr Deputy Speaker, I am not sure which road we are going down but we have to make a turn soon. There can no longer be the locking up and the hiding away of the resources which rightfully belong to all Australians. I would like this Assembly to consider very seriously the implications of locking up land. We should be supportive and allow mining to go ahead under the very restrictive code of ethics which it has developed itself and is subjected to by reams and reams of legislation imposed upon it by not only state governments but also federal governments.

Mr PALMER (Leanyer): Mr Deputy Speaker, I could probably lock up my land with my daughters, I have so little of it. Yesterday during the adjournment debate, we were subjected to a curious little speech from the member for MacDonnell. Like many of his other speeches, it left an impression of an army of pompous phrases moving over the landscape in search of ideas. Sometimes these meandering words actually captured a struggling thought and bore it triumphantly, a prisoner in their midst, until sadly it died of servitude and overwork.

In any event, the honourable member referred the Assembly to 2 criminal cases in which charges were preferred against a Jacky Jagamara and a Charlie Jagamara. The honourable member related the facts of both cases to the Assembly and, notwithstanding the extenuating or mitigating circumstances, the underlined fact in both cases was that Jacky and Charlie Jagamara caused or deliberately brought about the expiration of other human lives.

Mr Deputy Speaker, I will briefly reiterate the facts as presented by the honourable member for MacDonnell. On 2 April 1979, Jacky Jagamara approached another man and, after a brief verbal altercation, proceeded to spear him. On 3 November 1983, Charlie Jagamara approached another man who, at the time, was sitting in a motor car and, after the words, 'You bin rob my wife', dispatched him in no uncertain manner, also with a spear. I am not going to comment on the tribal laws or the interrelationships that led to these offences. Suffice it to say that they were offences and deserved the attention of the law.

The honourable member also told us that, after considering the facts

before the courts and the extenuating circumstances, both Jacky and Charlie Jagamara were sentenced to the rising of their respective courts. The sentences were an option of the court and they appeared to have been accepted. After hearing from the honourable member of the cases in question, and of the sentence imposed, appropriate or not, the honourable member made one of the strangest statements I have heard in this Assembly or elsewhere: 'I seek some answers from the Attorney-General as to why, in those particular cases, a plea of nolle prosequi was not entered by the Crown, particularly given the fact that both of these men were sentenced to the rising of the court'. By the honourable member's own admission, the 2 men in question did in fact kill 2 other human beings, yet here we have a member suggesting the Crown enter a plea of nolle prosequi, a plea of an unwillingness by the Crown to proceed.

Does the honourable member not agree with the old adage that justice must not only be done but must be seen to be done or is the honourable member suggesting that the law of the land should not apply in cases of tribal Aborigines or that murder should be condoned by the Attorney-General by permitting a plea of nolle prosequi or that murder ranks on the same scale of social or anti-social behaviour as a parking offence?

What wonderous powers of forethought in hindsight he asks of the Attorney-General: in view of the sentences, do not proceed with the prosecution in the first place. The sentences alone stand as evidence of the Northern Territory's recognition of difficult tribal circumstances. They are evidence of our judicial system's ability to recognise tribal law and to take cognisance of the punishments meted out under the tribal system. But a plea of nolle prosequi by the Crown would be demonstrably ludicrous.

Perhaps the honourable member could suggest to the defence that, in future in matters of this nature, the defence could enter a plea of de minimis non curat lex - the plea that the law takes no account of small things. I admit it is also a ridiculous suggestion. However, it is no more ridiculous than the suggestion put forward by the honourable member for MacDonnell. At least it relieves the Attorney-General of the onerous responsibility of forethought in hindsight. Indeed, if the Attorney-General was possessed of such powers, it is a plausible suggestion to do away with the whole judicial system and simply let the Attorney-General mete out the sentences as he sees fit because whatever he decides would have been the decision of the court had the court been allowed to decide it.

Indeed, having one of such ability in our midst, we could do away with many of the functions of government and, in these days of atheism, we could here in the Territory have living proof of the existence of the all-knowing being: James Murray God.

Mr SMITH (Millner): Mr Speaker, I want to talk about 2 matters today. One concerns occupational health and safety. I think that everybody who is interested in the topic would have had a close look at it after the Elizabeth River Bridge accident where a worker was killed because of the failure in safety procedures on the bridge. It has revealed a specific weakness in the legislation and that is that there were limited rights for workers and unions to report faults and demand actions on those faults. I think I should congratulate the honourable minister on the action he took there because, although the legislation did not provide for the right of individual workers and unions to demand action, he certainly exercised the discretion he had under the legislation and made sure that the problems were addressed.

As a result of that specific incident, I have had a general look at the situation in the Northern Territory in terms of the legislative cover that there is for occupational health and safety. It is of some concern. First of all, we do not at present have a satisfactory statistical base on what is going on. There is no general system of compulsory reporting of lost-time accidents. The only complete exception to that is in the Mines Safety Act where all lost-time accidents have to be reported. The Construction Safety Act provides for reports of loss of life and of greater than 7 day loss of work time caused through injuries caused by electric shock or where people are overcome by gas vapours or fumes. The Inspection of Machinery Act provides that the only accidents that you have to report are any incidents to boilers or machines covered by the act which are 'of such a nature as to necessitate structural alterations or extensive repairs'. Therefore, under the Inspection of Machinery Act, there is no regard for the person at all; it is the machinery. It does not matter about the person.

Mr Speaker, in other areas not covered by those acts, there are no requirements at all to report lost-time injuries. There are no requirements at this stage to develop statistics on the number of complaints that are lodged under workers' compensation each year. As well as this lack of a statistical base, there is also a large area of work in the Northern Territory which is not covered by legislation. We do not have anything equivalent to a factories act which the states have. For example, we do not have any legislation which provides for health and safety measures covering asbestos processing - if that still takes place. Bakehouses or confined spaces, explosive power-tools, floor covering, hearing conservation, local government industries, rural industries, spray painting, welding and outdoor workers are not covered by health and safety legislation. In addition, we do not have any general regulations dealing with air space and ventilation, heating appliances, lighting of factories, change rooms and facilities for employees, rest rooms, dining rooms, drinking water, sanitary and working accommodation, safety of persons in aerated water factories and breweries - not that we have a brewery - or floors and ceilings in factories. What I am saying is that there is a lack of legislation in the Northern Territory at present relating to a number of very important workplace areas.

As well as that, there is concern at the present division of responsibilities in this area. As I said in a speech to the Industrial Relations Society some time ago, responsibilities in this area are distributed amongst a number of different departments. From memory, 5 or 6 different departments have a finger in the pie. In the Mines Division of the Department of Mines and Energy, we seem to have a potential conflict of interests. The Mines Division has as its overall responsibility: 'to encourage the control and ensure the efficient, orderly and safe recovery and utilisation of mineral resources in the Northern Territory'. That to me has a potential to conflict, at least in part, with the Industrial Safety Section of the Mines Division which has as its primary responsibility: 'the ensuring of physical safety in mines and the adequate standards of occupational hygiene'.

Mr Speaker, another difficulty concerns quarries. I understand there is a serious problem concerning silica dust levels. The Department of Mines and Energy has taken readings on the amount of silica dust in quarries throughout the Northern Territory but it is not prepared under the present legislation - or the lack of legislation - to actually release that information. I find that to be most inconsistent. Certainly, it is not doing anything to improve industrial relations and it could be potentially harmful to the health of the workers. Certainly, it prevents the workers, and the unions covering those

workers, from making judgments on whether the silica dust levels are appropriate or if something should be done to reduce them.

Mr Speaker, we really do have a confused picture in the Northern Territory at present. We have responsibilities spread over a number of different departments. We do not have adequate statistical information and we have, in my view, a decided legislative lack in some of the areas. I think it is necessary to bring it all together and I would suggest an appropriate way of doing that is to establish a department of labour and industry. This is the way it is handled in other Australian systems. I suspect that the argument that has been used in the past is that we really do not have a sufficient industrial base to warrant the establishment of such a department in the Northern Territory. That is slowly changing, Mr Speaker. If all goes well, our industrial base will become bigger and bigger. I believe now is the appropriate time to consider putting all these matters together and to consider the establishment of a department of labour and industry.

Mr Speaker, secondly, I want to speak briefly about my concern that there does not appear to be a budget allocation for improvements to the Nightcliff High School. I would be pleased to be corrected by the honourable minister if I am wrong on this. I am aware that the minister was at Nightcliff High School 3 or 4 weeks ago and was given an extensive tour of the school. The perceived problems at the school were pointed out to him quite forcibly.

Mr Hatton: By the local member.

Mr SMITH: I did not want to embarrass the local member because, if he had been a successful local member, he would have been able to produce the goods. I was going to leave him out of it but, now that he has mentioned it, the local member was with the honourable minister.

Mr Speaker, in my mind, Nightcliff High School has become the most neglected high school in the Darwin area in terms of its physical resources. A lot of money has been spent on Casuarina High School. Dripstone High School is fairly new, of course. A lot of money has been spent in the last few years on Darwin High School. Nightcliff High School, for some strange reason, seems to have missed out. I acknowledge with some gratitude that the honourable minister took some action to alleviate some basic safety problems in the manual arts area earlier this year but a great deal still needs to be done.

I will not go through the complete list that I have but probably the most important area is in terms of science facilities. I am advised that all the laboratories at Nightcliff High School need upgrading. Of course, they have been there for 12 or 13 years and the technology in science rooms has changed quite considerably. Unfortunately, Nightcliff High School has not kept up. The laboratory workshop needs to have gas and water connected and a fume cupboard installed. The list goes on and on.

Other areas where there are demonstrated needs are in the music area, the bathroom-laundry area for the Aboriginal unit, the needlework areas, teachers' preparation rooms and physical education and home economics areas. I ask the minister if he can throw any light on whether there is some money available in this financial year for Nightcliff High School or, if not in this financial year, when the school can expect to be upgraded to the standard of other high schools in the Darwin area. I hope that his answer comes a bit sooner than when the present member for Nightcliff becomes the Chief Minister because that could be a long time.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I would like to clear up one point from last night when I was discussing the gyrocompass. I make it very clear that I did not at any stage say that the person involved was a teacher. Obviously, I did not know that but it was very illuminating when an honourable member opposite said that we had a very high reading. A very interesting reading indeed could be put on that.

The key thing I want to say tonight is that, recently, I met at Ti Tree with the Ti Tree Progress Association and an idea was put to me by members of that association which I think has some merit, not only for the Ti Tree area but for other parts of the Territory. It was a suggestion that some of our Territory roads could be widened at appropriate places so that aircraft, such as those of the Flying Doctor Service, could land there in emergencies. It thought that it might only be a matter of time before the Territory has a major accident, say, involving a tourist bus and a roadtrain in which many people could be injured. As it said to me, 1 helicopter would not be sufficient to cover such a major accident. We hope such a thing will never occur, but its suggestion had a certain degree of merit. The idea would be that, as roads are being upgraded in the Territory, sections be chosen near small towns to be widened and strengthened to such a level that twin-engine aircraft of the type used by the Flying Doctor Service could land there.

It was pointed out by one of the members of that association that this is done already in certain parts of outback Western Australia. It also foresaw the need for the strips to be reasonably near a population centre even if it was a fairly small one such as Ti Tree which has 2 policemen. That means 1 is on duty nearly all the time. It also has a newly-established emergency services group which, if an emergency came, would close the roads, remove the white posts which would be of a movable type, close off the ends and make radio contact with aircraft. If such an emergency occurred at night, it could set up landing flares.

The thing that appealed me about this is that it could result in considerable cost savings. Airfields as such are expensive items and, of course, the life-saving potential would throw an extra mantle of safety over the tourists whom we are trying to encourage to visit the Territory. I think the idea is well worth consideration and I intend to take it up with the minister.

I want to say one last thing. I think it was last Thursday that the honourable member for MacDonnell claimed that the joint defence space research facility in Alice Springs is a first-strike target in the event of a nuclear war. I challenged him on that point and he said he would give evidence which would conclusively prove that. I am still waiting for the evidence; I do not believe that it exists.

Mr HARRIS (Education): Mr Speaker, I wish to touch on a few subjects this afternoon. The first is in relation to a question that I answered this morning on vandalism. Whilst I mentioned that vandalism was a real problem in the bush areas, one of the aspects that I forgot to mention was that of security. It is important that I place on record the concern that we have in relation to security in some of the outlying areas. The department virtually has to play a watchdog role in some of those remote communities. There has been a marked increase in break-and-enter offences in some areas. This mainly involves residences rather than school buildings. On occasion, some young female teachers have been exposed to grave risk because of the lack of security and adequate communication with other residences in those areas. It is recognised that the answer to this problem is not in fortifying the

the buildings themselves. The ideal approach is to solve what is essentially a social problem. However, it is of concern to us, particularly in relation to recruiting and maintaining staff in those communities. I wish to indicate that the government will be spending a considerable amount of money in putting up screens on houses in these areas.

Mr Speaker, during this sittings, the honourable member for Nhulunbuy raised 2 issues that require a response. After listening to the honourable member for Nhulunbuy, I often wonder if he supports his electorate or not. He keeps mentioning the negative aspects of Nhulunbuy; he never seems to promote the town of Nhulunbuy itself. I know many people who live in that particular town who love the place. In fact, they have as much feeling for Nhulunbuy as I have for Darwin. At a recent ICPA conference that I attended in Townsville, I came across delegates who had attitudes similar to those of the member for Nhulunbuy. One of the delegates, who was about to become the parent of a school-aged child, was petrified by information given to her in relation to the schooling of her child in an isolated community. She had been fed all the negative aspects of isolated children's education. The people in those communities have tremendous hardships that they have to overcome but they also have a good life. On occasion, you have to point out the positive aspects of living in isolation. When I referred to this at the conference, many people agreed that they would not give up living in the bush for quids. They realise that there are also problems in urban areas such as Redfern or the suburbs of our bigger cities. In everything that we do, we must not only stress the negative aspects but also the positive aspects.

Mr Speaker, the member continually refers to the 'Berrimah Line'. I must say that a number of other members on this side of the Assembly refer to the 'Berrimah Line' as well. What the honourable member does not mention is that government spending in Nhulunbuy is considerable. He should realise that, over the last 2 years, this government has spent in excess of $600 000 on the upgrading of the primary school at Nhulunbuy. This is no small sum.

This afternoon, the honourable member for Millner spoke about the need for further funds to be expended on Nightcliff High School. I attended the Nightcliff High School with the member for Nightcliff and I will be making sure that that matter is addressed as quickly as possible. I will make some announcement in relation to that particular issue at some later stage. I might say that the honourable member for Millner touched on only a few of the issues that were of concern at Nightcliff High School. One of the major issues is the lack of room for staff in the faculty areas. They had something like 15 teachers working in a room that is about the size of our committee room. There is grave concern about a number of problems at Nightcliff High School. The honourable member for Nightcliff has continually brought those to my attention and they will be addressed.

Mr Speaker, one issue that the honourable member for Nhulunbuy raised was student numbers in primary schools. He mentioned that the government was not enforcing its policy in this matter. He went on to say that the Nhulunbuy Primary School was large. I agree that it is large in terms of Northern Territory primary schools but, in terms of primary schools throughout Australia, it would probably be classed as a grade 2 school. Many schools have well in excess of 1000 students. The optimum size of a school is set down as having between 400 and 500 students in primary schools and between 800 and 1000 in secondary schools. However, they are guidelines. Because of the variances that we have in the Northern Territory, it is impossible to set any particular number for schools in various communities. They do vary in some bush schools from a handful up to some 750 in the

Nhulunbuy Primary School. We do not have any set policy in relation to the number of students that should be in a school. That is something that should be taken into account by the honourable member for Nhulunbuy.

I also point out that the system of sub-schools in operation at the Nhulunbuy Primary School is working very well indeed. I can assure the honourable member that no child is being disadvantaged because of the size of the Nhulunbuy Primary School. The sub-school system is working well.

Mr Speaker, the honourable member mentioned Year 6. At present, Year 7 students are still in primary school itself and this adds considerably to the numbers. I have visited Nhulunbuy on a number of occasions and the department has not locked itself into the view that Year 7 students should go up to the high school at Nhulunbuy. This is something that is being discussed in the community. I have asked the Nhulunbuy community to examine this particular issue because I believe that it is best if we can be consistent throughout the Territory rather than have some areas where there is no need for Year 7 to go to the high school. On occasions, it is not possible to do other than that because of the problem of student numbers in particular areas. We have not finally decided on the question of the movement of Year 7 students from the primary school to the high school at this stage.

I also remind the honourable member that there are a number of factors which influence the size of a primary school. In urban areas, it has been attempted to design schools to enable the children to go to school in their own district; for example, children in Anula to go the primary school in Anula. However, we do not have any policy in relation to a set number of students at a school.

Mr Speaker, the other point that he raised was the matter of staff morale. He mentioned that the department secretary had been laughed out of a meeting of staff the other day. He also mentioned that the Department of Education is rapidly developing a very poor reputation amongst its employees and amongst the electorate generally. I have visited Nhulunbuy on a number of occasions with the Secretary of the Department of Education. I have spoken to teachers and also to the regional office staff in Nhulunbuy. The impression that the member for Nhulunbuy has put across in this Assembly is definitely not the impression that I received on visiting that particular area. When we go to these communities, we can make ourselves available for questions. We tell the staff that, if they have any queries, they should raise them with us. I am sure that, if the honourable member for Nhulunbuy had checked his facts, he would have found that the secretary was not laughed out of the staff meeting at all. I would suggest that he perhaps check with some of his friends and find out exactly what the situation was. There are some teachers at Nhulunbuy who are still seeking information about conditions. They have an interpretation of what the conditions should be. It is obvious that, when these issues are raised, there may be a difference of opinion. I would suggest to the honourable member for Nhulunbuy that, instead of being negative, he should try to inform these people of what the facts are. There is no doubt that he has the right to question government policy - and I am not denying that right at all - but he also has a responsibility, in relation to people in his electorate, to inform them of the facts. I think that, if he did address this situation, he might be able to solve some of the problems that he feels he has in that area.

In relation to the regional office, since I have become the Minister for Education, it is an issue that has been raised with me. It is an issue that I have addressed. I can inform the honourable member that the people in the

East Arnhem area will have a new office in the very near future. We have set aside in the budget some $600 000 for the construction of regional office accommodation. I should also make mention here that Cabinet has approved that the siting of the regional office will be on the high school site. It will not be close to the other buildings of the high school. The block itself is a large area and the regional office will be set well aside from the high school itself.

Mr Deputy Speaker, I think you can see from those comments that the Nhulunbuy area has indeed been well looked after by this government. I believe that the government will continue to look at those particular matters.

There is only one other topic I would like to touch on briefly. That is in relation to coffee bush. I see the honourable Leader of the Opposition open his eyes. I praise the work of those who have been involved with the removal of coffee bush from around our foreshores: the Darwin City Council and also the Conservation Commission. However, with the approaching wet season, I would suggest that it is necessary for us to make sure that the coffee bush itself does not regenerate. In some cases this is occurring. In other cases, they have been successful in stopping the growth.

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

Mr FINCH (Wagaman): Mr Deputy Speaker, I will be brief on 2 matters this evening. In Sydney earlier this month, I was pleased to have been asked to represent the honourable Minister for Primary Production at an emergency meeting called by the Australian Meat Exporters Federal Council to discuss a number of items that were of particular concern to it. The foremost amongst those was the imposition of increased export inspection fees by the federal government through the export inspection service of the department.

The meeting was attended by a number of organisations which represented producers, processors and exporters. It was also attended by a number of federal and state department representatives. In fact, I think there were approximately 60 people in attendance. As I mentioned, I represented the honourable minister. Also in attendance was a representative of his department, Dr Graham Fallon. The main area of concern of the representatives there was not only the export inspection fee but also regulations covering the particular industry, overseas market development trends and increasing costs by virtue of industrial demands. A number of other minor issues were discussed at that meeting.

The Chairman of the Australian Meat Exporters Federal Council, Mr Kevin Bowtell, chaired the meeting. Also on his panel were Mr Binstead, President of the Cattle Council, Mr Perce Blanford, President of the Sheep Meat Council, and Mr Jack Gilbertson, who is the Chairman of the Meat Exporters Association. The reason I mention those people is that, historically, the industry has not been known for its ability to talk across the board. For once, it seemed to be getting its act together in a common bond to make a plea to the federal government.

The history of the fee situation is that, following the 1982 Royal Commission into the Australian Meat Industry, the inspection of export meats was handed across to the Export Industry Service. Additional measures were brought in to provide not only inspection for health and hygiene reasons but also additional measures for security purposes etc. These additional measures imposed additional costs on that particular department and it was the intention to pass on all the costs to the industry. The fees that were

proposed on 1 October 1983 would increase from $1.80 per head to a total of $5.50. Subsequently, an interim inspection policy council was set up to conduct an inquiry amongst meat exporters. It recommended in April 1984 a number of things. Included amongst those were, firstly, in the short term, there was a compelling case for assistance to be given to the industry through a reduction in the export inspection charges and, secondly, that a moratorium should be declared on the export component for 2 years because of the state of the industry, the need for trade incentives and the fact that efficiency measures and charges must be phased in.

It has come to light of course that the Commonwealth Minister for Primary Industries, Mr Kerin, failed to relay those recommendations to the federal Cabinet. As such, the fees stood. It is my understanding from discussions at that meeting that the export component of the fees, which ranged from about $2.50 a beast up to $8 per beast, in fact chewed up most of the profit to the exporters of that particular product.

The Cattle Council indicated that it had always been opposed to the imposition of export and inspection charges on the meat processing industry. The main purpose of that was the guarantee of the health and hygiene of the product. Therefore, the cost should be borne by the community as a whole and not by the industry.

A number of other issues were raised. I mentioned the regulatory restrictions that they felt were imposed upon their market. It was relayed, for example, that a number of managers of processing companies were having a great deal of difficulty in trying to sort out all of the many regulations and requirements that applied to them. Reference was made to the export industry services red book which is over 300 pages of regulations in itself. There is also a blue book. Now the AMLC has thrown its hat into the ring with some additional regulations as well. So the industry not only is under difficulty for a number of other reasons, but the question of over-regulation comes into play as well.

Decline in involvement of the federal government in export marketing was also mentioned - the federal government's deliberate phasing out of funding of the export market development area. In fact, it was mentioned that, as far as meat exports were concerned, grants had cut out 2 years ago.

Another area that was mentioned was the very high shipping cost. This is something that we are well aware of because it certainly affects the cattle industry in the Northern Territory. In the 12 months ending 30 June this current year, the cost of freight to the meat exporters was over $400m, amounting to an amazing 25% to 30% of the value of the product. It is easy to see why. The cartel that determines which shipping lines can carry the product or not gets together and determines what the freight costs will be. If you compare the freight costs between the 124 000 t being shipped to Japan by 11 shipping companies against the 8 shipping lines transporting more than twice that amount to the USA, you can see that transport to Japan is clearly overpriced. Within Australia, ANL is the only Australian shipping company engaged in overseas trade. With its efficiency record, it is no wonder that the industry is hard done by in that particular area.

Recently, the Australian Meat Industry Employees Union went before the full bench of the Arbitration Tribunal in Darwin. We see there the impositions that are placed once again on the industry by union demands and the ever-escalating cost of wages and labour.

All of these factors together do not make a very pretty picture for the future. Look at the track record of primary industry. Approximately 25% of Australia's gross national product comes from that particular sector. In fact, the federal Treasurer, during his budget speech, made particular reference to the healthy state of the primary industries area and the contribution that it was making to the nation's economy. One wonders about the true intent of federal policies when one sees that, almost in every area, one of the main providers of income to Australia is neglected. It is neglected to the extent that the ALP national conference spent a whole 6 minutes talking about the primary industry sector, which is absolutely amazing when some of the other debates are considered and the time spent on other areas.

Mr Deputy Speaker, in closing, the council made a number of recommendations and paramount amongst them was that the Minister for Primary Industries should be asked to put to Cabinet the full recommendations of the IIPC that inspection charges be waived for the next 2 years. I would suggest that anyone who has some influence in the federal political arena might do well to support that move. Obviously, not only is it important in the primary production area Australia-wide, but it is extremely important to the Northern Territory. We have seen a great decline in our ability to be able to move our cattle, to have them processed within the Northern Territory and to have them exported. All of these things interrelate and anything we can do to support the industry in general will be to our own benefit.

The second item I wish to raise tonight relates to the Northern Territory Council on the Ageing. By way of background, the Council on the Ageing, which is a voluntary group that had its inaugural meeting in 1968 and officially started functioning in 1973, is a group that is dedicated to the overall coordinated development of aged care services throughout the Northern Territory. Part of its endeavours are not only to ensure that full and proper services and facilities are made available to the aged but that appropriate liaison with government departments and service groups is maintained, that there are no gaps in the system and that energies and resources are not wasted.

When we look at the ageing population in the Northern Territory - and I guess I am probably a member of it - statistically there are over 15 000 Territorians over the age of 50. Despite the fact that we make a lot of noise about the Territory having an extremely young population, we need to be very conscious - and I guess I have spoken before in this Assembly on the matter - of those groups which are approaching retirement age and more particularly those who are already there. The rate of increase of the aged population is incredibly high compared to the rate of growth of the population in general and the council has a very valid and vital role in ensuring that adequate and proper services are delivered where they are needed.

I was pleased to hear during debate today the honourable Treasurer mention that the distribution of the net proceeds from the last Territorian lottery were directed entirely towards aged persons. Some of those funds went through the Council on the Ageing and some through other allied groups. As a matter of interest, most of that money is being spent on transportation for aged people right throughout the Northern Territory. Through that, people who no longer enjoy full mobility will be able to be transported downtown to do their shopping, to libraries and to do all those other things that are extremely important to them and services which they undoubtedly have well and truly earned through their contribution to the development of, not only this Territory, but the nation. The general assistance of this government to that particular group should be acknowledged and probably has been in many areas already.

The final point I would like to mention is that the Northern Territory Council on the Ageing has sought and received endorsement from the Minister for Health to sponsor this year's Senior Citizens' Week. That week is to be held in the month of October and, in fact, coincides partly with our next sittings. The program is being developed right throughout the Northern Territory with support from all of the agencies and includes such things as receptions at Government House and with our Lord Mayor, and various other activities the old timers are arranging themselves, including dances and movie nights.

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

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, this afternoon it was interesting hearing the statement the Leader of the Opposition read from a report procured for him by Federal Hotels from its auditors. I was delighted to support the Leader of the Opposition's request for an extension of time so that he could read out the statement in full because I certainly want to have the whole of its report so that I can also refer it to accountants. Certainly, it is at variance with the report of the Australia Bank. I think it is at variance with the report of the Martin Corporation. Although, unfortunately, I did not hear all of it because I was called out of the Assembly during his reading of the final certificate, which the Leader of the Opposition seemed to regard as some sort of coup de grace that he was delivering. The certificate by Peat, Marwick and Mitchell went something along the lines that no one had ever been near them and no one had ever been near Federal Hotels, to their knowledge, to tell them that they were going to wind them down. It was an extraordinary statement. It was laughable; it was ludicrous. It was nothing more than so much accounting gobbledegook. It was absolutely meaningless rubbish.

The media approached me about the Martin Corporation report last Tuesday week and said: 'Look, would you give us a copy of the Martin report?' I said: 'I will be quite happy to give you a copy of the Martin report if you get Federal Hotels' clearance for me to do so'. It has never been my intention to do Federal Hotels or IPEC any damage. One is forced to lay out the facts by the sort of tactics that they have adopted and they, of course, have had as a willing tool the Leader of the Opposition to help them push up their price. However, I can say that the media person who approached me has never been back to me. All I can assume is that Federal Hotels do not want the media to have the Martin Corporation's report.

Let me just say another thing about the Martin Corporation while I am about it. The Martin Corporation might have written a few reports for the government. Certainly, it was retained by this government and the Queensland government to do a desk study on the feasibility of the Mt Isa to Darwin rail link. The corporation said it was feasible provided the coal shipments for the Darwin power-station went across that rail. I do not think that could be gainsaid. At least, that is the way I remember the report. Probably what it said is irrelevant. The corporation also did a report on ADMA and it did this report. So what are reports? They are certainly not the lucrative business of merchant banking.

I will mention a few of the banks that have obtained business from this government in a competitive way because that is the way we try to deal with everyone. Barclays Bank is the financial adviser to NTEC and the government in relation to the Darwin power-station. That was after a keenly fought, competitive contest. Another group that provides assistance to the Treasury

in relation to loan matters that I know of is a firm called Dominquez, Barry, Samuel, Montague and Company. Another bank from which we obtained a report on Federal Hotels and IPEC was the Australia Bank. Australia Bank is our financial adviser in relation to the projects in Alice Springs and on the old hospital site.

Westpac came to the government with an initiative to lead a consortium to build the Alice Springs to Darwin pipeline and secured the various components such as the people who can supply the gas, the pipeline filters and a whole clutch of companies. That was Westpac's initiative. Citicorp is the government's financial adviser in respect of Yulara. Wardleys is providing the finance for the Sheraton Hotel on the Manolas site in Mitchell Street. The Royal Bank of Canada is providing pipeline expertise and financial advice to the government in respect of the Westpac proposal for the central Australia to Darwin pipeline. Those are the banks that have the lucrative work and they have it because they have competed for it and won it on their merits and that is the way this government works.

We are delighted to have banks, and more banks, coming into the Territory and using their initiative and saying: 'We can see a project that we can help put together. Can we work with you?' We are delighted to see that. But, of course, we have to maintain the confidence of those banks too, Mr Deputy Speaker. As far as I am concerned, we are succeeding in that by receiving all these competitive proposals and dealing with a wide spread of banks. I do not think accusations of favouritism, in relation to banks, can be laid at the door of this government. If I could just hark back to 1978, rather than just give the government's banking to the Reserve Bank, we went through the Treasury to every trading bank represented in the Northern Territory and asked them to put in a tender bid for the government's banking business. We ended up giving it to the Reserve Bank but I think it was only because the other trading banks, who I know now regret it, were astounded by the government's open approach. But that is enough on that subject, Mr Deputy Speaker.

I would just like to note the unfortunate deaths of a few well-known Territorians. The first is David Douglas Smith who was afforded a state funeral after his death in Alice Springs on 8 July this year. The late Mr Smith was born on 19 November 1897. He first went to Alice Springs in 1926 with the Commonwealth Railways in charge of surveys. During the next 2 years, surveys covering proposed rail links between Daly Waters and Queensland, and between Dunmarra and Wyndham, were carried out. There were certainly some venturesome fellows in those days. When a branch of the Commonwealth Department of Works was established in Alice Springs in 1928, D.D. Smith became the first resident engineer in central Australia. He had a small crew of workmen but all administrative and technical matters were in his hands. By July 1928, work had begun on a new road through the Macdonnell Ranges and, thereafter, a considerable amount of the Centre saw new and improved roads as the resident engineer was in charge from the South Australian border to the 20th parallel just south of Tennant Creek.

Spurred on by the prospect of war in the 1930s, D.D. Smith constantly overran his roadworks budget and this brought him into considerable conflict with Canberra and the Administrator in Darwin. The war itself justified his efforts, particularly on the north-south road. He encouraged politicians and businessmen to visit the Territory to see for themselves the possibilities here and, once the war was over, he became an active force in the Northern Territory Development League. This was an Alice Springs organisation which included such indomitable fighters for the Territory as Eddie Connellan and

Dick Ward. He was a most community-minded man and for years assisted organisations such as the CWA, the Scouts and Girl Guides, and the Bath Street School.

From 8 December 1962 to 10 October 1965, he was the elected member for Stuart in the Northern Territory Legislative Council, having retired from the Department of Works on his 60th birthday. In March 1983, he received the Order of Australia for services to the community. In his 87th year, at the time of his death, he had lived in Alice Springs for 58 years.

Pastor Nero Timothy died on 9 April 1984. He was born on 6 June 1935 at Borroloola as a member of the Yarawoi tribe. His parents were Tim and Judy. There are 2 sisters, Mavis and Lorette, and 1 living brother, Johnson. He had little formal schooling but, for several years as an adult, attended the Borroloola Inland Mission School run by the Pattemore's during the wet season. In 1967, he went to the Aboriginal Inland Mission College at Singleton, New South Wales, for 2 years' training. His first position was at Tennant Creek in 1969. In 1972, he returned to Borroloola as pastor of the church there. He relieved at Bamyili during 1981 and, in 1982, returned again to Borroloola. In 1973, he married his brother's widow, Norma, and there is 1 son, Ivan, of this marriage. He will be greatly missed and I am sure that all members express their deepest sympathy to his family.

I also draw the attention of honourable members of this Assembly to the death of Hilda Abbott who died in New South Wales in June. Mrs Abbott was born at Eucumbene Station out of Adaminaby in New South Wales in 1890. She was always very proud of her childhood in that area and attributed her phenomenal good health to its bracing climate. Early in the first World War, she requested and obtained an interview with Lady Monroe Ferguson, the then wife of the Governor of New South Wales, and pointed out that the Red Cross in Cairo was in need of a competent office secretary for the Comforts Fund and she was prepared to take the job. She then sailed alone on a ship carrying nurses and doctors to Egypt. There she met and became engaged to Charles Lidiard Aubrey Abbott of the 12th Light Horse AIF and subsequently married him.

She returned to Australia in 1919 with a daughter of 2 who was yet to see her father who had returned to Palestine. After Mr Abbott's return to Australia, the family lived near Tamworth until he entered the Commonwealth parliament in 1927. C.L.A. Abbott became a minister and the family moved to Canberra and thence to Darwin when he was appointed as Administrator on 29 March 1937. In Darwin, Mrs Abbott ran Government House with the barest of help using untrained part-Aboriginal girls whom she looked after and taught. After the bombing, Mrs Abbott drove to Alice Springs where she and the Administrator remained for the duration of the war. They left the Territory in 1946.

Mrs Pantaleona Mary Perez died in Darwin on 27 March this year. She was born in Darwin on 27 July 1898, a daughter of Raphael Ponce. She married Raphael Perez in Darwin in 1920 and there were 7 children of this marriage. Before her marriage, Mrs Perez worked as a secretary at the Vesteys meatworks and, like so many women of her generation, was an excellent pianist. At the date of her death, she enjoyed the distinction of having been a Darwin resident for 86 years. To the best of my belief, no other person can claim such a long connection.

During these years, she saw several civil disturbances, was evacuated with 4 of her children on the Zealandia prior to the bombing in 1942 and saw 2 major cyclones. She was a life member of the Pensioners' Association and was involved in other community activities. She was buried in the old Palmerston Cemetery on Goyder Road, the first such burial there since 1966.

Another distinguished woman was Edith Odetta Spain who died in Darwin on 7 May 1984, aged 85. She was born in Birmingham, England, on 23 April 1899 and met her future husband Felix Spain when she was a VAD and he was wounded in World War I. They were married in England and returned to the Northern Territory in about 1919 and lived first at Pine Creek. In the 1920s, they moved back to Darwin where Mrs Spain ran the Bluebird Cafe for many years. There must be Blueburd Cafes in every town in the north. She too was evacuated with several of her children on the Zealandia and returned early in 1946, having travelled on the back of a semi-trailer from Alice Springs. She was very active in the Catholic Church and, for many years, was a great fund-raiser. Her home and family were her life and she reared 7 children, of whom Dennis, Sheila, Lily, Mona and Felix survive her, along with numerous grandchildren and great grandchildren. Her husband, Felix, died in 1966.

Motion agreed to; the Assembly adjourned.